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**AGENDA**  
**CLOSED SESSION AND REGULAR MEETING**  
**FREDERICK COUNTY BOARD OF SUPERVISORS**  
**WEDNESDAY, JANUARY 10, 2018**  
**5:30 P.M., 7:00 P.M.**  
**BOARD ROOM, COUNTY ADMINISTRATION BUILDING**  
**107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

**5:30 P.M. – Closed Session:**

(1) Closed Session, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia (1950, as amended), for consultation with legal counsel employed by the Board regarding a legal matter with respect to the County's agreement with the Town of Middletown concerning the Town's consideration of rezoning proposals, said matter requiring the provision of legal advice by such counsel.

(2) Closed Session, pursuant to Section 2.2-3711(A)(8) of the Code of Virginia (1950, as amended), for consultation with legal counsel employed by the Board regarding a legal matter with respect to the County's rights and responsibilities concerning one or more other political subdivisions of Virginia, said matter requiring the provision of legal advice by such counsel.

(3) Closed Session, pursuant to Section 2.2-3711(A)(7) and (8) of the Code of Virginia (1950, as amended), for consultation with legal counsel, staff members, and/or consultants employed and/or retained by the Board regarding the matter of Stonewall Industrial Investors, LLC vs. Frederick County, Virginia, et al., currently pending in the Frederick County Circuit Court, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board and said matter requiring the provision of legal advice by such counsel.

**7:00 P.M. - Regular Meeting - Call To Order**

**Invocation**

**Pledge of Allegiance**

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**Organization of the Board of Supervisors for 2018: (See Attached)----- A**

Pursuant to *Code of Virginia*, 1950, as Amended, the Board is Required to Organize Its Functions at Its First Meeting in January Including:

- A. Election of Vice-Chairman
- B. Adoption of Rules of Procedure
- C. Selection of a Parliamentarian
- D. Selection of Time and Place for Regular Meetings
- E. Chairman's Annual Committee Assignments:
  - 1. Board Assignments to Committees.
  - 2. Citizen Member Assignments to Standing Committees.

**Adoption of Agenda:**

Pursuant to established procedures, the Board should adopt the Agenda for the meeting.

**Consent Agenda:**

(Tentative Agenda Items for Consent are Tabs: B)

**Citizen Comments (Agenda Items Only, That Are Not Subject to Public Hearing.)**

**Board of Supervisors Comments**

**Minutes: (See Attached)----- B**

- 1. Closed Session and Regular Meeting, November 8, 2017.
- 2. Joint Work Session with Sanitation Authority, Planning Commission and Economic Development Authority, November 29, 2017.
- 3. Regular Meeting, December 13, 2017.
- 4. Budget Work Session, December 20, 2017.

**County Officials:**

- 1. Recognition of Employee of the Year.

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2. Presentation by Tourism Director Re: Update on Tourism Board Activities.
3. Committee Appointments. **(See Attached)**----- **C**
4. Request from Commissioner of the Revenue for Refund. **(See Attached)** -- **D**

**Committee Reports:**

1. Human Resources Committee. **(See Attached)** ----- **E**
2. Finance Committee. **(See Attached)**----- **F**
3. Transportation Committee. **(See Attached)**----- **G**

**Planning Commission Business:**

**Public Hearing:**

1. Conditional Use Permit #08-17 for Paul C. and Mary A. Valentino, Submitted for Establishment of a Special Event Facility in the RA (Rural Areas) Zoning District. The Property is Located at 4212 Apple Pie Ridge Road, Winchester, Virginia and is Identified with Property Identification Numbers 22-A-89 and 22-A-94 in the Stonewall Magisterial District. **(See Attached)**----- **H**

**Other Planning Items:**

1. Discussion – Proposed Ordinance Amendment – Solar (Photovoltaic) Energy Facility. **(See Attached)**----- **I**

**Board Liaison Reports (If Any)**

**Citizen Comments**

**Board of Supervisors Comments**

**Adjourn**

A



## COUNTY of FREDERICK

**Jay E. Tibbs**

Deputy County Administrator

540/665-5666

Fax 540/667-0370

E-mail:

[jtibbs@fcva.us](mailto:jtibbs@fcva.us)

<b>TO:</b>	Board of Supervisors
<b>FROM:</b>	Jay E. Tibbs, Deputy County Administrator 
<b>SUBJECT:</b>	Amendment to Rules of Procedure
<b>DATE:</b>	January 5, 2018

Attached please find a copy of the Board's Rules of Procedure, which are adopted annually as part of the Board's reorganization. Staff has reviewed the document and has one proposed amendment to Section 4-4 Citizen Comments Period. In the last sentence of the first paragraph the word "shall" has been changed to "should". The reason for this change is to provide the Board with more flexibility to allow interested citizens to speak to non-public hearing agenda items. As currently written, the word "shall" denotes that a citizen must have signed up in order to address the board during the first citizen comment period. The change to the word "should" would allow the Board the ability to let citizens, who might want to, address the Board, but for some reason missed the sign-up period.

The sign-up is still encouraged and preferred so we can ensure citizens are addressing the Board regarding their specific issues at the appropriate time.

If the Board is agreeable to this change, a draft motion has been enclosed for your consideration.

If you have any questions, please do not hesitate to contact me.

Attachment

**RULES OF PROCEDURE**  
**FREDERICK COUNTY BOARD OF SUPERVISORS**  
Adopted by the Frederick County Board of Supervisors  
at a Regular Meeting Held on May 28, 2003

**ARTICLE I - MEETINGS**

**Section 1-1. Annual Meeting; Schedule of Regular Meetings**

On the second Wednesday of January of each year, or on such other date in the month of January as it may designate, the Board shall assemble in the Board of Supervisors' Meeting Room of the County Administration Building, 107 North Kent Street, Winchester, Virginia, or such other public place as it may designate, in regular session and conduct its annual or organizational meeting. During the course of such meeting, the Board shall fix the date, time, and place of all of its regular meetings during the ensuing calendar year, and shall fix the day on which a regular meeting shall be continued should the Chairman later declare that weather or other conditions make it hazardous for members to attend. Thereafter, no changes shall be made to the schedule of regular meetings and continued dates of same unless the requirements of Section 15.2-1416 of the *Code of Virginia*, 1950, as amended, are first met.

**Section 1-2. Special Meetings**

The Board of Supervisors may hold such special meetings as it deems necessary and at such times and places as it may find convenient. A special meeting can only be called pursuant to the requirements imposed by Sections 15.2-1417 and 15.2-1418 of the *Code of Virginia*, 1950, as amended.

**Section 1-3. Continued Meetings**

Upon majority vote of the members attending, the Board may continue its meetings, regular or special, from time to time as it may find convenient or necessary with no requirement to further advertise or announce.

**Section 1-4. Quorum and Method of Voting**

At any meeting, a majority of the Supervisors shall constitute a quorum. All questions submitted to the Board for decision shall be determined by a majority vote of the Supervisors present and voting on any such question, unless otherwise provided by law or these Rules of Procedure. The name of each member voting and how he or she voted will be recorded for each action taken by the Board of Supervisors.

The Board of Supervisors has elected not to have a tiebreaker, as provided for by the *Code of Virginia*, 1950, as amended.

**Section 1-5. Motions**

Subject to limitations imposed hereafter in these rules, discussion of items on the agenda shall be permitted for purposes of clarifying the issues and/or the options available for consideration. No call for a vote shall be allowed until a member of the Board moves a specific action with reasonable clarity and each member of the Board has thereafter had an opportunity to speak to the specific motion. Motions shall require a second. When possible, Board members making complex, multi-part, or lengthy motions are requested to provide the clerk with a written copy of the motion at the time the motion is made.

**Section 1-6. Motion to Adjourn**

At a meeting of the Board, a motion to adjourn shall always be in order and shall be decided without debate, provided each member of the Board is given a reasonable opportunity to be heard.

**Section 1-7. Motions While a Question is Under Debate**

When a motion is under debate at a meeting of the Board, no motion shall be received unless it is one to amend, to refer to committee, for the previous question, for a substitute motion to lay on the table, or to recess or adjourn.

**Section 1-8. Reconsideration of Motions, Etc., Upon Which Vote Has Been Announced**

At any meeting of the Board, when any vote upon any motion, resolution, ordinance, or question has been previously announced, it may not be reconsidered unless and until a motion to that effect is presented by a member of the Board who previously voted with the prevailing side when such motion, resolution, ordinance, or question was considered. Any such motion to reconsider shall be decided by a majority vote of the members present at the time such motion to reconsider is presented.

**Section 1-9. Robert's Rules of Order; Suspending Rules [Amended 09/14/11]**

The proceedings of the Board of Supervisors, except as otherwise provided in these rules and by applicable State law, shall be governed by Robert's Rules of Order, Simplified and Applied, with the exception of motions to postpone. Motions to postpone shall be for durations as decided by the Board of Supervisors and in conformity with the *Code of Virginia*, 1950, as amended, as applicable.

These Rules of Procedure of the Board may only be suspended on presentation of a motion

to that effect, which is carried by majority vote of the members present and voting.

**Section 1-10. Board to Sit with Open Doors**

The Board of Supervisors shall sit with open doors, and all persons conducting themselves in an orderly manner may attend the meetings. However, the Board may hold closed meetings as permitted by law.

Closed meetings may be placed on the agenda, or may be requested by any member of the Board. However, no closed meeting shall be convened unless and until the Board has favorably acted on a motion to so convene, and then, only if such motion accurately states a lawful reason for such closed meeting as permitted by and outlined in Section 2.2-3711 of the *Code of Virginia*, 1950, as amended.

**Section 1-11. Limitations on Duration and Hour of Meetings; Adjournment**

Meetings of the Board of Supervisors shall not continue for more than 4 consecutive hours or later than 11:00 P.M. without the consent of a majority of the members present. Should it appear to the Chair that the matter or matters before the Board cannot be heard within the time remaining, the Chair shall poll the members of the Board to determine the desire of the members. The Chair shall adjourn or recess the meeting upon final action on the current agenda item unless a majority of the members agree to exceed the limits established by this section. Any items not taken up by the Board of Supervisors prior to adjourning will be added to the agenda of the next meeting without further action of the Board.

**ARTICLE II - OFFICERS**

**Section 2-1. Chairman and Vice Chairman [Amended 01/14/09]**

At the annual or organizational meeting of the Board of Supervisors, as described in Section 1-1 hereof, the Board shall elect from its membership a Vice Chair, who shall serve for a one year term expiring on December 31st of the same year in which he or she is elected; provided, however, that unless the term of office has expired and the member has not been re-elected, the Vice Chair shall serve until their respective successor(s) shall have been elected and qualify. In the event that the Chair is absent from any meeting, the Vice Chair shall assume the authority and duties of the Chair. In the event the Chair and Vice Chair are absent from any meeting of the Board, then the members present at such meeting shall choose one of their number as temporary Chair by majority vote of the members present and voting.

**Section 2-2. Authority of the Chairman**

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum, and the Board will permit no behavior, which is not in keeping with this policy.

The Chairman shall preserve order and decorum at all meetings. He shall recognize persons desiring to speak and shall ensure that speaker's comments are limited to the issue before the Board for consideration and that any limitations on time are observed. The Chairman shall ensure that all persons entitled and desiring to speak are permitted to do so without interruption or comment during their presentation. The Chair shall determine if statements are demeaning, inappropriate, or out of order, and shall have the authority to revoke the speaker's right to continue.

The Chairman may order the expulsion of any person for violation of rules, disruptive behavior, or any words or action that incite violence or disorder, subject to appeal to the Board. Any person so expelled shall not be readmitted for the remainder of the meeting from which he was expelled. Any person who has been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year, either by the Chairman, subject to appeal to the Board, or by motion passed by the Board.

The Chairman shall have the power to administer an oath of honesty to any person concerning any matter submitted to the Board or connected with its powers and duties. The power to administer an oath granted to the Chair in this section shall be no greater than the same power authorized by Section 15.2-1410 of the *Code of Virginia*, 1950, as amended.

### **Section 2-3. Clerk**

The Clerk of the Board shall be the County Administrator, and the duties and responsibilities of that position shall be as specified in Sections 15.2-407 and 15.2-1539 of the *Code of Virginia*, 1950, as amended. At the discretion of the Board, any county employee can be designated as Deputy Clerk, or Temporary Clerk, as the circumstances may require, and said employee shall have the same powers and duties outlined herein for the duration of said appointment.

## **ARTICLE III - AGENDA**

### **Section 3-1. Preparation**

The Clerk shall prepare an agenda for each meeting of the Board of Supervisors, conforming to the order of business specified in Section 4-1 under Order of Business. Supporting

information for every item to be placed on the regular meeting agenda shall be received in the Office of the County Administrator before noon on the Thursday that falls in the week immediately prior to the regularly scheduled Board meeting. Agendas for special meetings shall be prepared as far in advance as the circumstances necessitating the special meeting allow. The clerk shall include on the agenda all matters for which a written request and supporting information have been received in advance of the deadline herein established.

