

Charles Paullin Government Writing W13

Councilman says town workers harassed by law enforcement

By Charles Paullin

The Northern Virginia Daily

Allegations that some Front Royal town employees were harassed and threatened by the law enforcement were brought up at a Front Royal Town Council meeting this week.

On April 20, Councilman Jake Meza said that Warren County Sheriff Mark Butler and deputies surprised three Front Royal crew members who were on a normal run to empty their sanitation truck at the transfer station. Butler and the deputies didn't approach the workers in a way to check if they were compliant with the Department of Environmental Quality, Meza said.

He said that the workers were threatened by Butler and the deputies with arrests, fines and seizing of their licenses to drive the truck because they were allegedly dumping sludge at the transfer station, Meza said.

DEQ, he said, was contacted and the workers were found to be compliant and not have committed a violation.

"To me, this is unacceptable," said Meza, asking why the sheriff went to such lengths.

The situation could have been corrected through communication with the Board of Supervisors, Warren County and Front Royal law enforcement and the localities' town manager and county administrator, Meza said.

Front Royal Mayor Chris Holloway also commented on the matter during the meeting. He said the surprise visit could be called a sting operation and was supposedly set up after a worker at the transfer station had called Warren County Supervisor Cheryl Cullers to state that the Town of Front Royal was dumping sludge.

Cullers then called Warren County Administrator Edwin Daley, who then called Butler, Holloway said during the meeting. According to Holloway, the workers were told during the interaction with the Sheriff's Office that they'd be charged with obstruction of justice if they talked about the investigation into the matter.

"I just find it appalling," Holloway said.

Cullers, during a phone interview with the Northern Virginia Daily on Wednesday, confirmed that she was contacted by staff at the transfer station.

The transfer station sorts through waste, and can't accept material from a sewage facility, as the station is regulated differently than a landfill, Cullers said as she understood it. From the transfer station, the waste is then taken to a landfill site, Cullers said. The county used to have a landfill, but that has not been functional, she noted.

The transfer station is located in Bentonville, according to the Warren County government website.

Cullers said the staff relayed a concern about a material being brought to the transfer station on a Town of Front Royal garbage truck that was mixed with residential garbage.

She passed the information on to Interim Warren County Administrator Edwin Daley, who then discussed the concern with the transfer station staff and then the decision was made to have a discussion with Butler, she said.

Cullers declined to say what might have happened during the interaction between Butler, the deputies and the town workers as she wasn't there and due to a pending investigation into what happened. She said she wasn't sure when the investigation would be completed. Once it is, there will be a report that likely will be made public.

"I can tell you, with the information we received from our staff, we took the appropriate action," Cullers said.

Butler said by phone on Wednesday that there was no harassment or threats made to the town workers. Rather, he said he and his deputies acted professionally, informed the town workers of the potential penalties and shook hands at the site with all workers, who he said were professional and forthcoming on April 20.

He said the interaction wasn't a sting operation and that he was asked by Daley to look into possible illegal dumping at the transfer station. The dumpers were on their way to the transfer station, Butler said he was told. He and his deputies went to the station and observed what was dumped, he said.

There wasn't enough time after receiving the allegation to make a phone call on the matter, he said.

"...you have to have evidence and proof to make a decision, do you not?" Butler said.

Samples of materials were collected by Butler and his deputies and sent to a lab, he said. He declined to say if the samples taken were of sewage material because of the investigation into the matter. DEQ did not look at those samples, Butler said.

Butler too was unsure when the investigation would conclude, given the number of entities involved. He declined to say what those entities were. "We're trying to ensure, one...if it comes out to be...that it was illegal dumping, that it's stopped. That way these individuals don't lose their jobs," Butler said.

"I can assure you that, if doing my job professionally and constitutionally is harassment, well I'm not going to apologize for it," Butler said. "My job is to protect the citizens of Warren County and Front Royal."

"If I get a complaint, it will be investigated, and I don't care who is on the other end of it," Butler said. "And my job is not to prove guilt, but also prove innocence."

At a meeting earlier this month, the Board of Supervisors discussed with the Sheriff's Office the issue of illegal dumping at the station and solutions of increased signage and education at the station.

