

2015 Achievement Awards Virginia Association of Counties

APPLICATION FORM

All applications must include the following information. Separate applications must be submitted for each eligible program. **Deadline: June 1, 2015.** Please include this application form with electronic entry.

PROGRAM INFORMATION

Locality: Shenandoah County

Program Title: Historic Shenandoah County Courthouse Open for Visitors

Program Category: Community & Economic Development

CONTACT INFORMATION

Name: Jenna French

Title: Director of Tourism & Marketing

Department: Tourism

Complete Mailing Address: 600 N. Main Street, Suite 102, Woodstock VA 2664

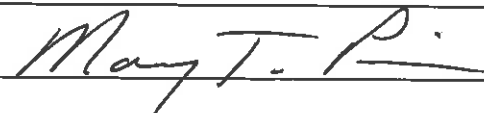
Telephone # 540-459-6165 Fax # 540-459-6168

E-mail: jfrench@shenandoahcountyva.us

SIGNATURE OF COUNTY ADMINISTRATOR OR CHIEF ADMINISTRATIVE OFFICER

Name: Mary T. Price

Title: County Administrator

Signature: 

**“Shenandoah County Historic Courthouse
Open For Visitors”**



“Shenandoah County Historic Courthouse Open For Visitors”

The Shenandoah County Board of Supervisors developed a partnership with the county Historical Society and opened the 1795 historic courtroom to the public and visitors from all over the world. After renovations, which included a new metal roof, foundation support, and improved energy efficient utilities, the

Historical Society now occupies office space in the facility and volunteers their time to invite the visitors, local and afar, to see our history. This historic building, which is the oldest courthouse still in use west of the Blue Ridge Mountains, continues to hold circuit



Historic Shenandoah County Courthouse c. 1800

court hearings on the last Friday of each month to meet a deed restriction. This project demonstrates a true example of community development utilizing community participation and community organization to open the Historic Courthouse for visitors.

Citizen Involvement

The Shenandoah County Board of Supervisors adopted a resolution on February 13, 2008 to construct a new District Courthouse and committed to a renovation of the existing Historic Courthouse.¹ Keeping in mind the deed restriction that required it to be used as a courthouse², the Board of Supervisors wanted remaining vacant areas with the exception of the office space set aside for the Historical Society and multi-purpose rooms for parks and recreation programs to be available to the public. In February 2010, the Board of Supervisors formed a Historic Courthouse Task Force. Members of the Task Force composed of county government officials and citizen

¹ Resolution adopted by Board of Supervisors attached as Exhibit A

² Copy of Deed attached as Exhibit B

representation including, the library director, tourism director, historical society, a county and town elected official, judicial system, and citizens of respective electoral districts. The Task Force held several meetings and a public forum to receive citizen input. On the same evening of the public forum, citizens were given the opportunity to tour the Historic Courthouse and were provided a questionnaire to complete asking for input on future use. The questionnaire was also advertised in the local daily newspaper and placed on the county website. Approximately 75 visitors toured the historic courthouse and 22 questionnaires³ were received by the July 1, 2010 deadline. The Task Force considered all citizen input and also spoke with other agencies, such as the Chamber of Commerce. After deliberations, they presented their report⁴ to the Board of Supervisors in December 2010. It included four recommendations:

- Preserve and maintain the Courthouse structure for its historical and architectural significance and keep at least the original 1795 structure open to the public on a regular/routine basis.
- Display historic Shenandoah County materials and artifacts.
- Promote the Historic Courthouse as a destination for tourists and County citizens and make County-wide tourism information available to visitors.
- Maintain a portion of the space in the historic courthouse for court proceedings, judge's chambers and other court related activities as required.

Funding Source

The Task Force also considered some possible funding solutions for the Board of Supervisors during their meeting discussions. They invited Elizabeth Tune with the Department of Historic Resources to attend a meeting and she provided a presentation on historic tax credits.

³ Samples of questionnaires received from the public attached as Exhibit C

⁴ Report to the Board of Supervisors presented by the Historic Courthouse Task Force attached as Exhibit D

This funding option was mentioned to the board during their report in December. However, with positive bid results and construction management of the District Courthouse and Health & Human Services Building in 2011, the County had leftover bond issuance funds to renovate the Historic Courthouse. There were restrictions on the use of the left over funds but after consultation with Virginia Resource Authority and County bond counsel, the Historic Courthouse renovation qualified for the expenditure of unused funds. This was related to the fact that the Historic Courthouse was vacated when the shared courts of Juvenile Domestic Relations and the District Courts moved to the new District Courthouse. With this authorization, the County received an unsolicited proposal under the Public-Private Education Facilities and Infrastructure Act (“PPEA”) for the renovation of the historic courthouse. Following the proper advertisement period, a contractor was selected and the renovations began in November 2012. The guaranteed maximum price to perform the renovation was \$1,296,000. The renovations included a new metal roof, energy efficient heating and air conditioning, new electric and plumbing, new restrooms, furnishings and floorings. The foundation of the 1795 portion was stabilized with concrete. Contractors also removed a drop ceiling in the 1886 portion of the courthouse that was used as a clerk’s office which exposed the beautiful wooden window trim of that time period which visitors can now enjoy.



Partnership Renewed

For many years the Shenandoah County Historical Society (SCHS) occupied space at the HCH and after the renovation their presence and partnership was renewed. The SCHS also played a major role in the renovation by assisting with color selection and protection of the

historic infrastructure. The next challenge was to meet yet another goal of the task force and open the facility to the general public. It was the desire of County Administration and the Board of Supervisors to accomplish this without additional personnel and expenses and the formal partnership with the SCHS was formed. During the renovation there was a space allocated for the SCHS to have office and storage. In exchange, they would provide volunteers to allow the historic courthouse to be open to the public.

Jenna French, Director of Tourism and Marketing, provided a presentation⁵ to the Board of Supervisors at a regular meeting on March 11, 2014 pitching the idea of using volunteers from the Historical Society and some from the community, which would be trained by the Historical



Historical Society volunteer assisting a visitor

Society, to open the courthouse to citizens and patrons.

A formal Memorandum of Agreement⁶ was adopted by the Board of Supervisors and it was open for visitors in June 2014. The days and hours of operation are currently Thursday through Saturday from 11:00

a.m. to 4:00 p.m. Since the opening in June 2014 through the end of April, there have been visitors from 21 states and three countries, including Denmark and Germany.

Thanks to the Historical Society, along with assistance from Jenna French, Director of Tourism and Marketing, visitor information is available to all patrons. In addition, the Historical Society set up a museum of county history and artifacts. Ms. French said, “we are thrilled to be able to open one of our most historic assets to the public thanks to the great partnership and



Museum display

⁵ Presentation by Jenna French to the Board of Supervisors attached as Exhibit E

⁶ Adopted Memorandum of Agreement with the Shenandoah County Historical Society attached as Exhibit F

volunteers from the Shenandoah County Historical Society. The exhibits they have created within the museum bring to life the history of Shenandoah County for visitors and locals alike.”

Barbara Adamson, President of the Shenandoah County Historical Society [stated, “I am very pleased with the successful rehabilitation of the Shenandoah County Historic Courthouse. As a result of our partnership with the county, this 18th century courthouse is now open to the public and houses a Visitor’s Center, Courthouse Museum and historical society office space, and has become a valuable asset to the community.”]

The Results

Many studies and recommendations collect dust on a shelf! The Shenandoah County Board of Supervisors met all of the goals set forth in the plan submitted to them by the task force, which included community participation. The County successfully preserved and maintained the historic courthouse structure and provided displays of history and artifacts. In addition, a visitor’s information center for citizens and tourists is provided and court proceedings continue to be held on a regular basis.