**Section 3-2. Delivery**

Each member of the Board shall receive the regular meeting agenda, along with the supporting information available to staff, on the Friday of the week prior to the regular meeting to be held on the second and fourth Wednesdays of each month. Special meeting agendas and supporting information will be delivered as far in advance as the circumstances necessitating the special meeting allow.

**Section 3-3. Posting and Notice**

A copy of the meeting agendas shall be made available in the Office of the County Administrator, as of the date and time the information is distributed to members of the Board. Agendas will also be posted on the county web page at [www.frederickcountyva.gov](http://www.frederickcountyva.gov), both outside entrances to the Board of Supervisors' meeting room, the main interior doors to the meeting room, and outside the County Administrator's office.

**Section 3-4. Copies**

The Clerk or Deputy Clerk of the Board shall prepare or cause to be prepared extra copies of the agenda and supporting information and shall make the same available to the Handley Regional Library located at Braddock and Piccadilly Streets, Winchester, Virginia, and the Bowman Library located at 871 Tasker Road, Stephens City, Virginia at the same time the agenda is posted pursuant to Section 3-3, above. Individuals desiring complete copies of agenda packages shall arrange with the Clerk for the delivery and cost of the information desired. The Clerk or Deputy Clerk shall also have a copy of agenda packets available at each meeting.

**ARTICLE IV - CONDUCT OF BUSINESS**

**Section 4-1. Order of Business [Amended 06/11/03]; [Amended 01/14/04]**

At meetings of the Board, the order of business should be as follows:

Closed Session (When Required)  
Call to Order

Invocation  
Pledge of Allegiance  
Adoption of Agenda  
Consent Agenda  
Citizen Comments (Agenda Items Only, That Are Not Subject to Public Hearing.)  
Board of Supervisors Comments  
Minutes  
County Officials  
Committee Reports  
Public Hearings (When Required)  
Planning Commission Items-Public Hearings (When Required)  
Planning Commission/Department-Other Items  
Liaison Reports (If Any)  
Citizen Comments  
Board of Supervisors Comments  
Adjournment

#### **Section 4-2. Adoption of Agenda**

The agenda presented for adoption shall be the agenda prepared and delivered as required in Article III. Additions, deletions, or modifications and/or adoption of the agenda shall require the consent of a majority of the members of the Board present at the meeting.

#### **Section 4-3. Consent Agenda**

The Consent Agenda shall be introduced by a motion “to approve the Consent Agenda”, and shall be considered by the Board as a single item. There shall be no debate or discussion by any member of the Board regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

On objection by any member of the Board of Supervisors to inclusion of any item on the Consent Agenda, that item shall be removed from the Consent Agenda forthwith. Such objection may be recorded at any time prior to completing the taking of a vote on the motion to approve the

Consent Agenda. Items which have been objected to and removed from the Consent Agenda shall be acted upon in the original order presented within the agenda.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution, or other item of business thereon, exactly as if each had been acted upon individually.

**Section 4-4. Citizen Comments Period [Amended 4/14/04] [Amended 01/10/18]**

Two Citizen Comments periods shall be furnished during every regular meeting of the Board of Supervisors. The first Citizen Comments period shall occur after the adoption of the Consent Agenda and shall be a time for citizens to address agenda items that are not scheduled for public hearing. A register for persons desiring to address the Board of Supervisors during this Citizen Comments period shall be furnished prior to the beginning of every regular meeting of the Board of Supervisors. Citizens desiring to address the Board of Supervisors during this period **shall should** provide their name, the issue they want to address, and their place of residence on the register provided.

The second Citizens Comments period shall occur prior to the Board of Supervisors Comments at the end of the meeting and shall be a time for citizens to address the Board of Supervisors on issues that are not part of the regular meeting agenda. Citizens desiring to address the Board of Supervisors during this period are not required to register; however, each shall state their name and their place of residence prior to their comments.

Each speaker during the Citizen Comments periods shall be limited to one appearance per citizen comment period per meeting. Individuals speaking during the Citizen Comments periods shall be subject to a three minute time limitation.

Any person desiring to address the Board of Supervisors during the Citizen Comments periods shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI-Citizen Responsibilities.

Members of the Board shall neither engage in debate with, nor shall they be expected to answer questions posed by individuals speaking during the Citizen Comment period.

**Section 4-5. Scheduled Presentations**

Any person desiring to address the Board of Supervisors for a presentation under County Officials shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI-Citizen Responsibilities.

Any citizen or staff member who desires to address the Board during the County Officials portion of the agenda at a regular meeting shall submit a written request to the Clerk, or his/her designee, identifying, with reasonable certainty, the subject matter of the presentation. Such request must be in the Clerk's hands not later than the agenda deadline specified in Section 3-1 hereof. Only the person requesting to make the presentation may do so, unless otherwise permitted by the Chair, and every such speaker shall be subject to a five minute time limit for the presentation itself, which limit can be extended with agreement of the Chairman. Board member

questions and discussion of the material presented shall not be subject to any time limit. Persons making presentations should be prepared to answer questions and provide detailed information in response to questions from members of the Board.

## **ARTICLE V - PUBLIC HEARINGS**

### **Section 5-1. Format for Public Hearings**

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy. While it is often necessary to have a presentation by an applicant and staff, it is the desire of the Board to hear from the public; and therefore, the applicant and staff presentations will be as brief as possible. In order to accomplish this objective it is necessary that certain rules of order prevail at all public hearings of the Board of Supervisors as follows:

### **Section 5-2. Order of Business**

At public hearings, the order of business will be as follows:

- (a) Identification of Issue and Verification of Notice
- (b) Staff and/or Applicant Presentation
- (c) Public Comment
- (d) Close of Public Hearing
- (e) Board Member Questions
- (f) Staff, Applicant Response
- (g) Board discussion and/or consideration

### **Section 5-3. Identification of Issue and Verification of Required Notice**

The Chair shall call upon the appropriate county staff member to verify that any required notice has been given and to read or summarize the notice for the benefit of those attending the public hearing.

### **Section 5-4. Staff and/or Applicant Presentation**

The Chair will call upon the appropriate county staff and/or applicant to present such information as is necessary to explain the action requested of the Board of Supervisors. Presentations will be brief, concise summaries for the Supervisor's and the public's information and understanding, provided that sufficient time will be allowed to present, properly and fairly, the subject matter. When written information has been provided prior to the hearing, that information

should be summarized and only new information should be presented in detail at the meeting.

#### **Section 5-5. Public Comment**

Any person desiring to address the Board of Supervisors at a Public Hearing conducted by the Board of Supervisors shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI-Citizen Responsibilities.

Prior to permitting public comment, the Chair shall determine, to the best of his ability, the approximate number of persons desiring to comment at the public hearing and shall establish the manner in which speakers are recognized and the length of time each may speak.

Should the Chair determine that the likely number of persons desiring to speak is 10 or more in number, he may direct that individuals desiring to speak register with staff, providing their name and the district in which they reside. Should registration be required, the Chair shall verify that all such registration has been completed before the hearings begin.

#### **Section 5-6. Order of Speaking**

Members of the public shall be permitted to speak as the Chair recognizes each, provided that no member of the public shall be recognized to speak a second time until all persons desiring to speak have had an opportunity to do so. In the event the number of persons desiring to speak necessitates a register, speakers shall be recognized in the order in which they have registered.

In the event the number of speakers results in the continuation of a public hearing, any persons registered but not heard at the initial Public Hearing will be the first given an opportunity to speak at the continued hearing.

#### **Section 5-7. Presentation of Comments**

Each person may address the Board as many times as the Chair, in his or her discretion, may allow, but no speaker shall exceed the total time limit set by the Chair.

#### **Section 5-8. Board Members' Questions**

Upon completion of a presentation by staff, applicant or member of the public, any member of the Board may ask questions to enhance their understanding of the issue, verify information presented or clarify the action or actions requested. Members of the Board shall not engage in debate with the person or persons making the presentation.

#### **Section 5-9. Staff and/or Applicant Response**

The Chairman shall call on the staff or applicant for any response on closing comments with reference to the public hearing presentations.

**Section 5-10. Close of Hearing**

When the Chair of the Board shall have closed a public hearing, no further public comments shall be received.

**Section 5-11. Board Discussions and/or Consideration**

At the close of the public hearing, the Board of Supervisors shall, at its discretion, act or defer action upon the matter set for public hearing. In the event the Board defers action to a later date, the record shall be left open to receive written comments up until the time that a vote is taken.

**ARTICLE VI - CITIZEN RESPONSIBILITIES**

**Section 6-1. Application of Rules**

Any person desiring to address the Board of Supervisors during any portion of a meeting designated for public comment shall be required to abide by the rules governing such presentations as hereafter set forth in these rules.

**Section 6-2. Addressing the Board**

All persons speaking at a meeting of the Board during any portion of a meeting designated for public comment shall address their comments to the Board of Supervisors and shall limit their comments to matters before the Board of Supervisors. Speakers shall not engage in debate with other speakers or members of the public. Questions shall not be asked of other speakers, but may be directed to the Chairman of the Board for consideration by the Board in later deliberating the matter.

**Section 6-3. Conduct while Speaking/Conduct While Not Speaking**

Persons speaking at a meeting of the Board of Supervisors shall do so in a courteous manner. Cursing or other obscene language or gestures, threats, insults, or other actions intended to harass, provoke or incite a fight, brawl, or other such disorderly response will not be permitted. Any person whose conduct is contrary to this section will be removed as provided for in section 2-2 of these rules. Board members are expected to observe the same decorum at all meetings.

**Section 6-4. Name and Place of Residence**

Individuals addressing the Board during any portion of a meeting designated for public comment shall clearly state their name and place of residence prior to making any further comments. Should a person be recognized to speak more than once, they shall identify themselves each time before speaking.

#### **Section 6-5. Organizational Representation**

Any person speaking at any portion of a meeting designated for public comment, who represents himself as being an officer or representative of an organization, group, association, corporation, or other entity, shall, upon request of a member of the Board, disclose for the organization, group, association, corporation, or other entity, the history, size, dues, structure, date of creation, requirements for membership, tax status; and shall reveal the organizations method of determining its official position and the speaker's authority to represent the organization. Unreasonable failure to provide this information to the satisfaction of the Board of Supervisors shall bar the speaker from speaking on behalf of the organization.

#### **Section 6-6. Order of Speaking**

Persons speaking during any portion of a meeting designated for public comment shall do so in the order in which they are recognized and called upon by the Chair.

#### **Section 6-7. Time Limits**

All persons speaking during any portion of a meeting designated for public comment shall observe all time limits established herein and shall yield the floor when informed their time has expired.

#### **Section 6-8. Registration**

Should registration of speakers be required, all persons desiring to speak shall sign the register, providing their name, place of residence and district.

#### **Section 6-9. Written Copy of Comments**

Speakers are requested, but not required, to leave written statements and/or comments with the Clerk or Deputy Clerk of the Board to be incorporated into the written record of the meeting.

#### **Section 6-10. Information Sources**

No person who speaks or otherwise presents information during any portion of a meeting designated for public comment shall knowingly present false or untrue information to the Board of

Supervisors, and shall, upon request of any Board Member, provide the source of any information presented.

## **ARTICLE VII - APPOINTMENTS**

### **Section 7-1. Appointments**

The Chairman shall appoint members of the Board to such authorities, boards, commissions, committees or other organizations or positions as the Board shall so authorize and to appoint various citizen members to Board's standing committees.

### **Section 7.2. Committee Appointments [Amended 01/25/06]**

Each board member may nominate citizen members to be appointed to the various authorities, boards, commissions, and committees where a representative is needed from a member's respective magisterial district or for the county at large. A majority vote of those board members present shall be required to appoint a nominee to said authority, board, commission, or committee. Prior to Board action on a prospective nominee, the following process shall be followed:

1. Applications for vacancies are available through Board members and the County Administrator's Office. A completed application shall be required for all initial nominations; however, a completed application for candidates being reappointed shall not be required.
2. Applications shall be received in the County Administrator's Office up to 5:00 p.m. on the Thursday preceding a Board meeting in order that they might be included in the agenda for review by the members of the Board.
3. The applications will be acknowledged at the aforesaid meeting with action on the appointment to be taken at the next regular meeting of the Board.

## **ARTICLE VIII - AMENDMENTS**

### **Section 8-1. Amendments**

These Rules of Procedure may from time to time be revised, repealed, or otherwise amended upon an affirmative vote by a majority of the members of the Board of Supervisors present and voting.

**Rules of Procedure**  
**Frederick County Board of Supervisors**  
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(Adopted: 05/28/03)  
(Amended: 06/11/03)  
(Amended: 01/14/04)  
(Amended: 04/14/04)  
(Amended: 01/25/06)  
(Amended: 01/14/09)  
(Amended: 09/14/11)

## **ADOPTION OF RULES OF PROCEDURE**

I move that the Board adopt the Rules of Procedure originally adopted by the Frederick County Board of Supervisors on May 28, 2003, amended January 10, 2018, and Robert's Rules of Order Simplified and Applied.

### **SELECTION OF A PARLIAMENTARIAN**

I move that the Board elect the County Administrator as Parliamentarian.