Strasburg council issues notice of violation against property owners

By Charles Paullin
The Northern Virginia Daily

STRASBURG — The Strasburg Town Council on Monday night issued a nuisance violation to a local couple over the state of their property on West King Street.

Sara Davis and her husband David Lassiter were initially issued a violation on Oct. 28 for having “unmaintained and overgrown vegetation and an accumulation of several items strewn about the rear and side of the property” at 178-188 W. King St., according to town documents.

They appealed the notice, a hearing for which was held during the council's work session. Images of the property on Oct. 26 presented by the town during the hearing show that several items line an alleyway on the property's east side, including a crate, wooden posts, plant pots, a barrel and more.

The property also has bamboo that is an invasive species and must be dug up by the roots to be removed, Town Planning and Zoning Administrator Lee Pambid said during the hearing. Animals were also present on the property, Pambid said.

The alleyway is met on the other side by the building Strasburg Hobbies, which also has a few apartments. Mike Nail, owner of Strasburg Hobbies, said during the hearing that he indirectly lost a tenant because of the pile of items.

The issue has been going on for years and documented back to 2004, Pambid explained. The town is willing to work with potential code violators to bring them into compliance before issuing a violation notice, he said.

“The reason why we want to do code enforcement, first of all it is the law, but we do it primarily for health and safety reasons,” Pambid said. “A lot of the reasons that we get from citizens, they do expect [a] clean and orderly community.”

The property in violation is where Lassiter runs his business, E. Pearls Garden and Antiques. The business provides landscaping services that incorporate antique items, which is what is on the property, Lassiter said by phone interview Tuesday.

The couple enlisted the help of former Town Councilwoman Kim Bishop to advocate on their behalf. During the hearing, Bishop and the couple requested that the town give them until June to clear their yard.

Lassiter began clearing the property after being contacted about it in September, Bishop said. The holidays are a busy time for Lassiter's business, with the COVID-19 pandemic as well as a lack of manpower and money causing delays, Bishop added. The town's efforts to work with Lassiter didn't begin until after they filed their appeal, Bishop said.

"I believe a good faith effort has been shown by the property owners, and they have every intention of completing the work," Bishop said.

Councilman John Massoud said he had a video of the items extending onto the Strasburg Hobbies property, as council members Dane Hooser and Emily Reynolds noted the impact of the items affecting the neighboring Strasburg Hobbies.

Mayor Brandy Boies and Councilwoman Taralyn Nicholson questioned what will prevent the issue from continuing if an extension to comply is granted.

"We are concerned about the stuff," Boies said. "Yes, some of that is art, but to some aspect, staff has identified this as unhealthy, unsafe."

Lassiter said by interview Tuesday he is not trying to be difficult.

"I'm willing to work with them," Lassiter said.

Lassiter said throwing away items results in lost money, adding that he's already spent \$4,000 as a result of past litigation over the matter.

Family complications following a fire at the property years ago have led to scheduling conflicts to take care of the property, Lassiter said.

The council unanimously upheld the violation notice at the conclusion of the hearing.

The council instructed Town Manager Waverly Coggsdale to present a plan for Davis and Lassiter to reach compliance. Coggsdale noted the remedy will need to have specific terms that must be met.

There is no fine for the violation, Pambid said during the hearing.

If the violator doesn't remedy the situation after issuance of the violation notice, Pambid said town staff will clear the items to bring the property into compliance — work for which the property owners would pay.

New redistricting maps puts I-81 corridor together in one congressional district

By Charles Paullin
The Northern Virginia Daily

Northern Shenandoah Valley residents will now have one voice speaking for them in Congress as the result of new redistricting maps approved by the Supreme Court of Virginia on Tuesday that redraw the boundary lines for the U.S. Congress and both house of the General Assembly.

This November, residents along the Interstate 81 corridor will vote as members of the newly redrawn 6th Congressional District, which will now include Frederick and Clarke counties and extend as far south as Roanoke.

Frederick and Clarke counties have been represented by Democratic Rep. Jennifer Wexton of the 10th District, a district that extended as far east as Fairfax County. Wexton's district will now represent localities south of Loudoun and Fairfax counties rather than extending to the West Virginia border.