Exhibit A

County of Shenandoah

BOARD OF SUPERVISORS

DISTRICT 1 - DICK NEESE 540-740-3414
DISTRICT 2 - STEVEN A. BAKER 540-477-3550
DISTRICT 3 - DAVID E. FERGUSON 540-984-8777
DISTRICT 4 - SHARON BARONCELLI 540-459-4165
DISTRICT 5 - DENNIS MORRIS 540-436-9149
DISTRICT 6 - CONRAD A. HELSLEY 540-465-4145

600 North Main Street, Suite 102
WOODSTOCK, VA 22664



540-459-6165 • FAX 540-459-6168
Email: info@shenandoahcountyva.us
Website: www.shenandoahcountyva.us

OFFICE OF COUNTY ADMINISTRATION

VINCENT E. POLING
COUNTY ADMINISTRATOR

MARY T. PRICE
ASSISTANT COUNTY ADMINISTRATOR

RESOLUTION SUPPORTING SHENANDOAH COUNTY'S POSITION REGARDING SHOW CAUSE PROCEEDINGS

WHEREAS, the Shenandoah County General District Court and the Shenandoah County Juvenile and Domestic Relations District court (collectively, the "District Courts") are currently housed in the county's historic courthouse located in 114 West Court Street, Woodstock, Virginia (the "Historic Courthouse"), and

WHEREAS, this Board has deemed it proper to improve the facilities which the county provides to the District courts (the Facilities"), and

WHEREAS, in 2003, the Board retained a consulting architect to study the various alternatives for improving the Facilities, and

WHEREAS, after the consultant presented his report, and after citizens presented their own commentary, this Board found two options to be manifestly more viable than the others: *(i)* renovating and expanding the Historic Courthouse for use by the District Courts or *(ii)* building new Facilities on property adjacent to the County administrative building, and

WHEREAS, in 2007, this Board was equally divided as to which option was preferable, so it commissioned still further study, hoping that under greater scrutiny, one option might be seen as preferable to the other, and

WHEREAS, after this period of further study, a majority of supervisors now concurs that the better course of action is to relocate the District Courts and provide them with new Facilities, and

WHEREAS, in implementing this option, Board intends to renovate the Historic Courthouse, in keeping with its historical significance, but

WHEREAS, after the renovation, the Historic Courthouse might not be used as a courthouse on a full-time basis, even though a portion of it will be designated for use by the Shenandoah County Circuit Court (the "Circuit Court") under Section 15.2-1638 of the Code of Virginia, with the remainder being used for other governmental offices, and

WHEREAS, removing the district Courts from the Historic courthouse could create issues with respect to the title of the Historic courthouse, because the 1774 deed to the County's predecessor included a possibility of reverter (the "Reverter"), through which the title could revert to the grantor if the "courts for the said county should be removed by writ of adjournment," and

WHEREAS, this board has been advised that the relocation of the District Courts probably would not defease the County's title to the Historic courthouse under the Reverter, but the Board also recognizes that it must be extremely prudent with the precious asset, and

WHEREAS, the Board has accordingly filed a declaratory judgment action in the circuit Court (county of Shenandoah v. Parties Unknown, Civil Action CL07-1, the "Declaratory Judgment Action") requesting the Reverter be held invalid or inapplicable, and

WHEREAS, there will be a pretrial hearing in the Declaratory Judgment Action, in which the County will seek a trial in the near future, but the trial date ultimately rests in the sound discretion of the Court, and

WHEREAS, even while the Declaratory Judgment Action pending, this Board intends to commence design of the new Facilities and renovated Historic Courthouse, and

WHEREAS, it thus appears that *(i)* the political deadlock as to the improvement of the Facilities has been removed, *(ii)* the potential legal obstacle regarding the title to the Historic Courthouse is currently being heard by the Circuit Court, and *(iii)* this Board is moving as quickly as possible toward resolution of all issues involved in the "Show Cause Proceeding" (Commonwealth of Virginia vs. The Board of Supervisors of Shenandoah County, Shenandoah County Circuit Court, Civil Action CL07-111), and

WHEREAS, if the Court allows the Show Cause Proceeding to proceed faster than the Declaratory Judgment Action, the effect would be to place unnecessary risk on the title to the Historic Courthouse, which is a treasured asset to the citizens of Shenandoah county,

NOW, THEREFORE, be it resolved by the Board of Supervisors of Shenandoah County, Virginia, that for all of these reasons, this Board requests the Circuit Court to stay the Show Cause Proceeding during the pendency of the Declaratory Judgment Action.

Resolved the 13th day of February, 2008.



David E. Ferguson, Chairman
Shenandoah County Board of

Supervisors

ATTEST:



Vincent E. Poling, Clerk of the Board

Exhibit B

This Indenture made the Twentieth Day of April in the Year of our Lord one thousand Seven Hundred and twenty four betwixen Abraham Brubaker of the County of Dummore and Barbara his wife of the one part and these their Sons Joseph Hugh Francis Slaughter, Henry Nelson Abraham Heller, John Tepton Jonathan Langdon Abraham Bowman George Prudden & Jacob Holman Gentlemen, Justices in the Commission of the Peace for the said County of Dummore on the half of themselves & their Successors in office of the other part Witnesseth that the said Abraham Brubaker for and in consideration of advancing and promoting the Interest of the Town of Woodstock as for the ease & convenience of the Inhabitants of the said County of Dummore in general, and for the further Consideration of five Shillings Current Money of Virginia to him in hand paid the Receipt whereof is hereby acknowledged, he hath given granted aliened made over & confirmed and by these presents doth give grant alien make over and confirm unto the said these their Sons Joseph Hugh Francis Slaughter Henry Nelson, Abraham Heller, John Tepton Jonathan Langdon, Abraham Bowman, George Prudden & Jacob Holman Gent Justices & their Successors in office on Behalf of the said County of Dummore, and for the Use and purpose of erecting a Court house, County Jail and other public Buildings for the said County & also for another use or purpose whatsoever those two Lots or parcels of Land containing half an acre each known and distinguished by Lots, N^o 180 & N^o 181, in the plan of the said Town of Woodstock and bounded by the main street on the Front and by the Lot N^o 179, on one side and by Lot N^o 182, on the other side and by the Lots N^o 180 & N^o 181, on the back and all Houses Buildings Lesements Commodities Hereditaments & appurtenances to the said Lots of Land & premises belonging or to any part thereof in anywise appurtenant and the Reversion and Reversions Remainder and Remainders Rents Issues & profits thereof and also all the Estate Right Title Interest use Trust property Claim and Demand whatsoever of him the said Abraham Brubaker of in and to the said Lots of Land and premises with the appurtenances, and Deeds Evidences & writings concerning the same