### **SELECTION OF A TIME AND PLACE FOR REGULAR MEETINGS**

I move that the second and fourth Wednesdays of each month, at 7:00 P.M., in the Board of Supervisors' Meeting Room, County Administration Building, 107 North Kent Street, Winchester, Virginia be the time and meeting place for the Frederick County Board of Supervisors for 2018. I further move that should a meeting be cancelled due to inclement weather, it will take place on the following evening.

# Consent Agenda

B

**MINUTES**  
**CLOSED SESSION**  
**AND**  
**REGULAR MEETING**  
**FREDERICK COUNTY BOARD OF SUPERVISORS**  
**NOVEMBER 8, 2017**

A Closed Session and Regular Meeting of the Frederick County Board of Supervisors were held on Wednesday, November 8, 2017, beginning at 6:15 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, Virginia.

**PRESENT**

Chairman Charles S. DeHaven, Jr.; Vice-Chairman Gene E. Fisher; Blaine P. Dunn; Bill M. Ewing; Gary A. Lofton; Judith McCann-Slaughter and Robert W. Wells.

**CALL TO ORDER**

Chairman DeHaven called the meeting to order.

**CLOSED SESSION**

Upon a motion made by Vice-Chairman Fisher, seconded by Supervisor Lofton, the Board of Supervisors convened in closed session pursuant to Section 2.2-3711 A (8) of the Code of Virginia, 1950, as Amended, for consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice by such counsel; and pursuant to Section 2.2-3711 A (3) of the Code of Virginia, 1950, as Amended, for discussion or consideration of the acquisition of real property for a public purpose, and of the disposition of publicly held real estate property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

Upon a motion made by Vice-Chairman Fisher, seconded by Supervisor Ewing, the Board of Supervisors came out of closed session and reconvened in open session.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

Upon a motion made by Vice-Chairman Fisher, seconded by Supervisor Lofton, the Board certified that to the best of each Board Member's knowledge that only the consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice by such counsel pursuant to Section 2.2-3711 A (8) of the Code of Virginia, 1950, as Amended, and discussion of the acquisition of real property for a public purpose, and of the disposition of publicly held real estate property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board pursuant to Section 2.2-3711 A (3) of the Code of Virginia, 1950, as Amended, were discussed.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

Upon a motion made by Vice-Chairman Fisher, seconded by Supervisor Ewing, the Board of Supervisors authorized the County Administrator to execute appropriate documents with Carmeuse consistent with discussion in Closed Session.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

The Board recessed until its regular meeting, 7:00 P.M.

**REGULAR MEETING - CALL TO ORDER**

Chairman DeHaven called the meeting to order.

**INVOCATION**

Vice Chairman Fisher delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Supervisor Lofton led the Pledge of Allegiance.

**ADOPTION OF AGENDA – APPROVED**

County Administrator Kris Tierney stated there was one addition to the agenda under County Officials, the recognition of 4-H ambassadors.

Upon a motion made by Supervisor Slaughter, seconded by Supervisor Lofton, the Board approved the amended agenda by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye

Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**CONSENT AGENDA – APPROVED**

County Administrator Kris Tierney requested to remove Tab C from the Consent Agenda, Resolution to Authorize the County Administrator to Execute an Addendum to the Northern Shenandoah Valley Substance Abuse Coalition MOU for the Use of the Timbrook House, as there was an additional revision recommended to the MOU.

Upon a motion made by Supervisor Ewing, seconded by Supervisor Dunn, the Board approved the following item under the consent agenda:

- Public Works Committee Report – Tab D.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**CITIZEN COMMENTS**

There were no citizen comments.

**BOARD OF SUPERVISORS COMMENTS**

There were no Board of Supervisors' comments.

**COUNTY OFFICIALS**

**PRESENTATION OF RESOLUTIONS OF APPRECIATION FOR RETIREES WITH 25 OR MORE YEARS OF SERVICE WITH FREDERICK COUNTY:**

**CHARLES “STEVE FRYE AND KARL H. STEUDL**

Steve Frye and Karl Steudl were present to accept their resolutions of appreciation.

**RECOGNITION OF 4-H AMBASSADORS**

Deputy County Administrator Jay Tibbs stated there were five 4-H ambassadors that were in attendance to be recognized. He stated that to become an ambassador, students fill out an application, write an essay and undergo an interview process.

Brandon McDonald, Senior at James Wood High School  
Ethan Whitacre, Freshman at James Wood High School  
Hunter Shoemaker, Junior at Sherando High School

Mr. Tibbs stated these 4-H ambassadors were recognized for shooting, that there were eighteen shooting ambassadors in Virginia.

Morgan Strickler, Senior at Sherando High School  
Camryn Madagan, Senior at Sherando High School

Mr. Tibbs stated these 4-H ambassadors were recognized for the horse industry in Virginia and there were twelve ambassadors in the horse industry in Virginia.

**COMMITTEE APPOINTMENTS**

**ROBERT MOLDEN APPOINTED TO SERVE AS OPEQUON DISTRICT REPRESENTATIVE ON THE FREDERICK COUNTY HISTORIC RESOURCES ADVISORY BOARD - APPROVED**

Upon a motion made by Supervisor Wells, seconded by Supervisor Slaughter, Robert Molden was appointed to serve as the Opequon District representative on the Frederick County Historic Resources Advisory Board for a four year term, said term to expire November 8, 2021.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**SCOTT STRAUB APPOINTED TO SERVE AS RED BUD DISTRICT REPRESENTATIVE ON THE FREDERICK COUNTY HISTORIC RESOURCES ADVISORY BOARD - APPROVED**

Upon a motion made by Supervisor Dunn, seconded by Supervisor Wells, Scott Straub was appointed to serve as the Red Bud District representative on the Frederick County Historic Resources Advisory Board filling a vacated seat, said term to expire July 8, 2019.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**BETSY BRUMBACK NOMINATED FOR REAPPOINTMENT TO THE FREDERICK COUNTY BOARD OF EQUALIZATION – APPROVED**

Upon a motion made by Supervisor Lofton, seconded by Supervisor Wells, Betsy Brumback was nominated for reappointment to the Frederick County Board of Equalization for a three year term, said term to expire December 31, 2020. Final appointment rests with the Judge of the Circuit Court.

**RESOLUTION (#037-17) AND PERFORMANCE AGREEMENT FOR NAVY FEDERAL CREDIT UNION – APPROVED**

County Administrator Kris Tierney presented this request and stated that Navy Federal

Credit was expanding its operation in Frederick County.

Economic Development Authority Director Patrick Barker was present to answer any questions.

Upon a motion made by Vice Chairman Fisher, seconded by Supervisor Slaughter, the resolution and performance agreement for Navy Federal Credit Union was approved.

**Resolution**

**NAVY FEDERAL CREDIT UNION**

**WHEREAS, NAVY FEDERAL CREDIT UNION** has made known its intent to expand its operation by making new real property and furniture, fixtures and equipment improvements and retain and create jobs; and

**BE IT RESOLVED**, that the Board of Supervisors for the County of Frederick, Virginia, does hereby approve a General Fund Supplemental Appropriation and an Economic Development Authority Supplemental Appropriation in the amount of \$2,000,000.00 for a Local Economic Development Incentive Grant as stated in the executed Performance Agreement to assist in expanding the operation for NAVY FEDERAL CREDIT UNION in Frederick County, Virginia.

**BE IT RESOLVED**, that the Board of Supervisors for the County of Frederick, Virginia, does hereby approve and appropriate the payment of \$2,000,000.00 to the Economic Development Authority of Frederick County, Virginia from the Commonwealth Opportunity Fund to assist in expanding the operation for NAVY FEDERAL CREDIT UNION in Frederick County, Virginia.

**BE IT RESOLVED**, that said funds are subject to an executed Performance Agreement outlining the required performance criteria.

**BE IT FURTHER RESOLVED**, that the Board of Supervisors for the County of Frederick, Virginia, does authorize the County Administrator to execute the Performance Agreement on its behalf.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye

Judith McCann-Slaughter    Aye  
Robert W. Wells                Aye

**RESOLUTION (038-17) TO AUTHORIZE COUNTY ADMINISTRATOR TO EXECUTE AN ADDENDUM TO THE NORTHERN SHENANDOAH VALLEY SUBSTANCE ABUSE COALITION MOU FOR THE USE OF THE TIMBROOK HOUSE – APPROVED WITH ADDED LANGUAGE TO THE ADDENDUM**

County Administrator Kris Tierney presented the resolution for the addendum to the Northern Shenandoah Valley Substance Abuse Coalition MOU for the use of the Timbrook House. He stated that at the June 22, 2016 meeting of the Board of Supervisors, the Board approved a Memorandum of Understanding between the various localities that make up the Northern Shenandoah Valley Substance Abuse Coalition. He stated the purpose of the MOU was to outline the responsibilities and expectations of the various parties. He stated, per the original MOU, neither Frederick County nor any of the other parties were required to provide any additional funding other than the awarded grant funds from the Bureau of Justice Assistance Adult Drug Court Discretionary Fund. He further stated this MOU was approved as part of the Board's consent agenda at that meeting. He stated, since that time, an addendum to the existing MOU had been proposed, which would enable the City of Winchester, at its sole discretion, to provide space located at 305 E. Piccadilly Street (aka the Timbrook House) to be used by the NSVSAC for office space for the operation of the Northwestern Regional Adult Drug Treatment Court for \$1.00 per year. He further stated that because the original MOU was approved by the Board of Supervisors, the proposed addendum was being presented to the Board for consideration and action. He stated there was an additional provision recommended for inclusion in the proposed MOU that was handed out at the meeting. The provisions of paragraph 7 of the MOU, that the parties to the MOU shall not be required to provide any additional

funding other than the awarded grant funds and shall not receive invoices from NSVSAC outside the scope of the grant funds, shall apply likewise to all matters within the scope of the addendum. He concluded by stating that if the Board concurs with the amended addendum, staff was seeking approval of the resolution to authorize the County Administrator to sign the addendum on behalf of the County.

Supervisor Slaughter asked if this replaced number 7 in the addendum that was in the Board's packet.

County Attorney Rod Williams replied it would not replace, it would add number 14.

Upon a motion made by Supervisor Slaughter, seconded by Supervisor Wells, the amended addendum to the Northern Shenandoah Valley Substance Abuse Coalition MOU for the use of the Timbrook House was approved.

**RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN ADDENDUM TO THE NORTHERN SHENANDOAH VALLEY SUBSTANCE ABUSE COALITION MOU FOR THE USE OF THE TIMBROOK HOUSE**

**WHEREAS**, the Northern Shenandoah Valley Substance Abuse Coalition operates the Northwestern Regional Drug Treatment Court program and is in need of office space; and

**WHEREAS**, the City of Winchester currently owns the Timbrook House; and

**WHEREAS**, there is no current utilization of the Timbrook House; and

**WHEREAS**, execution of the attached addendum would provide the Northern Shenandoah Valley Substance Abuse Coalition with much needed office space in the Timbrook House for the operation of the Northwestern Drug Treatment Court program; and

**WHEREAS**, all terms and conditions cited within the attached addendum require strict adherence.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors of the County of Frederick, Virginia hereby authorize the County Administrator to execute the attached addendum.

**ADOPTED** this 8<sup>th</sup> day of November, 2017.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**COMMITTEE REPORTS**

**PUBLIC WORKS COMMITTEE REPORT – APPROVED UNDER CONSENT AGENDA**

The Public Works Committee met on Tuesday, October 31, 2017, at 8:00 a.m. All members were present except James T. Wilson. The following items were discussed:

**\*\*\*Items Not Requiring Action\*\*\***

**1. Capital Improvement Plan (CIP) Departmental Request for 2018-2023.** Recently, staff received packages from the Planning Department to submit any potential CIP projects. In looking at the Public Works Department needs, we determined there are two potential projects that should be included with the CIP request. Both projects are in the Refuse Collection budget and involve upgrades and/or a new site to replace an existing site.

Summary of CIP Request #1: Proposing to relocate a new site for the Albin Convenience Center located near the intersection of Route 522 North and Indian Hollow Road across from the Virginia Farm Market. The site has been in operation for many years and is too small of a site and creates major safety concerns with traffic flow into and out of the site. The Albin site is also the most used site outside of the Landfill with an average of 654 vehicles per day.

We have proposed a total cost to relocate the site for \$1,359,000.00. This price includes purchasing property and design work in the Fiscal Year 2019 budget. The rest of the costs totaling \$1,224,000.00 would be applied in the Fiscal Year 2020 budget.

Summary of CIP Request #2: Proposing to modify the existing Gore Convenience Site located along Sand Mine Road in the Gore community. Currently, the site has 10 boxes that are 8 years old. We are proposing to expand the site and locate a compactor unit on site. The current site would have to be enlarged, unit and hopper placed and other work performed. The upgrade to

this site would reduce the overall hauling costs significantly. It would provide much greater service to the local community.

The proposed expenditures for this site would be \$30,000.00 in Fiscal Year 2020 for engineering and \$624,000.00 in Fiscal Year 2021 for construction with a total cost of \$654,000.00.

The Public Works Committee endorsed these CIP requests and I will be forwarding them to the Planning and Development staff for further consideration.