Localities south of Frederick County along I-81 have been represented by Republican Ben Cline of the 6th District. Cline plans to run again for his seat and faces opposition from Democratic candidate Jennifer Lewis, of Waynesboro.

The Supreme Court of Virginia unanimously approved the map changes as part of a redistricting process that accounts for population shifts every 10 years.

The maps were drawn by two court appointed "special masters," one chosen by the Republican Party and one by the Democratic Party. The special masters said they did not prioritize protecting incumbents, so some of the new districts have more than one incumbent while other districts are open for new candidates.

In the state Senate, Warren and Shenandoah counties were previously in the 26th district, which was represented by Republican Sen. Mark Obenshain.

The new maps split the 26th district into a 1st and 2nd district.

The 1st District will be made up of Shenandoah, Warren, Frederick and Clarke counties. Frederick and Clarke counties were previously represented in the Senate as part of the 27th district, which included Fauquier County to south of Bealeton and is currently represented by Republican Jill Vogel.

The 2nd District will include Rockingham, Page, Highland and Bath counties, and parts of Augusta County. Obenshain lives in Rockingham County.

Obenshain said he's disappointed to no longer be representing Warren and Shenandoah counties, but he's looking forward to the new responsibilities with the new district.

"I have an awful lot of friends in those counties that I've loved working with," Obenshain said.

His new district now includes Republican incumbents Sen. Creigh Deeds of Bath County and Sen. Emmett Hanger of Augusta County, Obenshain said, so that's three state senators vying for one seat.

In the House of Delegates, Warren County is currently part of three districts: the 18th, the 29th, and the 15th, which all intertwine in Front Royal and extend to different parts of the county.

The 18th District for the House of Delegates, represented by Republican Michael Webert, would be renumbered the 61st district and move east out of Warren County to include Fauquier and Page counties, as well as northern Culpeper. Webert did not return a request for comment.

The 29th district, currently represented by Republican Bill Wiley, will be renumbered as a new 31st district and cover all of Front Royal and extend into Clarke and Frederick counties, stopping south of Winchester.

Winchester and the northern part of Frederick County would be represented by the 32nd district. Wiley said he will represent the 32nd district and will miss working with Warren County. But the new districts can allow him to focus more on the Winchester and northern Frederick County areas.

"That was a great relationship there, and I had a lot of great support in that neck of the woods," Wiley said of Warren County.

Shenandoah County will continue to be represented by Republican Speaker of the House-designate Todd Gilbert. Gilbert's district will no longer be the 15th but become the 33rd and will now cover the southern half of Warren County, below Front Royal. Gilbert, who lives in Mount Jackson, will also represent Page County, as well as the northern part of Rockingham County.

Stephen Kurtz, acting chairman of the Warren County Republican Committee, said he's sad to lose the representation of Obenshain and Webert, but excited for the new Senate district centered around Winchester and Frederick County, and the simplicity of two delegates representing Warren County.

Kurtz added the elongated 6th Congressional District will unify the Shenandoah Valley, with Wiley saying a more unified district could help with making improvements to Interstate 81.

The Democratic voters who live in Winchester will also be brought into the strongly conservative 6th Congressional District. "It's good news for us," Kurtz said.

Shenandoah County Democratic Committee Chairman Brad Skipper said he, too, was excited about the new state Senate district, as an opportunity for his party to garner more Democratic votes out of Winchester. But turning the strong conservative region to Democratic representation, both locally and in the congressional race, will be challenging.

"There's always a chance," Skipper said. "I would be remiss if I didn't say it was going to be an uphill battle. We know our area."

John Massoud, chairman of the Republican Sixth Congressional District, welcomed the new localities to the district and said the new maps made geographical sense.

Both Kurtz and Skipper said it was too early to say who might run for the new state Senate seat that will represent Shenandoah, Warren, Frederick and Clarke counties. Kurtz said there were early discussions of a candidate for the new 31st House of Delegates district seat but no commitments yet.

The maps take effect in the next general election to be held for each office — 2022 for the congressional seats, 2023 for the state Senate, and 2023 for the House of Delegates, according to the Virginia Public Access Project. There's a chance all 100 delegates would have to run again for their seat this November since a pending lawsuit seeks elections under the new maps.