I have and to hold the said two lots of land & premises, here by given and granted unto them and every of their appurtenances unto the said —
 Burr Harrison Joseph Bugh Francis Slaughtea Henry Nelson Abraham —
 = Pellee John Septon Jonathan Langdon Abraham Brownman George Ruddell
 and Jacob Holman Gent. Justices & their successors in office to and for the use
 and behoof of erecting and supporting the Court house and the other public
 Building of the said County of Sumner & to and for no other use & purpose what
 soever, and the said Abraham Brownman for himself his heirs Executors and
 Administrators doth covenant & grant to and with the said Burr Harrison —
 Joseph Bugh Francis Slaughtea Henry Nelson Abraham Pellee John Septon
 Jonathan Langdon Abraham Brownman George Ruddell & Jacob Holman Gent.
 Justices & their successors in office by these presents that they the said gentle-
 men Justices and their successors shall and lawfully may from hence-
 forth forever hereafter peaceably and lawfully have, hold, occupy, possess, and
 enjoy the said two lots of land and premises, here by given and granted with
 their and every of their appurtenances for the Use & purposes aforesaid free clear
 and discharged of and from all former and other gifts, grants, Bargains, Sales,
 Divers, Estates, Entails, Prizes, Rent Charges, Statutes, Judgments Executions
 Titles, Doubts, Charges, and Incumbrances whatsoever, made, done committed
 or suffered by the said Abraham Brownman or any other person or persons what-
 soever provided always and it is here by declared to be the true Intent and Mean-
 ing of the parties to these presents that if the Courts for the said County should
 be removed by any Act of Parliament and Established at any other place in the said
 County, that then, and from thence forth these presents and every thing hereon
 contained shall cease, determine, and be void, any thing hereon contained to the
 contrary notwithstanding. In Witness whereof the said Abraham Brownman and
 Barbara his Wife have hereunto set their hands and seals the day & year first above

written
 Sealed & Delivered
 in the presence of

Abraham Brownman

At a Court held for Sumner County on Tuesday September the 27th 1774
 This Deed of Gift for land from Abraham Brownman and Wife to Burr
 = Harrison Joseph Bugh Francis Slaughtea Henry Nelson Abraham Pellee John
 Septon, Jonathan Langdon, Abraham Brownman, George Ruddell, and Jacob Holman
 Gentlemen in the Commission of the Peace for the County of Sumner, was
 acknowledged by the said Abraham and ordered to be recorded

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Exhibit C

Public Citizen Input – Historic Courthouse

Please keep in mind that a portion of the renovated structure will include a courtroom and supporting functions. You are asked to consider the following question:

In keeping with the historic significance of this structure, what recommendation(s)/suggestions would you have for additional uses for the Shenandoah County Historic Courthouse?

The old courthouse should be interesting for "heritage tourists" to visit - exhibits, artifacts + historical information. It should be open to the public on a convenient and regular basis. It would be desirable for it to be manned when it is open.

All input forms are due to County Administration, 600 N. Main Street, Ste 102, Woodstock, Virginia 22664, by July 1, 2010. Fax # 540.459.6168 or e-mail to mbprice@shenandoahcountyva.us

Mary Beth Price

From: Fran Romeo [fran@theromeocompanies.com]
Sent: Tuesday, May 25, 2010 4:06 PM
To: Mary Beth Price
Subject: Old Courthouse

Mary Beth,

I can't agree more that the use of the old courthouse, should be restored and maintained. Because it represents the County seat, its highest and best use would be as a visitor's center.

I've been a paralegal for over 35 years and there is nothing like being in a historic courtroom. Perhaps those who come before the courts would take their sentencing more seriously if it were given out in a courtroom like the one being discussed rather than in a sterile new courtroom.

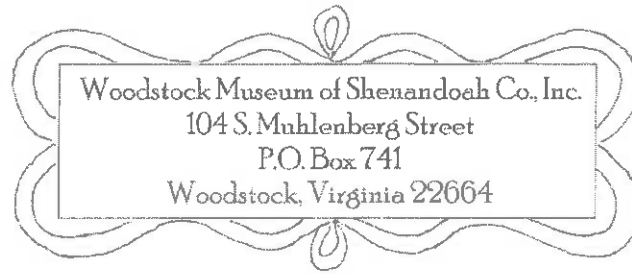
Fran Romzo

Fran Romzo & Company

212 N Main St.
Edinburg, VA 22824
540-984-3384
www.franromzo.com



Marshall House



"Preserving the Past for the Future"



Wickham House

September 28, 2010

Historic Courthouse Task Force
C/o Barbara Adanson
1010 Sandy Hook Road
Strasburg, VA 22657

To the Historic Task Force Committee:

This letter is in response to a request by your committee for ideas from the community regarding the future use of the Old Courthouse building located in downtown Woodstock.

It is the unanimous opinion of the Board of Directors of the Woodstock Museum that the primary use of the 18th century portion of the Old Courthouse be that of a Courtroom Museum. Members of the Board suggest that local artifacts and antique furnishings be used to recreate the courtroom setting. The Courtroom Museum should be open to the public daily, and be used by the Shenandoah County School System for educational purposes, including mock trials.

In addition to the Courtroom Museum, it is suggested that one of the two small side rooms located in the courtroom area be used as a visitor center, and that the other small side room be used by Shenandoah County historical organizations for rotating exhibits. It is hoped that these two rooms would be set up in such a way as to preserve the integrity and atmosphere of the Courtroom Museum.

Thank you for including the Woodstock Museum in your decision making process.

Sincerely,

Aima F. Hettle
President

Exhibit D

County of Shenandoah



Historic Courthouse Task Force Report to the Board of Supervisors



December 14, 2010

Creation of the Historic Courthouse Task Force

The Shenandoah County Board of Supervisors created the Historic Courthouse Task Force on February 23, 2010. The membership consisted of the following: Districts 1 and 2, Rosemary Wallinger, District 3 and 4, Dan Harshman, Board of Supervisor member, Sharon Baroncelli, District 5 and 6 and Historical Society, Barbara Adamson, Town of Woodstock Town Council, D. William Pence, Director of Tourism and Economic Development Susie Hill, Library Director Rob Pasco, Commonwealth Attorney Albert T. Mitchell and staff liaisons County Administrator Douglas C. Walker and Assistant County Administrator Mary T Price.

Mission

Work together to discover proposed uses for the Historic Courthouse, which will be vacated when the Courts move to their new facility.

Their mission was also guided by a Resolution adopted by the Board of Supervisors on February 13, 2008 and a letter by Judge Dennis L. Hupp dated February 29, 2008. Both documents are displayed as *Appendix A*.

Brief History of the Courthouse

The Shenandoah County Courthouse, constructed during the presidency of George Washington, is considered to be the oldest court structure west of the Blue Ridge Mountains. The present building was constructed during three building campaigns: the main two-story courthouse was erected in 1795 which includes the apparently German Baroque- influenced cupola and elaborate iron weathervane, the stone exterior (painted in the 20th Century), and key elements of the interior such as the two-story center courtroom and second-floor offices with Georgian architrave mantels. A portico was added in the 1920's. The middle addition was added in 1871 giving the overall building a T-shaped form and providing a two-story tall brick courtroom. In the early 20th Century or 1920's public restrooms were created in the basement with sheltered stairwells on the north and south elevations. In the 1970's a smaller courtroom was created out of the original room and hallways, restrooms, holding cells, drop ceilings, and mezzanine-level mechanical room were added. The final single floor addition was done in 1886 and serves as the clerk's office. This addition is transverse to the 1871 addition giving the building an overall H-shaped form. Floor plans with square footage are displayed as *Appendix B*. Significant dates report prepared by John Adamson of the Shenandoah County Historical Society is displayed as *Appendix C*.

Summary of the Task Force

The Historic Courthouse Task Forces first meeting was held on April 12, 2010. At that meeting the membership agreed a public forum should be held to receive input from county residents. The Historic Courthouse was opened to the public for tours on May 24, 2010 from 5:00 p.m. to 6:00 p.m. and the public forum followed at the County Government Center Board Room at 6:16 p.m. Approximately 75 people visited the courthouse and participated in the public forum discussion. In addition, a questionnaire was provided to all residents that toured the historic courthouse and was also available on the county website. The questionnaire asked the following question: **In keeping with the historic significance of this structure, what recommendations(s)/suggestions would you have for additional uses for the Shenandoah County Historic Courthouse?** All questionnaires were due to County Administration by July 1, 2010. A total of 22 questionnaires were received. In addition, members of the Task Force spoke with local organizations, and the County Administrator met with the County Chamber of Commerce Advisory Group and the Travel Council to receive their comments. Notes prepared by Barbara Adamson on October 26, 2010 are displayed in *Appendix D*.