**2. Update on the New Stephenson Convenience Site.** Funding for the project has been secured and we anticipate awarding the contract within the next two weeks. Utility work has begun, and the site plan is approved. We anticipate construction beginning soon depending on the weather with a proposed project completion date of June 2018. We anticipate opening the new site by July 1, 2018. We continue to work with Carmeuse in extending use at the current Clearbrook site as long as we can. The lease for the site expires on December 31, 2017.

**3. Updates on Solid Waste Surveys, Recycling and Litter Programs.** The solid waste survey provided a recent vehicular poll of trips per day at our 10 convenience centers. We also updated the committee on our current recycling rates for Frederick County of 52.5% which exceeds the state mandate of 25%. Our regional electronics recycling program has had some increase of use over the past year with a total of 248 tons of materials recycled. Also, we updated the committee on the county's clean sweep program of roadside trash pick-up utilizing the Regional Jail trustees. They collected 26 tons of roadside litter during Fiscal Year 2017. The program is very successful and performs a very important service to the community.

**4. Miscellaneous Reports:**

- a. Tonnage Report
- b. Recycling Report
- c. Animal Shelter Dog Report
- d. Animal Shelter Cat Report

**TRANSPORTATION COMMITTEE REPORT - APPROVED**

Assistant Planning Director-Transportation John Bishop presented the Transportation Committee Report.

The Transportation Committee met on Monday, October 30, 2017 at 8:30 a.m.

Members Present

Gary Lofton Chairman (voting)

Members Absent

Mark Davis (liaison Middletown)

Judith McCann-Slaughter (voting)  
James Racey (voting)  
Barry Schnoor (voting)  
Kevin Kenney (liaison PC)  
Lewis Boyer (liaison Stephens City)

Gene Fisher (voting)

The Committee submits the following:

**\*\*\*Items Requiring Action\*\*\***

**3. Secondary Funds Transfer**

Staff is working with VDOT to avoid the loss of secondary funds to the SmartScale Program. To accomplish this, they are seeking full funding of the Redbud Road. The summary of the transfer is the existing funding of Redbud Road in the amount of \$349,067.00 along with transfers from Warrior Drive, Brucetown Road and Carter Lane in the amount of \$462,005.00. The future year allocations used in the amount of \$1,025,815.00.

Upon a motion by Ms. Slaughter-McCann, seconded by Mr. James Racey, the Committee recommended to forward this transfer to the Board of Supervisors to authorize the County Administrator to request the transfer to Redbud Road. The motion was unanimously approved.

Mr. Bishop stated staff requested to transfer secondary funds to the Red Bud Road Alignment Project from the Warrior Drive, Brucetown Road and Carter Lane projects in order to avoid the loss of secondary funds to the SmartScale Program. He stated this request, if approved, could be relayed to VDOT by letter or email.

Supervisor Lofton asked, for the public's knowledge, what the SmartScale Program was and why this was being requested.

Mr. Bishop stated the SmartScale Program was a fairly new and competitive program of secondary funds targeted to our locality for smaller scale roads. He stated this was the last pot of secondary funds and needed to be transferred to this project in order to keep the funds local.

Upon motion made by Supervisor Lofton, seconded by Supervisor Slaughter, the above

request was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**\*\*\*Items Not Requiring Action\*\*\***

**1. Capital Improvement Program Update**

A brief overview of the Capital Improvement Program was presented to the Committee. This program is updated annually and is used as a guide in the planning and programming of the capital expenditures. It does not necessarily mean that the County directly funds the projects. The cost is updated by VDOT. The changes to the program are Fox Drive, Route 277 right turn lane at Warrior, Papermill Road right turn lane at Route 522 are being moved from unfunded to funded based upon the success of the SmartScale application. The project description has been updated for the Airport Road, Tevis Extension, and Bridge project. Also, the map has been updated. Staff noted this item will proceed to the Board of Supervisors as part of the overall CIP update.

Upon a motion by Ms. Slaughter-McCann, seconded by Mr. Racey, the Committee forwarded this update of the transportation section of the Capital Improvement Program to the Board of Supervisors with recommendation for approval. The motion was unanimously approved.

**2. Eastern Road Plan Update**

The Eastern Road Plan is a foundation of the transportation component of the Frederick County Comprehensive Plan. It outlines a transportation network to serve the Board of Supervisors' long-range vision for the development of the County. The Eastern Road Plan update is to primarily incorporate VDOT's work on Route 37 and Route 522 and clean up and clarify a number of other items. Attached, are a series of maps with details of the updates. Each highlighted area has a zoom in map that shows the update and comparison to the plan in greater detail.

Updates are described as follows:

**1. Route 37**

Staff is seeking to incorporate updated VDOT work on Route 37 in order to have the needs shown be as up to date as possible. Included are ramps updated to more current standards ramp work where previously there had only been a note of a desire for an interchange, and updates to the centerline where needed for engineering purposes. At the proposed interchange for Snowden Bridge Boulevard there are two scenarios shown. One scenario shows an interchange with a spacing of 800 feet while the other interchange shows a spacing of 1,200 feet. There are positives and negatives to both designs. The 800 feet ramp spacing allows less room for stacking and as such would require future Snowden Bridge Boulevard to have features such as double lefts to adequately accommodate stacking. However, the reduced spacing results in a much smaller impact on the surrounding industrial property. The 1,200 feet ramp spacing scenario allows for better stacking and thus a narrower Snowden Bridge Blvd, but results in a much more significant right-of-way impact.

## **2. Independence Drive Alignment**

When zoomed in closely the current Eastern Road Plan shows an offset between Independence Drive and what was formerly known as the Channing Drive Extension, now Constitution. This update corrects the offset.

## **3. Lenoir Drive – Slip Ramp Clarification**

For many years a ramp has been shown on the plan connecting Lenoir Drive to Route 37 at Stonewall Industrial Park. However, as drawn currently, it gives the impression that a vehicle could only exit Lenoir Drive onto southbound Route 37. The update clarifies that traffic could exit to southbound Route 37 and also exit from southbound Route 37.

## **4. Route 522 Realignment**

As part of their modeling and study surrounding Exit 313, VDOT analyzed the planned Route 522 realignment and has recommended the alignment shown in this update. The current plan has the Route 522 realignment intersecting with Route 50/17 at Ryco Lane while the proposed change realigns Route 522 to Prince Frederick Drive. The new alignment is preferable due to improved spacing from surrounding intersections and reduced direct impact on surrounding businesses. As part of this recommendation, VDOT vetted this improvement through the regional travel demand model.

## **5. Stephens City Bypass – Connector Road**

The Stephens City bypass does not have access to Route 11 due to the close proximity to the future relocated Exit 307. This update incorporates the connector roadway from Stephens City planning that offers the first access back to Route 11 from the Stephens City bypass.

## **6. Tasker Road Alignment**

This update adjusts the alignment of Tasker Road to match the work completed by VDOT in the vicinity of I-81 Exit 310.

Ms. Slaughter-McCann asked for clarification on the proffered amount of right-of-way for the Snowden Bridge interchange. Staff noted that it was about 95% of the 800 feet proposed option.

Upon a motion by Mr. Schnoor, the Committee recommend that the 800 feet alternative for the Snowden Bridge Boulevard, as staff recommendation be forwarded to the Board of Supervisors for approval. Also, recommendation of the Committee to incorporate the changes outlined by staff into the Comprehensive Plan. The motion was seconded by Mr. Racey and passed unanimously.

#### **4. County Project Updates**

##### **Snowden Bridge Boulevard:**

The roadway is open to traffic and staff is beginning project final close out. Staff is still waiting for sign placement and striping that needs to be completed.

##### **Tevis Street Extension/Airport Road/I-81 Bridge:**

Full Bridge plans are undergoing review for final comment. Airport Road and the Roundabout are expected to be at 60% within 2 weeks. Environmental surveys are complete. On site test boring for signal pole design is expected shortly.

##### **Renaissance Drive:**

The Board of Supervisors has authorized Staff to execute the TPOF agreement. The pending Carbaugh rezoning application also has potential to impact this project with matching funds for revenue sharing. This rezoning is proceeding to the Planning Commission.

##### **Valley Mill Road Realignment:**

No activity at this time.

##### **Coverstone Drive:**

No activity at this time.

##### **Jubal Early Drive Extension and Interchange with Route 37:**

Communication was sent to the Applicants and noted that the County could make no further moves forward on the project until a revenue sharing agreement is in place. Following, a meeting was held at which the agreement was discussed, and staff is awaiting feedback from the Applicant. No new action as of this agenda. Staff has reached out to the Applicant's engineer and no update was provided.

## 5. Upcoming Agenda Items

### November/December

MPO Route 11 South Stars Study

### December/January

Oakdale Crossing Traffic Calming Study

SmartScale Applications Discussion

## 6. Other Business

Staff noted that the Transportation Forum is expected to be held on December 5, 2017.

### PUBLIC HEARING

**PUBLIC HEARING - TWELVE MONTH OUTDOOR FESTIVAL PERMIT REQUEST OF BELLE GROVE PLANTATION. PURSUANT TO THE FREDERICK COUNTY CODE, CHAPTER 86, FESTIVALS; SECTION 86-3, PERMIT REQUIRED; APPLICATION; ISSUANCE OR DENIAL; FEE; PARAGRAPH D, TWELVE MONTH PERMITS. ALL EVENTS TO BE HELD ON THE GROUNDS OF BELLE GROVE PLANTATION, 336 BELLE GROVE ROAD, MIDDLETOWN, VIRGINIA. PROPERTY OWNED BY THE NATIONAL TRUST FOR HISTORIC PRESERVATION. – APPROVED**

County Administrator Kris Tierney presented this request and stated this was an annual request and that a number of events are held at this site each year.

Chairman DeHaven convened the public hearing.

**Kristen Laise**, Director, was present on behalf of the request and thanked the Board of Supervisors and stated she was present to answer any questions the Board might have.

There were no public comments.

Chairman DeHaven closed the public hearing.

Upon motion made by Supervisor Lofton, seconded by Vice Chairman Fisher, the request for a twelve month outdoor festival permit for Belle Grove Plantation was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**PUBLIC HEARING - PROPOSED CONVEYANCE TO THE FREDERICK COUNTY SANITATION AUTHORITY, D/B/A FREDERICK WATER, OF AN EASEMENT OVER AN AREA OF APPROXIMATELY 134,171.75 SQUARE FEET (3.08 ACRES), THE EASEMENT AREA BEING OVER A PORTION OF TAX PARCEL NUMBER 33-A-162B OWNED BY THE COUNTY. - APPROVED**

County Administrator Kris Tierney presented this proposed easement conveyance. He stated the Parks and Recreation Commission met in September and considered the request of Frederick Water for an easement over an area of approximately 134,171.75 square feet (3.08 acres) and recommended approval. He stated due to the fact this easement was a conveyance of publicly held land, a public hearing was required.

Chairman DeHaven convened the public hearing.

**Andy Wright**, Back Creek District and Plant Manager with Carmeuse, addressed the Board and stated that Carmeuse had done a lot for the community, they had held a lot of events. He stated he would not recommend approval of the easement as Clearbrook Park was not a good place to put a water tank. He stated it was the County's land and they could do what they wanted, but asked the Board not to approve this easement.

**Ron Madigan**, Parks and Recreation Board member, addressed the Board and stated that he had spoken with Frederick Water Director Eric Lawrence. He stated Frederick Water would take down the existing tower and build a new one. He stated the Commission felt they would be swapping one water tower for another. He stated the Commission had no plans for the easement property.

There were no further comments.

Chairman DeHaven closed the public hearing.

Upon a motion made by Vice Chairman Fisher, seconded by Supervisor Ewing, the easement to the Frederick County Sanitation Authority, d/b/a Frederick Water, was approved as presented.

Supervisor Lofton stated the Board was approving the easement only.

Vice Chairman Fisher stated that he was the Board of Supervisors liaison to the Sanitation Authority and there were multiple services for providing water. He stated he felt the reason Carmeuse was not in favor of this request was because they would lose income.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**PUBLIC HEARING - PROPOSED AMENDMENTS TO THE FREDERICK COUNTY CODE, CHAPTER 155 TAXATION, ARTICLE III SENIOR CITIZENS AND DISABLED PERSONS EXEMPTION AND DEFERRAL, SECTIONS 155-16, 155-18, 155-19, AND 155-21. THE PROPOSED AMENDMENTS WOULD PERMIT SUBMISSION OF AFFIDAVITS OR WRITTEN STATEMENTS IN**

**SUPPORT OF APPLICATIONS UNDER THE PROGRAM, UPDATE OWNERSHIP REQUIREMENTS TO CORRESPOND WITH CHANGES TO STATE LAW, AND MAKE MINOR TECHNICAL AMENDMENTS. - APPROVED**

County Attorney Rod Williams presented this proposed ordinance amendment and stated these amendments had been reviewed during the Finance Committee meeting and were technical updates.

Chairman DeHaven convened the public hearing.

There were no public comments.

Chairman DeHaven closed the public hearing

Upon a motion made by Supervisor Slaughter, seconded by Supervisor Dunn, the above ordinance amendment to Chapter 155, Taxation, was approved.