At the August 10, 2010 meeting of the Task Force, Elizabeth Tune of the Department of Historic Resource for the Commonwealth of Virginia was the guest speaker. Mrs. Tune presented information on historic tax credits for historic preservation and rehabilitation. She explained the tax credits are a dollar for dollar reduction in tax. Investors make a capital contribution to fund the project and receive tax credits in return. There are both state and federal programs.

At the final meeting of the Task Force held on November 8, 2010 the Task Force completed their assignment to recommend a use to the Board of Supervisors.

Recommendation

Based on the input received from the Task Force members, as well as from the citizen survey, the Travel Advisory Council, the Chamber of Commerce Advisory Group and the Historical Society, it is reasonable to summarize the desired uses of the historic courthouse into four broad categories as follows:

- Preserve and maintain the Courthouse structure for its historical and architectural significance and keep at least the original 1795 structure open to the public on a regular/routine basis.
- Display historic Shenandoah County materials and artifacts.
- Promote the Historic Courthouse as a destination for tourists and County citizens and make County-wide tourism information available to visitors.
- Maintain a portion of the space in the historic courthouse for court proceedings, judge's chambers and other court related activities as required.

Appendix A

County of Shenandoah

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OFFICE OF COUNTY ADMINISTRATION

VINCENT E. POLING
COUNTY ADMINISTRATOR

MARY T. PRICE
ASSISTANT COUNTY ADMINISTRATOR

RESOLUTION SUPPORTING SHENANDOAH COUNTY'S POSITION REGARDING SHOW CAUSE PROCEEDINGS

WHEREAS, the Shenandoah County General District Court and the Shenandoah County Juvenile and Domestic Relations District court (collectively, the "District Courts") are currently housed in the county's historic courthouse located in 114 West Court Street, Woodstock, Virginia (the "Historic Courthouse"), and

WHEREAS, this Board has deemed it proper to improve the facilities which the county provides to the District courts (the Facilities"), and

WHEREAS, in 2003, the Board retained a consulting architect to study the various alternatives for improving the Facilities, and

WHEREAS, after the consultant presented his report, and after citizens presented their own commentary, this Board found two options to be manifestly more viable than the others: *(i)* renovating and expanding the Historic Courthouse for use by the District Courts or *(ii)* building new Facilities on property adjacent to the County administrative building, and

WHEREAS, in 2007, this Board was equally divided as to which option was preferable, so it commissioned still further study, hoping that under greater scrutiny, one option might be seen as preferable to the other, and

WHEREAS, after this period of further study, a majority of supervisors now concurs that the better course of action is to relocate the District Courts and provide them with new Facilities, and

WHEREAS, in implementing this option, Board intends to renovate the Historic Courthouse, in keeping with its historical significance, but

WHEREAS, after the renovation, the Historic Courthouse might not be used as a courthouse on a full-time basis, even though a portion of it will be designated for use by the Shenandoah County Circuit Court (the "Circuit Court") under Section 15.2-1638 of the Code of Virginia, with the remainder being used for other governmental offices, and

WHEREAS, removing the district Courts from the Historic courthouse could create issues with respect to the title of the Historic courthouse, because the 1774 deed to the County's predecessor included a possibility of reverter (the "Reverter"), through which the title could revert to the grantor if the "courts for the said county should be removed by writ of adjournment," and

WHEREAS, this board has been advised that the relocation of the District Courts probably would not defease the County's title to the Historic courthouse under the Reverter, but the Board also recognizes that it must be extremely prudent with the precious asset, and

WHEREAS, the Board has accordingly filed a declaratory judgment action in the circuit Court (county of Shenandoah v. Parties Unknown, Civil Action CL07-1, the "Declaratory Judgment Action") requesting the Reverter be held invalid or inapplicable, and

WHEREAS, there will be a pretrial hearing in the Declaratory Judgment Action, in which the County will seek a trial in the near future, but the trial date ultimately rests in the sound discretion of the Court, and

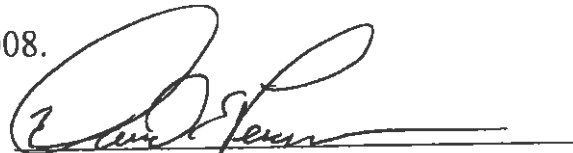
WHEREAS, even while the Declaratory Judgment Action pending, this Board intends to commence design of the new Facilities and renovated Historic Courthouse, and

WHEREAS, it thus appears that *(i)* the political deadlock as to the improvement of the Facilities has been removed, *(ii)* the potential legal obstacle regarding the title to the Historic Courthouse is currently being heard by the Circuit Court, and *(iii)* this Board is moving as quickly as possible toward resolution of all issues involved in the "Show Cause Proceeding" (Commonwealth of Virginia vs. The Board of Supervisors of Shenandoah County, Shenandoah County Circuit Court, Civil Action CL07-111), and

WHEREAS, if the Court allows the Show Cause Proceeding to proceed faster than the Declaratory Judgment Action, the effect would be to place unnecessary risk on the title to the Historic Courthouse, which is a treasured asset to the citizens of Shenandoah county,

NOW, THEREFORE, be it resolved by the Board of Supervisors of Shenandoah County, Virginia, that for all of these reasons, this Board requests the Circuit Court to stay the Show Cause Proceeding during the pendency of the Declaratory Judgment Action.

Resolved the 13th day of February, 2008.



David E. Ferguson, Chairman
Shenandoah County Board of

Supervisors

ATTEST:



Vincent E. Poling, Clerk of the Board

§ 15.2-1638. County or city governing body to provide courthouse, clerk's office, jail and suitable facilities for attorney for the Commonwealth; acquisition of land.

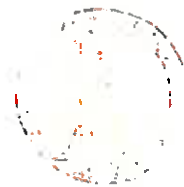
The governing body of every county and city shall provide courthouses with suitable space and facilities to accommodate the various courts and officials thereof serving the county or city; within or outside such courthouses, a clerk's office, the record room of which shall be fireproof; a jail; and, upon request therefor, suitable space and facilities for the attorney for the Commonwealth to discharge the duties of his office. The costs thereof and of the land on which they may be, and of keeping the same in good order, shall be chargeable to the county or city. The fee simple of the lands and of the buildings and improvements thereon utilized for such courthouses shall be in the county or city, and the governing body of the county or city may purchase so much of such property, as, with what it has, may be necessary for the purposes enumerated or for any other proper purpose of the county or city. However, any portion of the property owned by a county and located within a city or town and not actually occupied by the courthouse, clerk's office, or jail, may be sold or exchanged and conveyed to such city or town to be used for street or other public purposes. Any such sale or exchange by the governing body of a county shall be made in accordance with the provisions of § 15.2-1800.

The amendments contained in Chapter 90 of the 1986 Acts of Assembly shall not apply to the City of Virginia Beach.

(Code 1950, §§ 15-686, 15-688; 1954, cc. 49, 264; 1956, c. 329; 1960, c. 145; 1962, cc. 283, 489, 623, § 15.1-257; 1964, c. 241; 1986, c. 90; 1997, c. 587; 2007, c. 813.)

[prev](#) | [next](#) | [new search](#) | [table of contents](#) | [home](#)

COMMONWEALTH OF VIRGINIA



CIRCUIT COURTS OF
CLARKE, FREDERICK, PAGE,
ROCKINGHAM, SHENANDOAH
AND WARREN COUNTIES
AND CITY OF WINCHESTER

DENNIS LEE HUPP, JUDGE
SHENANDOAH COUNTY CIRCUIT COURT
112 SOUTH MAIN STREET
WOODSTOCK, VIRGINIA 22664-1423
(540) 459-6158

WARREN COUNTY CIRCUIT COURT
ONE EAST MAIN STREET
FRONT ROYAL, VIRGINIA 22630-3382
(540) 635-3550

TWENTY-SIXTH JUDICIAL CIRCUIT

PLEASE REPLY TO:

February 29, 2008

Vincent E. Poling, County Administrator
600 N. Main Street
Woodstock, VA 22664

RE: Historic Shenandoah County Courthouse

Dear Vince:

Thank you so much for your telephone call last week asking for my input in the renovation and restoration of the historic Shenandoah County Courthouse.

Before going into details, I would like to reiterate my view of how the courthouse would be used for court functions. It should be available to any of the courts that may need an "overflow" courtroom. While I certainly hope and anticipate that the new district court facility will be adequate for the needs of those courts, it is certainly within the realm of possibility that, on any given occasion, either of those courts may need to use the historic courthouse. I believe, however, that it will primarily be used by the Circuit Court as a second courtroom. Although I do not foresee for quite some time the need for a second circuit courtroom on a routine or daily basis, there are times now when having a second courtroom would expedite the handling of the docket. For example, at times we have visiting judges who are hearing cases for one reason or another, and scheduling becomes much easier if we have a second courtroom available. There have been times when the trial of a case goes longer than anticipated, and we have to go over to an additional day when other cases are already scheduled. Having a second courtroom will permit me to have another judge take the scheduled docket as I finish the extended trial. These circumstances have not occurred often, but I do anticipate they will occur more frequently over time as the dockets continue to grow. In the past, when we have had two (2) Circuit Judges sitting in Shenandoah County at the same time, we have used the Board of Supervisors meeting room in the County Office building and even the law library in this courthouse.

In addition, as I previously suggested to the Board of Supervisors, it is my intention to make regular use of the courtroom in the historic courthouse for hearings and bench trials. When I say "hearings", I am referring primarily to pre-trial and post-trial proceedings as well as uncontested matters, "Bench trials" are cases tried by the judge without a jury. While I cannot state a specific schedule, it is my thinking that we would use the historic courthouse one to two times per month. In this vein, I would like to suggest that the Board of Supervisors consider adopting a resolution making the courtroom in the historic courthouse an annex of the Shenandoah County Circuit Court, and I would consider entering an Order to the same effect,

with the consent of the Board of Supervisors. This would, I believe, undergird our continued claim of having the oldest courthouse west of the Blue Ridge Mountains still in active use.

I now turn to my vision for these facilities.

Courtroom. I believe that the current courtroom should not be reduced in size. In addition to the Judge's Bench, we will need a work station for the clerk of the court and a court reporter, and, of course, we need a witness stand. It would be helpful if we could accommodate a third table for counsel. This third table could be somewhat smaller than the two normally in use. In civil cases, it is not unusual for us to have more than two attorneys and multiple parties. I would suggest that the railing dividing the spectator section from the bar be moved further back into the courtroom, thus giving us more room within the bar and less room in the spectator's section. We will not need the same amount of room in the spectator section. There should be electrical outlets available to all work stations including counsel tables. There should also be a telephone line available at the judge's bench and the clerk's station. We often conduct telephone conferences in the types of proceedings for which this courtroom will be used. A line should also be provided for Internet access at the Judge's Bench and at the clerk's station, and I would suggest that these lines be run to counsel tables as well. More and more often, attorneys bring their laptop computers to the courtroom. There should also be a public address system within the courtroom to enhance the acoustics.

Judge's Chambers. There must be an office for the judge to use during recesses. This need not be elaborate, but must accommodate normal office furniture with some shelving. The chamber should be equipped with adequate electrical outlets and telephone and Internet access. Chambers should be served by separate restroom facilities.

Witness waiting rooms. There must be an area in which witnesses can wait during the trial. The facilities should allow us to separate witnesses as needed. Hence, I am asking for two witness waiting rooms.

Conference room. There should be a room in which attorneys may consult privately with their clients. This can be a relatively small room with small table and some chairs. It may also double as a witness waiting room.

Holding cells. While I do not intend to conduct criminal proceedings in this courtroom on any regular basis, there may be times when such use will be made. Since there are holding cells already in place, I would suggest you keep at least one (1) holding cell for use as needed.

Restroom facilities. Of course, we will need public restroom facilities.

Summary. I envision the brick addition to the historic courthouse being used for court functions and the original limestone courthouse being used for other functions compatible with the character and history of the courthouse.

Other uses. I suppose there are several uses that may be made of the original courthouse that would be in keeping with the character and history of the courthouse itself and that would not interfere with court functions. It has been suggested that the "county archives" may be moved to the historic courthouse from the Shenandoah County library. This would certainly be an appropriate use, in my view, however the archives may require extensive shelving that may

render this plan unfeasible. I will leave that to people with more expertise than I. It has been suggested that, if the original portion of the courthouse is going to be open to the public on a regular schedule, we could put a computer terminal somewhere in that portion of the courthouse allowing remote access to computer research available in the law library. This would require Internet access. This would make the law library more accessible to the attorneys and the general public, since the current law library is located within a secure portion of the Circuit courthouse. Once again, I am sure there are other appropriate uses for the original courthouse. I do have one other word of caution. I have been told that there may be some old graffiti in the upstairs rooms that may have historic value. I would urge the Board to have someone conduct a careful inspection of the entire facility so that the historic value of the courthouse is preserved. I would also hope that the restored courtroom in the original structure would be maintained and open for public display on some sort of schedule.

I would also expect the refurbished courtroom (in brick addition) to be available by reservation for meetings of various civic groups and organizations as it has in the past.

Please understand that this letter expresses my views, and I invite open discussion about the future of this historic building. This letter is not intended to be a directive to the Board of Supervisors. Please distribute copies of this letter to the individual members of the Board. Again, I appreciate being asked to comment on this very important subject. I look forward to working with the Board of Supervisors, County Administration, other court personnel and citizen groups in developing a plan that will preserve our history and the legacy of our ancestors while also enhancing the administration of justice. At his request, I am forwarding a copy of this letter to Donald Litten, County Attorney.