The Board of Supervisors of Frederick County, Virginia hereby ordains that Sections 155-16 (Definitions and word usage), 155-18 (Qualifications for exemption), 155-19 (Application for exemption; investigation of affidavit), and 155-21 (Changes in status) of Article III (Senior Citizens and Disabled Persons Exemption and Deferral) of Chapter 155 (Taxation) of the Code of Frederick County, Virginia, be and the same hereby is, amended by enacting amended Sections 155-16 (Definitions and word usage), 155-18 (Qualifications for exemption), 155-19 (Application for exemption; investigation of affidavit), and 155-21 (Changes in status) of Article III (Senior Citizens and Disabled Persons Exemption and Deferral) of Chapter 155 (Taxation) of the Code of Frederick County, Virginia, as follows and to take effect on January 1, 2018 (deletions are shown in **~~bold strikethrough~~** and additions are shown in **bold underline**):

**CHAPTER 155 Taxation**

**ARTICLE III Senior Citizens and Disabled Persons Exemption and Deferral**

**§ 155-16 Definitions and word usage.**

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless another meaning shall clearly appear from the context:

**AFFIDAVIT OR WRITTEN STATEMENT**

The real estate tax exemption affidavit or written statement.

#### DWELLING

The sole residence of the person claiming exemption; provided, however, that the fact that a person who is otherwise qualified for tax exemption by the provisions of this article is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care for an extended period of time shall not be construed to mean that the real estate for which exemption is claimed ceases to be the sole dwelling of such person during such period of other residence, so long as the real estate in question is not used by or leased to others for consideration.

#### EXEMPTION

The percentage exemption, allowable under the provisions of this article, from the property tax imposed by the County ~~allowable under the provisions of this article~~.

#### PERMANENTLY AND TOTALLY DISABLED

As applied to a person claiming an exemption under this article, a person furnishing the certification or medical affidavits required by § 155-19 of this article and who is found by the Commissioner of the Revenue to be unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of the person's life.

#### TAXABLE YEAR

The calendar year, from January 1 through December 31, for which such property tax exemption is claimed.

#### § 155-17 Purpose.

It is hereby declared to be the purpose of this article to provide real estate tax exemptions or deferrals for qualified property owners who are not less than 65 years of age or permanently and totally disabled and who are otherwise eligible according to the terms of this article. Pursuant to the authority of § 58.1-3210 et seq. of the Code of Virginia, the County finds and declares that persons qualifying for exemption hereunder are bearing an extraordinary real estate tax burden in relation to their income and financial worth.

#### § 155-18 Qualifications for exemption.

Exemptions pursuant to this article shall be granted to persons and for property complying with the following provisions:

A. The title to the property for which exemption is claimed is held or partially held ~~by the person or persons claiming such exemption, as of January 1 of the taxable year for which~~

such exemption is claimed. (i) by the eligible person alone or in conjunction with his spouse as tenant or tenants for life or joint lives, (ii) in a revocable inter vivos trust over which the eligible person or the eligible person and his spouse hold the power of revocation, or (iii) in an irrevocable trust under which an eligible person alone or in conjunction with his spouse possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support. An interest held under a leasehold or term of years does not qualify for relief under the provisions of this article.

B. The dwelling for which the exemption is claimed is occupied as the sole dwelling of such claimant or claimants.

C. If the dwelling for which the exemption is claimed is a mobile home, the dwelling must be a structure subject to federal regulation, which is transportable in one or more sections; is eight body feet or more in width and 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.

D. The person claiming such exemption is 65 years of age or older or permanently and totally disabled as of December 31 of the year immediately preceding the taxable year for which the exemption is claimed.

E. Gross combined income.

(1) The gross combined income from all sources of such claimant owner or owners of such dwelling living therein, of their relatives living in such dwelling, and of each nonrelative who is not the bona fide tenant or bona fide paid caregiver of an owner living in the dwelling, for the immediately preceding calendar year does not exceed the sum of \$50,000 regardless of whether an income tax return was filed or was required to be filed, provided that the first \$7,500 of any income received by any claimant owner as permanent disability compensation shall not be included in such total, and provided that the first \$8,500 of income of each relative, other than the spouse of such claimant owner or owners, who is living in such dwelling, and of each nonrelative, who is living in such dwelling and who is not the bona fide tenant or bona fide paid caregiver of an owner living in the dwelling, shall not be included in such total.

(2) Such gross combined income of the claimant owner or owners shall not include life insurance proceeds, nor shall it include proceeds from borrowing or other debt.

F. The net combined financial worth of such claimant owner or owners, of their relatives living in such dwelling, and of each nonrelative who is not the bona fide tenant or bona fide paid caregiver of an owner living in the dwelling, as of December 31 of the year immediately

preceding the taxable year for which the exemption is claimed, does not exceed \$150,000. "Net combined financial worth" shall include the value of all assets, including equitable interests, exclusive of the fair market value of the dwelling for which exemption is claimed and of the land not exceeding one acre upon which it is situated. Furniture, fixtures and appliances in such exempt residence shall also be excluded from the net worth calculation, provided that they are normal and reasonable to the use and maintenance of the property as the residence of the **qualifying claimant** owner or owners. Net worth is computed by subtracting liabilities from assets.

- G. If an owner qualifies for an exemption, and if the owner can prove by clear and convincing evidence that his physical or mental health has deteriorated to the point that the only alternative to permanently residing in a hospital, nursing home, convalescent home or other facility for physical or mental care is to have a person move in and provide care for the owner, and if a person does then move in for that purpose, then none of the income of that person or of that person's spouse shall be counted towards the income limit, provided the owner of the residence has not transferred assets in excess of \$10,000 without adequate consideration within a three-year period prior to or after that person moves into such residence.

**§ 155-19 Application for exemption; investigation of affidavit or written statement.**

- A. Annually and not later than April 1 of each taxable year, every person claiming an exemption under this article shall file a real estate tax exemption affidavit **or written statement** with the Commissioner of the Revenue of the County. The date for filing such an affidavit **or written statement** by an applicant may be extended by the Commissioner of the Revenue to July 1 of a taxable year in a hardship case in which the Commissioner of the Revenue determines that the applicant was unable to file by April 1 of the particular taxable year because of illness of the applicant or confinement of the applicant in a nursing home, hospital or other medical facility or institution, provided that such real estate tax exemption affidavit **or written statement** is accompanied by a sworn affidavit of one medical doctor licensed to practice medicine in the commonwealth.
- B. The affidavit **or written statement** shall set forth the names of the ~~related persons occupying the real estate~~ **claimant owner or owners, of their relatives living in such dwelling, and of each nonrelative who is not the bona fide tenant or bona fide paid caregiver of an owner** living in the dwelling for which exemption is claimed and the total combined net worth and combined income of such persons as defined in this article. The form of such affidavit **or written statement** shall be determined by the Commissioner of the Revenue and shall contain such other information as may be required adequately to determine compliance with the provisions of § 155-18 of this article. The affidavit **or written statement** of any person less than 65 years of age who is claiming an exemption under this article shall be accompanied by a certification from the Social Security Administration, the Department of Veterans Affairs, or the Railroad Retirement Board, or, if such person is not eligible for certification by any of these agencies, a sworn affidavit from two medical doctors licensed to

practice medicine in the commonwealth or are military officers on active duty who practice medicine with the United States Armed Forces, to the effect that the applicant is permanently and totally disabled as defined in § 155-16 of this article. The affidavit of at least one of the doctors shall be based upon a physical examination of the person by such doctor. The affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability. In addition, the Commissioner of the Revenue may make such further inquiry of persons seeking to claim exemption requiring answers under oath and the production of certified tax returns, as may be deemed reasonably necessary, to determine eligibility for an exemption.

C. The Commissioner of the Revenue, after audit and investigation of such affidavits **or written statements**, shall certify a list of the persons and property qualifying for exemption and the amount thereof to the County Treasurer, who shall forthwith deduct the amounts of such exemption from the real estate tax chargeable for the taxable year to such persons and property.

**§ 155-20 Calculation of amount of exemption.**

The amount of the exemption granted pursuant to this article shall be a percentage of the real estate tax assessed for the applicable taxable year in accordance with the following scale:

<i>Total Combined Income</i>	<i>Percentage of Exemption</i>
\$0 to \$20,000	100%
\$20,001 to \$25,000	60%
\$25,001 to \$30,000	35%
\$30,001 to \$50,000	10%

**§ 155-20.1 Deferral.**

Any person who would otherwise be eligible for an exemption under this article but who, on account of his or her total combined income being in excess of \$20,000 but not greater than \$50,000, is only eligible for a partial exemption may request deferral of the remainder of the real estate tax due. In the event of a deferral of real estate taxes hereunder, the accumulated amount of taxes deferred shall be paid to the County by the vendor of the dwelling upon the sale of the dwelling, or from the estate of the decedent within one year after the death of the last owner thereof who qualifies for tax deferral by the provisions of this section. Such deferred real estate taxes shall be paid without penalty but shall accrue interest at the rate of 8% per annum on any amount so deferred, and such taxes and interest shall constitute a lien upon the said real estate as if it had been assessed without regard to the deferral permitted by this article. Any such lien shall, to the extent that it exceeds in the aggregate 10% of the price for which such real estate may be sold, be inferior to all other liens of record.

**§ 155-21 Changes in status.**

Changes in respect to income, financial worth, ownership of property or other factors occurring during the taxable year for which the affidavit **or written statement** is filed and having the effect of violating or exceeding the limitations and conditions of § 155-18 of this article shall nullify any exemption or deferral for the then current taxable year and for the taxable year immediately following, provided that a change in income shall only operate to decrease the percentage of exemption or deferral previously determined by the Commissioner of the Revenue pursuant to § 155-20 of this article to the extent that the income amount exceeds the relevant range for a percentage of exemption or deferral set out in §§ 155-20 and 155-20.1 of this article.

**§ 155-22 Filing false claims.**

It shall be unlawful for any person to falsely claim an exemption or deferral under this article.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**PUBLIC HEARING - PROPOSED DISSOLUTION AND TERMINATION OF THE RUSSELL 150 COMMUNITY DEVELOPMENT AUTHORITY. THE BOARD OF SUPERVISORS OF THE COUNTY OF FREDERICK, VIRGINIA WILL HOLD A PUBLIC HEARING IN ACCORDANCE WITH SECTION 15.2-5156 OF THE CODE OF VIRGINIA, 1950, AS AMENDED, ON THE PROPOSED DISSOLUTION AND TERMINATION OF THE RUSSELL 150 COMMUNITY DEVELOPMENT AUTHORITY (THE "CDA") AND A REPEAL OF THE MARCH 9, 2005 ORDINANCE THAT AUTHORIZED THE CREATION OF THE CDA. – (RESOLUTION #040-17) - APPROVED**

County Administrator Kris Tierney presented this request. He stated the Board created the Russell 150 Community Development Authority (CDA) on March 9, 2005. He stated the CDA was created to finance certain transportation, drainage, and other improvements in connection with a mixed-use development on the Russell 150 property. He stated the CDA

issued bonds in 2007 in the amount of \$21,155,000 to finance the acquisition and construction of infrastructure on the Russell 150 property. He further stated the property development never came to fruition. He went on to say the bonds had been paid off and the purpose for which the CDA was created was no longer applicable. He stated the CDA had made a final accounting and the financial statements have been audited. He concluded by stating in order to dissolve and terminate the Russell 150 Community Development Authority, a public hearing was required.

Supervisor Dunn asked if there were any county monies involved.

Mr. Tierney replied there was no public money involved at all. He stated the Treasurer collected the County taxes and that the bond holder was the owner.

Chairman DeHaven convened the public hearing.

There were no public comments.

Chairman DeHaven closed the public hearing.

Upon a motion made by Supervisor Lofton, seconded by Vice Chairman Fisher, the dissolution and termination of the Russell 150 Community Development Authority was approved.

**ORDINANCE CONCURRING IN THE DISSOLUTION AND TERMINATION OF THE  
RUSSELL 150 COMMUNITY DEVELOPMENT AUTHORITY**

**WHEREAS**, the Russell 150 Community Development Authority (the "Authority") was created pursuant to an ordinance, adopted by this Board on March 9, 2005 (the "CDA Ordinance"); and

**WHEREAS**, the Authority received its Certificate of Incorporation with the State Corporation Commission of the Commonwealth of Virginia on April 19, 2005, effective retroactively to the date of adoption; and

**WHEREAS**, the Authority was created to finance certain transportation, drainage, improvements (the CDA Infrastructure) in connection with a mixed-use development, on the property designated by the CDA Ordinance as being within the Authority's jurisdiction,

specifically, tax parcel numbers 63-A-150, 64-A-10, and 64-A-12, in the Shawnee Magisterial District of Frederick County; and

**WHEREAS**, on May 25, 2006, this Board adopted a further ordinance authorizing the levy and collection of special assessments within the boundaries of the Russell 150 CDA district (the "Special Assessment Ordinance"); and

**WHEREAS**, on May 1, 2007, the Authority issued \$5,470,000 in Series A Special Assessment Bonds and \$15,685,000 in Series B Special Assessment Bonds to finance acquisition and construction of the CDA Infrastructure; and

**WHEREAS**, thereafter, the original developer of the CDA District initiated acquisition and construction of the CDA Infrastructure, but defaulted before completing the same, leading to foreclosure proceedings, in the course of which the holder of the Special Assessment bonds became the owner of all property in the CDA District, and

**WHEREAS**, at the time of such foreclosure, the unspent portion of the bond proceeds was used to redeem a part of the bonds, and some payments of interest and principal have been made since that time but as of November 30, 2016, there remained an unredeemed amount of \$5,385,000 principal amount of bonds outstanding; and

**WHEREAS**, changes in the development plans for the property in the CDA District, changes in interest rates and other factors made it advisable for the Landowner to redeem the outstanding CDA Bonds and develop and market the property using other methods of financing, without the burdens or benefits of the special assessment district; and

**WHEREAS**, on December 1, 2016, upon payment by the Landowner and with the concurrence of the Bondholder, all the remaining outstanding bonds of the Authority were redeemed, and a certificate of satisfaction was thereafter filed releasing the Authority's Special Assessment lien on all property within the CDA District; and

**WHEREAS**, at a called meeting on December 2, 2016, by a majority vote, the Authority adopted a resolution (the "Authority Resolution"), declaring that the purposes for which the Authority was created are no longer applicable, and

**WHEREAS**, since the adoption of the Authority Resolution (i) a final arbitrage rebate calculation has been made, and it has been determined that no rebate is due to the Internal Revenue Service, (ii) all remaining obligations and expenses of the Authority have been paid, (iii) all the Authority's remaining assets have been distributed, and (iv) a final audit of the Authority's accounts has been completed, and

**WHEREAS**, there being nothing further needed to conclude the Authority's affairs, it has requested that the Board of Supervisors concur with the declarations made in the Authority

Resolution and approve the Chairman of the Authority, with the assistance of the County Attorney, taking such action as may be necessary to dissolve the Authority; and

**WHEREAS**, the Board wishes to accept and concur in the declarations made in the Authority Resolution and the dissolution of the Authority;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors on the 8th day of November, 2017, that:

1. In accordance with Virginia Code§ 15.2-5109, the Board: (a) determines that the affairs of the Russell 150 Community Development Authority (the Authority) have been concluded, and the Authority has no remaining assets or liabilities; (b) concurs with the declarations and findings in the Authority Resolution; and (c) concurs with the Authority's request to dissolve the Authority.
2. The Chairman of the Authority is authorized to execute any and all necessary documents to dissolve the Authority including but not limited to Articles of Dissolution and Articles of termination, and to take such further actions and execute and deliver such documents and instruments as may be necessary or desirable to accomplish the purposes of this Resolution in accordance with the Authority Resolution.
3. The County Attorney is authorized and directed to take any further actions as may be necessary to dissolve the Authority, including but not limited to filing the Articles of Dissolution and Articles of Termination with the State Corporation Commission of the Commonwealth of Virginia.
4. This resolution shall take effect immediately upon its adoption.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

#### **PLANNING COMMISSION BUSINESS**

#### **MASTER DEVELOPMENT PLAN #05-17 OF ABRAMS CHASE – WAIVER REQUEST APPROVED**

Planner Tyler Klein presented the Master Development Plan for Abrams Chase and stated it appeared to be consistent with the requirements of Frederick County Zoning Ordinance and that it was in a form that was administratively approvable. He further stated the master development plan was also in conformance with the proffers for the approved Rezoning #04-15. He stated the applicant was requesting a waiver of the community center requirement under Frederick County Zoning Ordinance §165-402.08(A)(1) as the proposed subdivision contained less than 25 lots. He stated the applicant would still provide equivalent recreational value within the development. He concluded by stating the Board of Supervisors would need to grant the waiver as part of the consideration of the master development plan.

Supervisor Lofton asked about the cost of the community center.

Mr. Klein replied it was equivalent to the amenities value.

Supervisor Dunn asked if it was equivalent in dollars or amenities.

Mr. Klein replied equivalent in use.

Supervisor Dunn asked about the divider on Senseny Road, if a separation was planned.

Mr. Klein replied yes, that was part of the review.

Mr. John Lewis with Painter Lewis, addressed the Board and stated there were thirteen recreational units and he needed to spend \$17,000 on the pavilion.

Supervisor Slaughter asked if there was anything built there yet.

Mr. Lewis replied no.

Chairman DeHaven stated the master development plan was administratively approved by staff and the Board of Supervisors would only act on the waiver request.

Upon a motion made by Supervisor Dunn, seconded by Vice Chairman Fisher, the waiver request was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Bill M. Ewing	Aye
Gene E. Fisher	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

### **BOARD LIAISON REPORTS**

There were no Board Liaison Reports.

### **CITIZEN COMMENTS**

There were no citizen comments.

### **BOARD OF SUPERVISORS COMMENTS**

Supervisor Lofton stated there were always questions concerning the road you live on and that the third annual Transportation Forum on Frederick County would be held in the Board of Supervisors Meeting Room on December 5. He stated that VDOT, legislators, and staff would be in attendance.

Supervisor Wells stated that he received a lot of calls for Opequon District on speeding and gravel roads and that the Transportation Forum was a great opportunity and invited the public to attend.

### **ADJOURN**

**UPON MOTION MADE BY VICE CHAIRMAN FISHER, SECONDED BY SUPERVISOR EWING, THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS BOARD, THE MEETING WAS ADJOURNED. (7:54 P.M.)**

**FREDERICK COUNTY BOARD OF  
SUPERVISORS' MINUTES**

**Joint Work Session with Frederick County Planning Commission,  
Frederick County Economic Development Authority,  
and Frederick Water (FCSA)**

**November 29, 2017**

**MINUTES**  
**Frederick County Board of Supervisors**  
**Joint Work Session with Frederick County Planning Commission, Frederick County**  
**Economic Development Authority, and Frederick Water**  
**Wednesday, November 29, 2017**  
**7:00 p.m.**  
**Board Meeting Room, 107 North Kent Street, Winchester, VA**

**ATTENDEES**

**Board of Supervisors:** Chairman Charles S. DeHaven, Jr.; Vice-Chairman Gene E. Fisher; Blaine P. Dunn; Robert W. Wells; and J. Douglas McCarthy were present. Gary A. Lofton and Judith McCann-Slaughter were absent. Staff present: Kris C. Tierney, County Administrator; Jay E. Tibbs, Deputy County Administrator for Human Services; Roderick B. Williams, County Attorney; Ann W. Phillips, Deputy Clerk to the Board of Supervisors

**Planning Commission:** Roger L. Thomas; Gary R. Oates; Christopher M. Mohn; Kay Dawson; Kevin W. Kenney; William H. Cline; Charles E. Triplett; Lawrence R. Ambrogi; and June M. Wilmot were present. Gregory L. Unger; H. Paige Manuel; Robert S. Molden; and J. Rhodes Marston were absent. Staff present: Michael T. Ruddy, Director of Planning and Development; Candice Perkins, Assistant Planning Director; Tyler Klein, Planner

**Economic Development Authority:** Doug C. Rinker; J. Stanley Crockett; John R. Riley, Jr. were present. Dennis McNutt; James L. Longerbeam; Bob Claytor; and Gary A. Lofton were absent. Staff present: Patrick E. W. Barker, Executive Director

**Frederick Water:** Gary R. Oates; J. Stanley Crockett; and Tom Simon were present. Martha Dilg and Christopher E. Collins were absent. Staff present: Eric Lawrence, Executive Director; and Mike Newlin, Engineer.

### **OTHERS PRESENT**

Supervisor-Elect Shannon Trout; Josh Janney, The Winchester Star

### **CALL TO ORDER**

Chairman DeHaven called the work session to order at 7:00p.m.

### **PRESENTATION**

Eric Lawrence of Frederick Water presented information from the 2017 Master Plan compiled by Buchart Horn and adopted by Frederick Water in August 2017. He highlighted plans for immediate changes in the system as well as growth projections and possible necessary improvements to support new development in five, ten, and 15 years. Mr. Lawrence noted that with limited capacity allocated to the system, heavy water users will take capacity away from smaller users and may cause Frederick Water to have to spend on infrastructure. He added that Frederick Water has adjusted consumption and availability fee rates in response to the Master Plan. Mr. Lawrence advocated for clear communication among the boards attending the work session when planning for future growth. There was an opportunity for questions following the presentation.

### **ADJOURN**

There being no further business, the meeting was adjourned at 8:13 p.m.

**MINUTES**

**REGULAR MEETING**

**FREDERICK COUNTY BOARD OF SUPERVISORS**

**December 13, 2017**

**MINUTES  
REGULAR MEETING  
FREDERICK COUNTY BOARD OF SUPERVISORS  
WEDNESDAY, DECEMBER 13, 2017  
7:00 P.M.  
BOARD ROOM, COUNTY ADMINISTRATION BUILDING  
107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

A Meeting of the Frederick County Board of Supervisors was held on Wednesday, December 13, 2017 at 7:00 P.M., in the Board of Supervisors meeting room, County Administration Building, 107 North Kent Street, Winchester, VA.

**ATTENDEES**

**Board of Supervisors:** Charles S. DeHaven, Jr., Chairman; Gene E. Fisher, Vice-Chairman; Blaine P. Dunn; J. Douglas McCarthy; Gary A. Lofton; Judith McCann-Slaughter; and Robert W. Wells were present.

**Staff present:** Kris C. Tierney, County Administrator; Jay E. Tibbs, Deputy County Administrator; Roderick B. Williams, County Attorney; Karen Vacchio, Public Information Officer; Michael T. Ruddy, Director of Planning and Development; Candice Perkins, Assistant Planning Director; John Bishop, Assistant Planning Director; Tyler Klein, Planner; Mark Cheran, Zoning and Subdivision Administrator; and Ann W. Phillips, Deputy Clerk to the Board of Supervisors were present.

**CALL TO ORDER**

Chairman DeHaven called the meeting to order at 7:00 p.m.

**INVOCATION**

Supervisor Fisher delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Supervisor Lofton led the Pledge of Allegiance.

**ADOPTION OF AGENDA**

Upon motion of Supervisor Wells, seconded by Supervisor Lofton, the agenda was adopted unanimously.

**ADOPTION OF CONSENT AGENDA**

Upon motion of Supervisor Lofton, seconded by Supervisor Fisher, the consent agenda was adopted as presented unanimously. Consent Agenda items:

Minutes of October 11 and October 25, 2017

Acknowledgment of Receipt of Certified Copies of Abstract of Votes from the  
November 2017 Election

Information Technologies Committee Report – Appendix A

Human Resources Committee Report - Appendix B

Public Safety Communications Committee Report - Appendix C

Landfill Oversight Committee Report – Appendix D

Public Works Committee Report – Appendix E

Transportation Committee Report – Appendix F

Road Resolution – Round Hill Fire Station – Appendix G

**CITIZEN COMMENTS**

There were no citizen comments.

**BOARD OF SUPERVISORS COMMENTS**

There were no comments from the Board members.

**APPROVAL OF MINUTES – APPROVED ON CONSENT AGENDA**

The minutes of October 11 and October 25, 2017, were approved under the consent agenda.

**EMPLOYEE OF THE MONTH AWARDED TO TRISHA D. CLEVINGER-APPROVED**

On motion of Supervisor Wells, seconded by Supervisor Dunn, the following resolution recognizing Trisha Clevenger as Employee of the Month was approved. Chairman DeHaven read and presented a copy of the resolution to Trisha Clevenger.

EMPLOYEE OF THE MONTH RESOLUTION  
AWARDED TO:  
TRISHA D. CLEVINGER

**WHEREAS**, the Frederick County Board of Supervisors recognizes that the County's employees are a most important resource; and,

**WHEREAS**, on September 9, 1992, the Board of Supervisors approved a resolution which established the Employee of the Month award and candidates for the award may be nominated by any County employee; and,

**WHEREAS**, the Board of Supervisors upon recommendation by the Human Resources Committee selects one employee from those nominated; and,

**WHEREAS**, Trisha D. Clevenger who serves as a Correctional Officer II with the Northwestern Regional Adult Detention Center was nominated for Employee of the Month; and,

**WHEREAS**, Trisha D. Clevenger's work ethic has proven her to be an asset to her team as well as the facility. On Saturday, September 29, 2017, she was working main control by herself, which is a demanding post, but took the extra time from her regular duties to monitor another Officer that was working the special management unit at the time. Officer Clevenger does this regularly to ensure the Officer's safety and the security of the facility. Officer Clevenger observed the inmate housed in the unit becoming belligerent and then proceeded to assault the Officer. Officer Clevenger controlled her emotions in this highly stressful situation, even though it was a fellow Officer who was assaulted and promptly called for assistance. Officer Clevenger then, keeping a visual on the Officer, opened all necessary doors to get available staff in to assist with the incident. Due to Officer Clevenger's diligence, the assaulted Officer received only minor injuries even with the severity of the incident.; and,

**NOW, THEREFORE BE IT RESOLVED**, by the Frederick County Board of Supervisors this 13th day of December 2017, that Trisha D. Clevenger is hereby recognized as the Frederick County Employee of the Month for December 2017; and,

**BE IT FURTHER RESOLVED** that the Board of Supervisors extends gratitude to Trisha D. Clevenger for her outstanding performance and dedicated service and wishes her continued success in future endeavors; and,

**BE IT FURTHER RESOLVED**, that Trisha D. Clevenger is hereby entitled to all of the rights and privileges associated with his award.