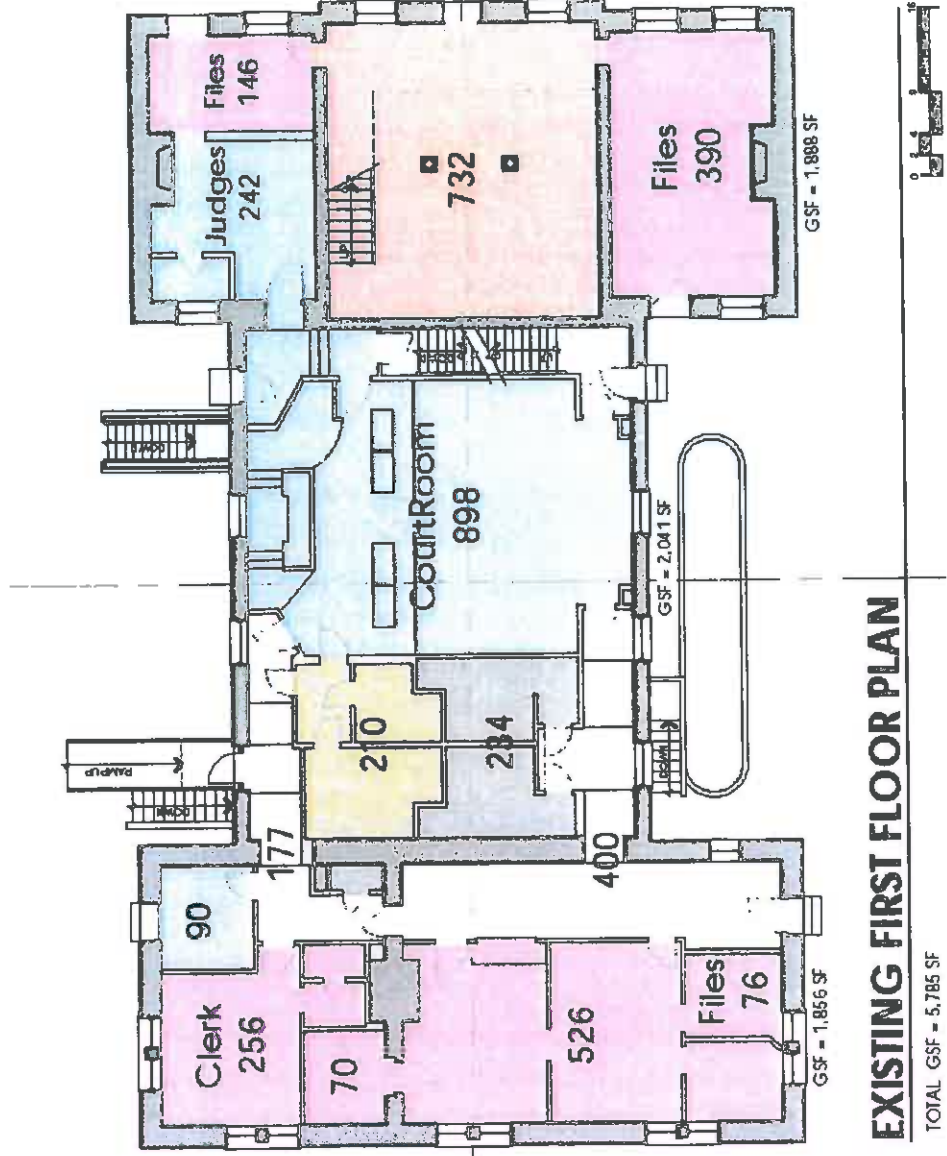
Sincerely,


Dennis L. Hupp

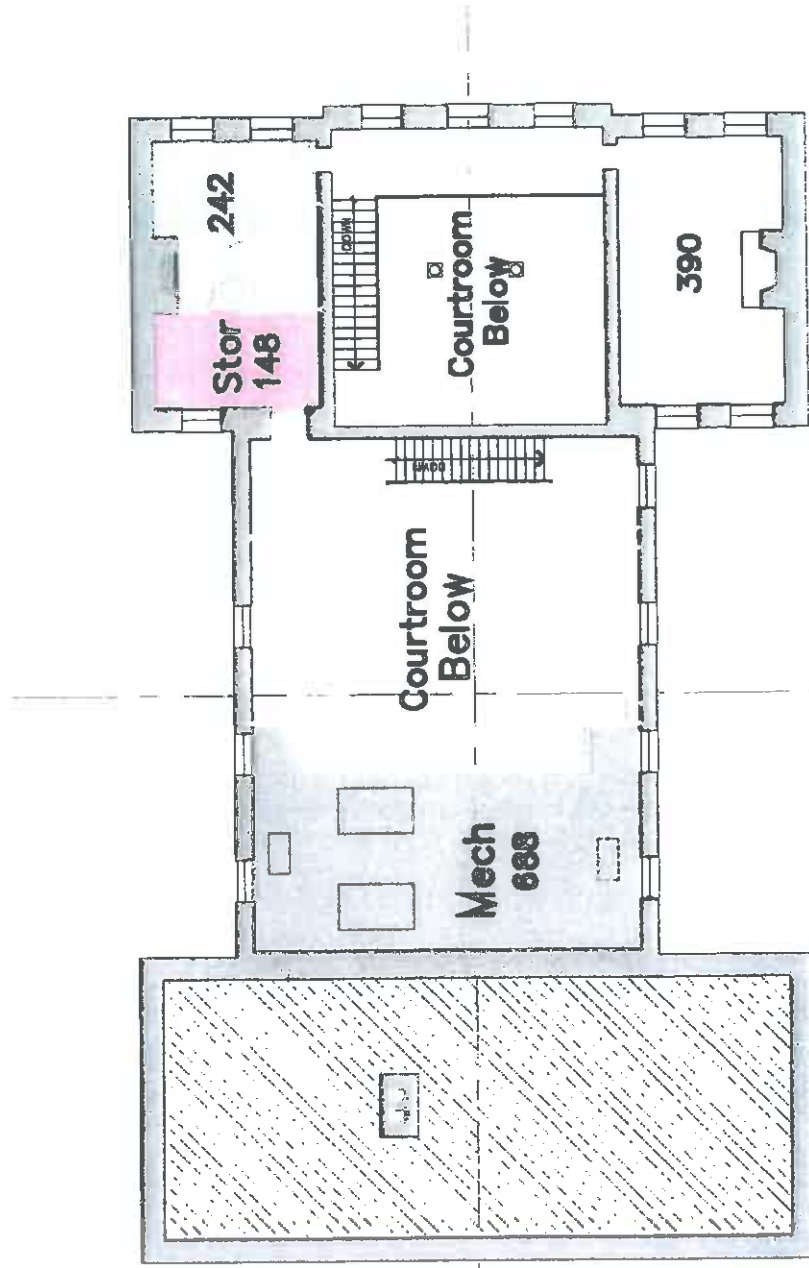
CC: Donald Litten, Esquire
DLH/gs

Appendix B

Existing Courthouse Space Allocation

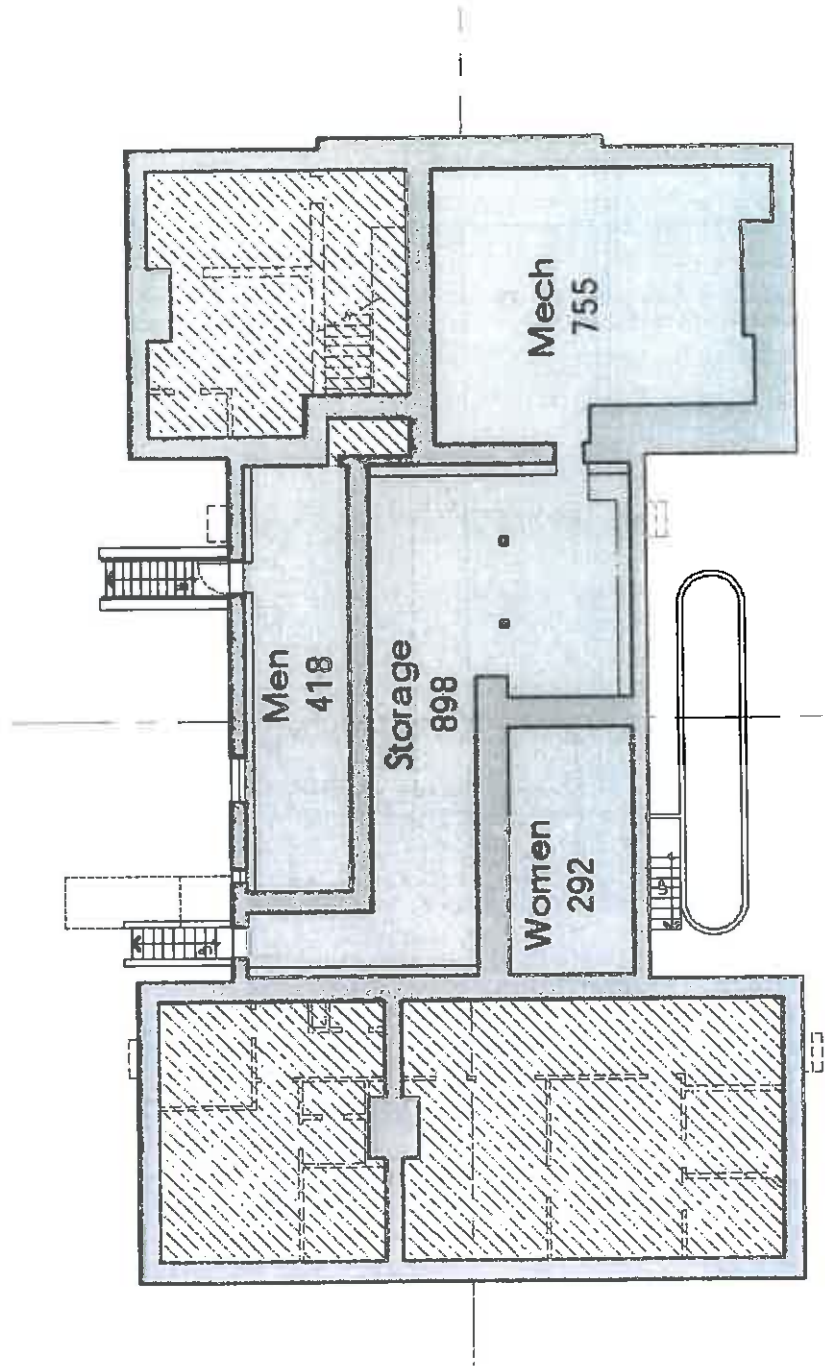


Existing Courthouse Space Allocation



EXISTING SECOND FLOOR PLAN

Existing Basement of the District Courts



EXISTING BASEMENT FLOOR PLAN

Appendix C

Shenandoah County Courthouse Significant Dates

- 1752 - Jacob Mueller receives grant from Lord Fairfax for the land that becomes Woodstock
- 1761 - George Washington introduces a bill passed by the Virginia legislature chartering the town of Woodstock
- 1772 - Dunmore County formed from Frederick County
- 1772 - First court held at Fadely home on Back Street (now Church Street). House no longer standing
- 1774 - Jonathon Langdon's log house moved to courthouse lot and used as the county courthouse. Building no longer standing.
- 1777 - Dunmore County renamed Shenandoah County
- 1795 - The court orders a new stone courthouse to be built - cornerstone **laid**
- 1809 - Courthouse bell was added
- 1862 - In late March Confederates from Chew's Battery used the courthouse for shelter going to and from Kernstown. Jackson headquartered on Lawyer's Row one night during the retreat from Kernstown.
- 1871 - A brick addition containing a new courtroom is added to the stone courthouse
- 1886 - A second brick addition is built to serve as the clerk of the court's office
- Late 19th Century - Some of the remaining chairs in the courtroom are from the Samuel Wagner shop in Maurertown.
- 1927 - Portico and columns are added to the stone courthouse
- 1977 - New brick courthouse across Court Street opens

Appendix D

Notes from visits with county historic preservation groups that included: Strasburg Heritage Assoc., Strasburg Museum, Woodstock Museum, Ft. Valley Museum, Mt. Jackson Museum, New Market Historical Society, Narrow Passage Chapter Daughters of the American Revolution, Edinburg Heritage Foundation, Shenandoah County Historical Society.

- It was clear that the primary concern of all the groups is preservation of the building, especially the 1795 portion, though the entire building was included in this concern. Several mentioned that the 1795 courtroom should be restored to its original configuration and look (see Woodstock Museum letter).
- All groups agreed that the 1795 portion, at least, should be accessible to the public.
- Visitor center and museum space were at the top of the list for use in the 1795 portion (see Woodstock Museum letter).
- All of the groups were interested in rotating museum space being included in future use and would like to participate and provide temporary exhibits.
- Suggestions for the rear portion of the building included Tourism Office and a particular juvenile justice system program. Al Mitchell is following up on that court's use suggestion.
- People were pleased to learn that the current courtroom, in the middle portion of the building, is available for public meeting use.
- The Woodstock Museum gave careful consideration to our request for comments and followed up with a letter, a copy of which is included with these notes.

Submitted by Barbara Adamson
October 26, 2010