County of Frederick, VA Board of Supervisors  
Charles S. DeHaven, Jr., Chairman

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**COMMITTEE APPOINTMENTS**

**APPOINTMENT OF BRYAN FAIRBANKS TO THE ECONOMIC DEVELOPMENT AUTHORITY - APPROVED**

Upon motion of Supervisor Lofton, seconded by Supervisor Wells, Bryan Fairbanks was appointed on a voice vote to the Economic Development Authority for a four-year term ending November 10, 2021.

**APPOINTMENT OF MARIANNE BIVIANO AND HUGH B. VAN METER TO THE SHAWNEELAND SANITARY DISTRICT ADVISORY COMMITTEE – APPROVED**

Upon motion of Supervisor Lofton, seconded by Supervisor Wells, Marianne Biviano and Hugh B. Van Mater were each appointed on a voice vote to the Shawneeland Sanitary District Advisory Committee for a two-year term ending on November 9, 2019.

**RE-APPOINTMENT OF GARY R. OATES AS A STONEWALL DISTRICT REPRESENTATIVE TO THE FREDERICK COUNTY PLANNING COMMISSION - APPROVED**

Upon motion of Supervisor Slaughter, seconded by Supervisor McCarthy, Gary R. Oates was re-appointed on a voice vote to the Frederick County Planning Commission representing the Stonewall District for a four-year term ending January 11, 2022.

**APPOINTMENT OF CAROLYN RUTHERFORD AS THE SHAWNEE DISTRICT REPRESENTATIVE ON THE EXTENSION LEADERSHIP COUNCIL – APPROVED**

Upon motion of Supervisor Fisher, seconded by Supervisor Lofton, Carolyn Rutherford was appointed on a voice vote to the Extension Leadership Council representing the Shawnee District for a four-year term ending December 12, 2022.

**RE-APPOINTMENT OF RUTH BODEN AND HEATHER MCKAY AS MEMBERS-AT-LARGE TO THE EXTENSION LEADERSHIP COUNCIL –**

**APPROVED**

Upon motion of Supervisor Lofton, seconded by Supervisor Slaughter, Ruth Boden and Heather McKay were each re-appointed on a voice vote to the Extension Leadership Council as member-at-large for a four-year term ending February 13, 2022.

**ACKNOWLEDGEMENT OF RECEIPT OF CERTIFIED COPIES OF THE  
ABSTRACT OF VOTES FROM THE NOVEMBER 7, 2017, GENERAL  
ELECTION – APPROVED ON CONSENT AGENDA**

Receipt of the Abstracts of Votes was approved under the consent agenda.

**COMMITTEE REPORTS**

**Information Technologies Committee Report – Approved on Consent Agenda**

See Appendix A

**Human Resources Committee Report – Approved on Consent Agenda**

See Appendix B

**Public Safety Communications Committee Report – Approved on Consent Agenda**

See Appendix C

**Landfill Oversight Committee Report – Approved on Consent Agenda**

See Appendix D

**Public Works Committee Report – Approved on Consent Agenda**

See Appendix E

**Transportation Committee Report – Approved on Consent Agenda**

See Appendix F

**Parks and Recreation Commission Report – Approved**

See Appendix G

**RIGHT OF WAY DONATION - ABRAMS CREEK - APPROVED**

Park and Stewardship Planner John Turkel appeared before the Board regarding this item and provided a brief overview of the need for the need for assurance that the County would accept the property. Supervisor Dunn moved that the Board approve the following resolution.

Supervisor Fisher seconded the motion which carried as follows on a roll call vote:

**Gary A. Lofton**                    **Aye**  
**J. Douglas McCarthy**        **Aye**  
**Robert W. Wells**                **Aye**  
**Blaine P. Dunn**                  **Aye**  
**Gene E. Fisher**                  **Aye**  
**Judith McCann-Slaughter**   **Aye**  
**Charles S. DeHaven, Jr.**      **Aye**

RESOLUTION  
AUTHORIZING ACCEPTANCE OF REAL PROPERTY FROM THOMAS G. SCULLY  
December 13, 2017

**WHEREAS**, Thomas G. Scully is the record owner of eight (8) certain parcels of land situate in Redbud Magisterial District in Frederick County; and

**WHEREAS**, said parcels are identified as:

- Lot 1, Section B in Rolling Fields Subdivision, Tax Parcel Number 54C-11B-1;
- Lot 2, Section B in Rolling Fields Subdivision, Tax Parcel Number 54C-11B-2;
- Lot 3, Section B in Rolling Fields Subdivision, Tax Parcel Number 54C-11B-3;
- Lot 4, Section B in Rolling Fields Subdivision, Tax Parcel Number 54C-11B-4;
- Lot 5, Section B in Rolling Fields Subdivision, Tax Parcel Number 54C-11B-5;
- Lot 6, Section B in Rolling Fields Subdivision, Tax Parcel Number 54C-11B-6;
- Lot 7, Section B in Rolling Fields Subdivision, Tax Parcel Number 54C-11B-7; and
- Lot 8, Section A in Rolling Fields Subdivision, Tax Parcel Number 54C-11A-8.

This land being a portion of the land conveyed to Thomas G. Scully from David G. Simpson and Judith Meade Simpson in Deed Book 328 page 585; and

**WHEREAS**, Thomas G. Scully has indicated an interest in donating the above-referenced lots to the County for the purpose of promoting outdoor recreation within the County; and

**WHEREAS**, the Board of Supervisors intends to accept the gift of land from Thomas G. Scully, if the same is offered.

**NOW, THEREFORE, BE IT RESOLVED**, that the Frederick County Board of Supervisors hereby authorizes the County Administrator, Kris Tierney, to accept a deed of gift for the above described property from Thomas G. Scully on behalf of the County.

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**ROSE HILL MEMORANDUM OF UNDERSTANDING - APPROVED**

Park and Stewardship Planner John Turkel appeared before the Board regarding this item saying the addendum formalizes the agreement for trail improvements in Rose Hill Park. Supervisor Dunn moved that the Board approve the following Rose Hill Memorandum of Understanding Addendum #2. Supervisor McCarthy seconded the motion which carried as follows on a roll call vote:

**Gary A. Lofton**                    **Aye**

**J. Douglas McCarthy**      **Aye**  
**Robert W. Wells**          **Aye**  
**Blaine P. Dunn**            **Aye**  
**Gene E. Fisher**            **Aye**  
**Judith McCann-Slaughter** **Aye**  
**Charles S. DeHaven, Jr.**   **Aye**

ADDENDUM NO. 2  
 To the  
 MEMORANDUM OF UNDERSTANDING  
 Between  
 The COUNTY OF FREDERICK, VIRGINIA (County)  
 and  
 the GLASS GLEN-BURNIE FOUNDATION (GGBF)  
 and  
 the GLASS GLEN-BURNIE MUSEUM, INC. (GGBM)

- I. On the 5<sup>th</sup> of May 2014, the County, GGBF, and GGBM entered into a Memorandum of Understanding (MOU) for the purpose of developing a portion of the property (hereinafter known as “Rose Hill”), located at 1985 Jones Road in the County of Frederick Virginia identified with Property Identification Number 62-A-73B in the Back Creek Magisterial District. On the 10<sup>th</sup> of August 2016, the parties amended the reference MOU with Addenda No. 1.
  
- II. The parties now mutually desire and agree to amend the reference MOU and Addenda as follows.
  - Add Article 27, “The County shall have the opportunity to install and maintain, at its own expense, dirt surface hiking/walking trails on the 115.4 acre parcel identified in Exhibit A of the May 2014 MOU. Trail location and design shall be agreed upon prior to commencing work and include a 3’ maintenance buffer area from the trail tread.”
  - Add Article 28, “Any added trail or other agreed upon amenity shall be considered to be an extension of the lease area to the County, to include an agreed upon buffer area from the actual amenity.

All other terms and conditions that are not hereby amended are to remain in full force and effect.  
 THIS AGREEMENT EXECUTED IN DUPLICATE with one copy to Glass-Glen Burnie Foundation, and the other to the County of Frederick, Virginia.

+ + + + + + + + + + + +

**PLANNING COMMISSION BUSINESS**

**Public Hearings:**

- 1. Conditional Use Permit #07-17 for Caroline (Dixie) Scheulen, Submitted for Construction of a Special Event Facilities. The Property is Located at 283**

**Barracks Lane, Winchester, Virginia and is Identified with Property Identification Number 52-A-261 in the Back Creek Magisterial District. – APPROVED**

Planner Tyler Klein said that if the Board of Supervisors finds this application for a special event facility to be appropriate, Staff recommends that the following conditions be attached to the CUP:

1. All review agency comments shall be complied with at all times.
2. An engineered site plan, in accordance with the requirements of Article VIII of the Fredrick County Zoning Ordinance, shall be submitted to and approved by Frederick County prior to the establishment of the use. Building permits are also required for all buildings and structures.
3. Events shall start no earlier than 10 a.m. and all events and related activities shall conclude by midnight.
4. All outside music shall conclude by 9 p.m. Music may continue indoors until the conclusion of the event.
5. All lighting shall be downcast to avoid glare onto adjacent properties and residences.
6. Access to the site shall be provided to Woodchuck Lane (Route 654) via Barracks Lane (private internal access drive). The Applicant shall relocate Barracks Lane on PIN 52-A-261 to ensure the access drive to the event center is not immediately adjacent to the southern property boundary of Parcel 52-A-280A in general conformance with the layout below:
7. In the future, should the owner of parcel 52-A-261 be able to secure private access to Cather Lane (Route 711), Round Hill Road (Route 803), or Woodchuck Lane (Route 654) through a recorded deed of easement or written consent from the property owner, a new CUP would not be required to implement such access.
8. Events may accommodate up to and not to exceed 280 persons.
9. One (1) monument style sign with a maximum sign area not to exceed 50 square feet (SF) and not to exceed 10 feet (FT) in height is permitted.
10. Any expansion or modification of this use will require the approval of a new CUP.

The applicant, Carolyn (Dixie) Scheulen, stated her intention to use the facility two days a week, and indicated that the facility will not be a burden. She added that the location has been chosen for the least impact on the environment.

Chairman DeHaven opened the public hearing. The public hearing speakers were:

Sara Snow, Gainesboro District, who said she is not opposed to the event center. She said the applicant's mother operates a similar facility with no complaints or problems.

Stephanie Standerfer, Back Creek District, expressed her concerns about the event center and spoke against the CUP being granted. She thanked the Board members for talking with her about the matter.

Claire McDonald, head of the Winchester Independent School, said she is worried about the easement through the Round Hill Fire Hall. She said the school is considering purchasing the Round Hill Fire Hall building, and requested that the Board table its decision for 30 days to allow respective parties time for further review of the traffic issues.

Brett Haynes, of Oakcrest Company, said he represents the Fire Company and while they have no objection to the event center, their concern regards the right of way on their property being used for access to the event center.

Katie Boyd, Back Creek District, spoke in favor of the CUP for the event center.

Rocky Keplinger, Back Creek District, said the comparison to the Cloverdale event center is not applicable because Cloverdale is in a valley while the site in question is not in a valley and will affect 29 houses on Woodchuck Lane. He said there are traffic concerns and the event center should make the least possible impact on the area.

Barbara Singhas, Back Creek District, said she lives on the right of way and the event center will have an impact on the possible sale of the fire hall property to the Winchester Independent School. She noted concerns about wells in the area and said the event center could affect other wells.

Lisa Bell, said she owns three homes on Woodchuck Lane. She spoke in favor of the CUP for the event center adding that the farm could have been sold for a subdivision rather than the event center.

Bob Boyd, Back Creek District, said that granting the CUP for the event center will allow his family to continue farming for another generation. He said the use will be low impact. He asked that the issue not be tabled for 30 days.

Ross Hewitt, Back Creek District, said he is also close to Cloverdale event center and it has been a positive addition to the agricultural community. He said that the farming community is being pressed out by development.

Greg Miller, Back Creek District, said that noise is his biggest concern. He asked that if the CUP is granted, a sound barrier be installed and amplified music be kept inside.

Toby Cunningham, Back Creek District, said the event center will bring traffic and noise to his road. He said he lives on a blind hill. He goes to bed early, and traffic safety is his biggest concern.

Chairman DeHaven closed the public hearing.

Ms. Scheulen addressed the concerns that had been expressed. She said that the Health Department has approved their well location. She said the event center will not be installing commercial septic operation which will reduce the number of days per week that she will be allowed to operate. She noted concerns about noise, and showed slides detailing distances to homes for several event centers in surrounding counties. Ms. Scheulen noted she began the approval process in February 2017, and has worked patiently through the process. She said she desires that the Board vote this evening.