Attachment to Final Report to Shenandoah County Board of Supervisors from the Historic Courthouse Task Force. Submitted by Barbara Adamson, Task Force member and President, Shenandoah County Historical Society.

During the course of the work of the Historic Courthouse Task Force, I met with members of the major groups in Shenandoah County whose primary interest is in history and historic preservation, totaling more than 125 people. It was a great pleasure to meet and talk about our courthouse with these citizens who have such a sincere interest in preserving the rich history of our county. I was asking for their opinions about the future use of the courthouse, which they were happy to discuss. There was general agreement regarding the future use of the courthouse, particularly the stone portion, with museum space and visitors center recommended. However, without exception, thoughtful and thorough preservation of this building was foremost on their minds. I cannot stress too strongly how our citizens feel about taking care of the historic courthouse.

My purpose here is to urge the Board to conduct a proper investigation and study, using the services of qualified professionals, in order to develop an appropriate preservation plan. The Court Space Needs Assessment and Conceptual Design Alternatives Study from 2003 documented the current conditions of the building and offered useful historic information and recommendations. But, as that report stated, more investigation is needed. The report also referred to the Secretary of the Interior's Standards for Rehabilitation and notes their importance. More historic research should be done and a complete Historic Structure Report should be sought, which, among other things will provide guidance for the preservation of historically significant components and features that may be affected by future development of the building.

The future of this very important landmark is at stake. I'm confident that we can preserve the building and develop plans for the use of the courthouse of which we can all be proud.

Exhibit E

Historic Courthouse Plan



*Shenandoah
County*
1795

*Shenandoah County
Historical Society, Inc.*

Task Force Recommendations

- ▶ 1795 Building be open to the public for use as:
 - Tourist Destination
 - Information Center
 - Museum
 - Display historic Shenandoah County materials & artifacts

Visitor Information Center

- ▶ Goal to be open to the public by Summer 2014
- ▶ Open 3 days/week (Thursday – Saturday) initially
- ▶ Open for other Special Occasions such as Yard Crawl, Vintage Woodstock or Holidays
- ▶ Goal to be open 5 days/week (Tuesday–Saturday) by fall 2014
- ▶ Hours of operation: 11 am – 4pm (plan to expand as we gain volunteers)

Historic Courtroom/Museum

- ▶ Preserve Integrity of the courtroom
- ▶ Display historic Shenandoah County materials with an emphasis on the history of the court house
- ▶ Possible rotating exhibit program featuring different historical organizations throughout Shenandoah County (to be managed by SCHS)



Office Space


- ▶ Shenandoah County Tourism to keep primary office space at 600 North Main Street
- ▶ Shenandoah County Historical Society (SCHS) to occupy primary office on the Historic Courthouse 1st floor
- ▶ Secondary office space available to Tourism and SCHS on Courthouse 2nd floor with each organization occupying a room




Volunteers

- ▶ Knowledgeable about the history of the courthouse as well as what there is to do in the area
- ▶ Volunteer orientation/training provided by Tourism Director and/or SCHS Society
- ▶ Management of volunteers by Tourism Director and SCHS
- ▶ Reference binder will be available for questions on specific attractions, lodging, etc. as well as historic details

Volunteers (continued)

- ▶ Responsible for keeping visitor materials and/or historical society books organized, filled in and up to date
 - ▶ Small stock of brochures to be kept on hand to allow for replenishment with excess kept at the primary tourism office
 - ▶ Two volunteers scheduled per shift
 - ▶ Responsible for finding another volunteer to cover a shift should a volunteer be unable to work. Shift partner can also agree to working alone that day.
 - ▶ Must contact SCHS and/or Tourism Director if unable to work.
- 

Volunteers (continued)

- ▶ Tourism inquiries from the toll-free number will be directed to the Visitor Center/Court House during days that the visitor center is open and staffed
 - ▶ Calls will be forwarded to the Tourism Director during the days of the week when the visitor center is closed.
 - ▶ Extensive selection of local history books available for sale through SCHS within the courthouse
- 

Basement

- ▶ Access and use of storage space within basement for SCHS and Parks & Rec.



Exhibit F

**MEMORANDUM OF AGREEMENT BETWEEN
THE COUNTY OF SHENANDOAH
AND THE
SHENANDOAH COUNTY HISTORICAL SOCIETY**

This agreement is made and entered into the 9th day of September, 2014 by and between the **County of Shenandoah** (the "County"), a political subdivision of the Commonwealth of Virginia, and the **Shenandoah County Historical Society Inc.**, (the "Historical Society").

WHEREAS, the parties to this agreement recognize that the property, buildings and other facilities owned by the County are a valuable resource to the citizens of Shenandoah County; and

WHEREAS, the County recognizes that the Historical Society provides an important and beneficial stewardship for the citizens of Shenandoah County through the preservation and interpretation of historically significant artifacts and cultural resources representing Shenandoah County; and

WHEREAS, the parties to this agreement believe that it would be in the best interest of the citizens of Shenandoah County, the Historical Society and the County, if the County were to manage the scheduling for all uses of the facilities and activities within the historic courthouse and property; and

WHEREAS, the Historical Society provides resources to ensure that the historic courthouse will be regularly open to ensure public access to the facility; and

WHEREAS, Virginia Code (15.2-1800(B)) authorizes the County to permit the use of the courthouse property by the community.

NOW, THEREFORE BE IT AGREED THAT:

1. **Term.** The term of this Agreement shall be for five years from the date set forth above unless sooner terminated as provided herein. After the initial five year term, this Agreement may be reviewed for any adjustments and an extension may be granted for an additional five-year term subject to termination as provided herein.
2. **Modification.** This agreement may be modified, only in writing, during its term upon approval of both the County's governing body and the Historical Society's governing body.
3. **Termination.** The parties hereby agree that this agreement may be terminated in any of the following ways:

10:15 am, August 4, 2014

- a) At any time by the agreement of both parties when such agreement is evidenced by resolutions both of the County's governing body and the Historical Society's governing board.
- b) By either party and upon written notice of not less than 60 days. Such notice is to be accompanied by a resolution of the County's governing board or the Historical Society's governing board.
- c) Immediately, if (i) the Judge of the Circuit Court of Shenandoah County finds that this agreement impinges upon the use of the Facilities for the purposes enumerated in Va. Code, § 15.2-1638 or (ii) the Board of Supervisors finds in its discretion that this agreement impairs health, safety, or welfare of County citizens or the efficient administration of County Government, or if good cause otherwise exists in the Supervisors' sole discretion.

Upon termination, the facilities and equipment shall be returned promptly to the owner.

4. Definitions.

- a) The "Facilities" governed by this Agreement include the following areas owned by the County:
 - The 1795 portion of historic courthouse
 - All other areas necessary for reasonable use of the 1795 portion of the historic courthouse including restrooms, etc.
 - Desks, tables, chairs and any other furniture provided by the County.
- b) "Tourism Activities" shall be all official activities organized or conducted by the County, including Tourism Programs, meetings, instructional classes and other special events.
- c) "Historical Society Activities" shall be official activities organized or conducted by the Historical Society, its volunteers, and board including meetings, instructional classes, special events, and other activities.

5. **Scheduling.** Subject to the conditions and limitations set forth herein, the County shall have the authority to approve and the responsibility for scheduling all activities at the Courthouse. The Historical Society shall not schedule any Historical Society activities without first contacting the County to ensure availability of the facilities and to avoid any disruption of County activities. The County shall also schedule all Third Party Activities. If, at any time, a scheduling conflict arises between County activities, Historical Society

activities, and a Third Party Activity, the County shall, at its discretion, resolve all scheduling conflicts between and among the Historical Society and Third Party Activities. The Historical Society and its governing body shall direct all inquiries from Third Parties regarding the use of any facilities to the County.

In order to maximize the use of the Courthouse facilities, the following procedures shall be followed:

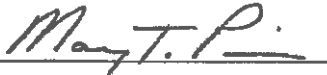
- The Historical Society shall provide The County a list of Historical Society Activities scheduled by the 22nd day of each preceding month.
 - All third party requests for use of the Courtroom and Community Rooms shall be forwarded to the Shenandoah County Parks and Recreation Director. Shenandoah County Parks and Recreation shall maintain a calendar for all programs as well as activities scheduled by Shenandoah County Tourism, the Historical Society, Shenandoah County Circuit Court, and all third party requests within the Courtroom, Community Rooms, and 1795 portion of the historic courthouse. Any requests for use of the facilities made after the 22nd day of the preceding month shall be granted on a first come, first serve basis.
 - The County shall maintain that Shenandoah County Circuit Court shall receive first priority when scheduling the 1871 portion of the Historic Courthouse.
 - The County intends to allow third parties to use the 1795 portion of the Courthouse infrequently, if at all.
6. **Damage.** The County shall notify the Historical Society of any damage to County property believed to have been caused during any Historical Society function. The Historical Society must return County Property to their original condition, should the damages be the result of Historical Society use. Failure to do so will result in charges for the cost of restoration, plus any fees necessary for the collection of these charges. Any damage caused by third parties after the conclusion of a Historical Society function or otherwise will be the responsibility of the County directly.
7. **Maintenance.** The County shall be responsible for normal and routine maintenance necessary to allow the facilities to be used.
8. **Assignments, Continuity, and Severability.** Neither party shall sell assign, convey, or otherwise transfer by any method its rights under this Agreement. However, Shenandoah County may enter into secondary agreements with other parties concerning the use of the subject premises.

Such secondary agreements shall not vary the rights and duties contained herein. This agreement shall be binding upon the parties and upon its successors.


Should any provisions of this agreement be ruled to be invalid by a court of competent jurisdiction, all other provisions shall be severable, and remain in full force and effect. The parties shall meet and negotiate an acceptable provision no later than 60 days after the final court action.

9. **Nondiscrimination.** The parties each agree that in its conduct of programs in or upon facilities of the other, that at no time shall it discriminate against any person on the grounds of race, religious affiliations, color, national origin, disability, age, gender, or any other basis prohibited by state law.

IN WITNESS WHEREOF, the parties have executed this agreement on the day and year first below written.



Mary T. Price
County Administrator, Shenandoah County



Barbara Adamson, President
Shenandoah County Historical Society Inc.



The Honorable Dennis L. Hipp,

Who executes this agreement solely to indicate any necessary approval under Va. Code § 15.2-1641