Supervisor Lofton said he appreciated the patience of the applicant. He asked whether the applicant or a family member would be available by phone during events in case a neighbor had

a complaint, and whether the applicant would add a tree barrier. Supervisor Lofton asked whether the applicant would agree to the replacement of conditions number 6 and 7 to provide instead for access directly to Round Hill Road.

Ms. Scheulen said she would agree to Supervisor Lofton's requests.

Supervisor McCarthy said he was sympathetic to the farming community and inquired why a CUP was being sought.

Ms. Scheulen explained the property currently does not adjoin her other property and cannot be an accessory use, therefore the CUP was required.

Supervisor McCarthy asked if the rest of the property would stay in farming per the current Code. The applicant said the plan is for the property to stay in farming.

Supervisor McCarthy said he has concerns about hearing of the Round Hill fire hall access at the last minute, adding that he would like more time to consider the options as requested by the Winchester Independent School representative.

The applicant said the event center will be low impact and will complement the school use of the fire hall building.

Supervisor Dunn asked about amplified music. The applicant clarified that amplified music will be used both inside and outside, but will be limited to before 9:00 p.m. for outdoor use.

The Board discussed the topic. Supervisor Lofton noted that the County has promoted agribusiness, and the event center use has been codified for that reason. He said that the property could be used for 5 acre lots which would be a drain on the tax base with schools and will add traffic. He added the event center will bring revenue with minimal impact. He encouraged the Winchester Independent School to work with the Scheulens to relocate the right-of-way to better advantage for both interested parties. Supervisor Lofton moved that CUP #07-17 be approved.

Supervisor Fisher seconded the motion. Supervisor Lofton moved to amend his motion to include the replacement of conditions #6 and #7. Supervisor Fisher seconded the motion, adding that history is a good teacher and he remembers that 900 acres became 2500 homes. He said the event center is an appropriate use for the area.

Supervisor Dunn said he is sympathetic to the farming community, but is concerned about the right-of-way issue. He said he had a conversation with both the applicant about how to mitigate the right-of-way concerns and the Winchester Independent School representative. Supervisor Dunn said that he is concerned about noise. He said the Board has had the information for one day, and he is asking that the Board take 30 days to solve a problem. Supervisor Dunn moved that the Board delay action on the previous motion for 30 days. Supervisor McCarthy seconded the motion which was defeated on a roll call vote:

|                                |            |
|--------------------------------|------------|
| <b>Gary A. Lofton</b>          | <b>No</b>  |
| <b>J. Douglas McCarthy</b>     | <b>Aye</b> |
| <b>Robert W. Wells</b>         | <b>No</b>  |
| <b>Blaine P. Dunn</b>          | <b>Aye</b> |
| <b>Gene E. Fisher</b>          | <b>No</b>  |
| <b>Judith McCann-Slaughter</b> | <b>No</b>  |
| <b>Charles S. DeHaven, Jr.</b> | <b>No</b>  |

The previous motion to approve the following Resolution granting CUP #07-17 carried on a roll call vote:

|                                |            |
|--------------------------------|------------|
| <b>Gary A. Lofton</b>          | <b>Aye</b> |
| <b>J. Douglas McCarthy</b>     | <b>No</b>  |
| <b>Robert W. Wells</b>         | <b>Aye</b> |
| <b>Blaine P. Dunn</b>          | <b>No</b>  |
| <b>Gene E. Fisher</b>          | <b>Aye</b> |
| <b>Judith McCann-Slaughter</b> | <b>Aye</b> |
| <b>Charles S. DeHaven, Jr.</b> | <b>Aye</b> |

## RESOLUTION

### CONDITIONAL USE PERMIT #07-17 CAROLINE (DIXIE) SCHEULEN SPECIAL EVENT FACILITY

**WHEREAS, Conditional Use Permit #07-17 for a Special Event Facility**, submitted by Caroline (Dixie) Scheulen was considered. The Property is located at 283 Barracks Lane, Winchester, Virginia, immediately south of Route 50 (Northwestern Pike) and Round Hill Road and immediately west of Woodchuck Lane and is further identified with Property Identification Number 52-A-261, in the Back Creek Magisterial District; and

**WHEREAS**, the Frederick County Planning Commission held a public hearing on the Conditional Use Permit on September 20, 2017 which was postponed, and action was taken on the request on November 1, 2017 and recommended approval of the Conditional Use Permit with conditions; and,

**WHEREAS**, the Frederick County Board of Supervisors held a public hearing on this Conditional Use Permit during their regular meeting on December 13, 2017; and,

**WHEREAS**, the Frederick County Board of Supervisors finds the approval of this Conditional Use Permit to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Policy Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the zoning map to reflect that Conditional Use Permit Application #07-17 for a Special Events Facility on the parcel identified by Property Identification Number 52-A-261 with the following conditions:

1. All review agency comments shall be complied with at all times.
2. An engineered site plan, in accordance with the requirements of Article VIII of the Fredrick County Zoning Ordinance, shall be submitted to and approved by Frederick County prior to the establishment of the use. Building permits are also required for all buildings and structures.
3. Events shall start no earlier than 10 a.m. and all events and related activities shall conclude by midnight.
4. All outside music shall conclude by 9 p.m. Music may continue indoors until the conclusion of the event.
5. All lighting shall be downcast to avoid glare onto adjacent properties and residences.
6. Access to the property shall be provided to Round Hill Road (Route 803) via the 50-foot wide private right-of-way as specified in the deed recorded in Deed Book 727, at Page 715, and identified in the plat attached to that deed, and also specified in the deed recorded as Instrument Number 170000640. The owner shall construct a commercial entrance from the foregoing private right-of-way onto Round Hill Road to Virginia Department of Transportation (VDOT) standards. The owner shall also restrict other points-of-access to the property (including, but not limited to, the existing entrance to Barracks Lane) as “private” and not for use by the special event facility.
7. Events may accommodate up to and not to exceed 280 persons.
8. One (1) monument style sign with a maximum sign area not to exceed 50 square feet (SF) and not to exceed 10 feet (FT) in height is permitted.
9. Any expansion or modification of this use will require the approval of a new CUP.

Passed this 13th day of December 2017.

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**2. Rezoning #04-17 for Carbaugh Business Center, Submitted by Stowe Engineering, PLC, to Rezone Two Parcels of Land that Total 107.21+/- Acres from the RA (Rural Areas) District to the M1 (Light Industrial) District with Proffers. The Site has an Address of 831 Shady Elm Road**

**(Route 651) and is Located on the Eastern Side of Shady Elm Road, Approximately 1.11 Miles Southwest of the Intersection of Shady Elm Road and Apple Valley Road (Route 652). The Eastern Portion of the Site is Bounded by the CSX Railroad. The Properties are Identified by Property Identification Numbers 74-A-68 and 74-A-69 and are Located in the Back Creek Magisterial District. - APPROVED**

Assistant Planning Director Candice Perkins appeared before the Board saying this is an application to rezone two parcels of land that total 107.21+/- acres from the RA (Rural Areas) District to the M1 (Light Industrial) District with proffers. She said the subject properties are located within the limits of the Sewer and Water Service Area (SWSA) and are within the limits of the Kernstown Area Plan of the 2035 Comprehensive Plan. The Comprehensive Plan identifies these properties with an industrial land use designation which is generally consistent with the requested M1 zoning.

Ms. Perkins said with this rezoning, the Applicant has proffered that this project will contribute to transportation improvements in the vicinity of the site that have been identified as important to the overall transportation solution for this general area. She continued saying the Applicant has proffered to participate in the cost of transportation improvements to Renaissance Drive (up to a maximum of \$1,080,000.00), right-of-way dedications for Renaissance Drive and Shady Elm Road, limits on the number of access points for the site, and inter-parcel connections for all new parcels. She added the Applicant has also provided proffers for the screening of loading docks, landscaping, signage, documentation of the Carbaugh House and monetary proffers for fire and rescue purposes. She said the Planning Commission recommended approval of the rezoning application at their November 1, 2017 meeting.

Supervisor Fisher asked for clarification of the 80' set aside for bridge construction. Assistant Planning Director-Transportation John Bishop said that there is currently no design, but 80' will be enough width.

Tim Stowe of Stowe Engineering P.L.C., representing the applicant, highlighted how the proposal fits the comprehensive plan.

Supervisor Dunn asked about the length of the multi-use trail. Mr. Stowe said the trail will be the full length of the project, 2500’

Chairman DeHaven opened the public hearing.

There were no public hearing speakers.

Chairman DeHaven closed the public hearing.

Supervisor Lofton moved for approval of the following ordinance amending the zoning map per Rezoning #04-17 for Carbaugh Business Center, Submitted by Stowe Engineering, PLC.

Supervisor Wells seconded the motion which carried on a roll call vote as follows:

|                                |            |
|--------------------------------|------------|
| <b>Gary A. Lofton</b>          | <b>Aye</b> |
| <b>J. Douglas McCarthy</b>     | <b>Aye</b> |
| <b>Robert W. Wells</b>         | <b>Aye</b> |
| <b>Blaine P. Dunn</b>          | <b>Aye</b> |
| <b>Gene E. Fisher</b>          | <b>Aye</b> |
| <b>Judith McCann-Slaughter</b> | <b>Aye</b> |
| <b>Charles S. DeHaven, Jr.</b> | <b>Aye</b> |

AN ORDINANCE AMENDING  
THE ZONING DISTRICT MAP  
REZONING #04-17 CARBAUGH BUSINESS CENTER

**WHEREAS, REZONING #04-17 Carbaugh Business Center**, submitted by Stowe Engineering, PLC to rezone two parcels of land that total 107.21± acres from the RA (Rural Areas) District to the M1 (Light Industrial) District with proffers with a final revision date of October 19, 2017 was considered. The site has an address of 831 Shady Elm Road (Route 651) and are located on the southeastern side of Shady Elm Road, approximately 1.11 miles southwest of the intersection of Shady Elm Road and Apple Valley Road (Route 652). The southeastern portion of the site is bounded by the CSX Railroad, in the Back Creek Magisterial District and is identified by Property Identification Nos. 74-A-68 and 74-A-69; and

**WHEREAS**, the Planning Commission held a public hearing on this rezoning on November 1, 2017 and recommended approval; and

**WHEREAS**, the Board of Supervisors held a public hearing on this rezoning on December 13, 2017; and

**WHEREAS**, the Frederick County Board of Supervisors finds the approval of this rezoning to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors, that Chapter 165 of the Frederick County Code, Zoning, is amended to rezone two parcels of land that total 107.21± acres from the RA (Rural Areas) District to the M1 (Light Industrial) District with proffers with a final revision date of October 19, 2017. The conditions voluntarily proffered in writing by the Applicant and the Property Owner are attached.

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**3. 2017-2022 Capital Improvement Plan (CIP). The CIP is a Prioritized List of Capital Projects Requested by Various County Departments and Agencies. The Plan is Created as an Informational Component of the 2035 Comprehensive Plan. - APPROVED**

Assistant Planning Director Candice Perkins appeared before the Board saying the Capital Improvements Plan (CIP) is a document that consists of a schedule of major capital expenditures for the County for the ensuing five-year period. She said the document is an advisory document, updated annually, and is not a funding request. She said the document was compiled with budget figures from January 2017. Ms. Perkins concluded saying the Planning Commission affirmed that the projects contained within the 2017-2022 CIP are in conformance with the 2035 Comprehensive Plan and sent the plan forward to the Board of Supervisors, and if adopted, the CIP and included maps will become a component of the Comprehensive Plan, which would satisfy the review requirement of Section 15.2-2232 of the Code of Virginia, which states that no public facility shall be constructed unless said facility is a “feature shown” within a jurisdiction’s comprehensive plan.

Supervisor Dunn clarified that the CIP document does not include the CIP for the Public Schools that was recently passed. Ms. Perkins said the figures included were from the previous Schools CIP.

Chairman DeHaven opened the public hearing.

There were no public hearing speakers.

Chairman DeHaven closed the public hearing.

Supervisor Slaughter moved that the Resolution for the 2017-2022 Capital Improvements Plan (CIP) be adopted with the amendment of including the Public Schools CIP adopted by the School Board on November 9, 2017. Supervisor Fisher seconded the motion which carried as follows on a roll call vote:

|                                |            |
|--------------------------------|------------|
| <b>Gary A. Lofton</b>          | <b>Aye</b> |
| <b>J. Douglas McCarthy</b>     | <b>Aye</b> |
| <b>Robert W. Wells</b>         | <b>Aye</b> |
| <b>Blaine P. Dunn</b>          | <b>Aye</b> |
| <b>Gene E. Fisher</b>          | <b>Aye</b> |
| <b>Judith McCann-Slaughter</b> | <b>Aye</b> |
| <b>Charles S. DeHaven, Jr.</b> | <b>Aye</b> |

**RESOLUTION  
2017 - 2022 CAPITAL IMPROVEMENTS PLAN (CIP)**

**WHEREAS**, the Frederick County Planning Commission held a public hearing on the proposed 2017-2022 Capital Improvements Plan (CIP) for Frederick County on September 6, 2017 and a public meeting on November 1, 2017; and,

**WHEREAS** the Frederick County Planning Commission recommended approval of this plan at their regular meeting on November 1, 2017 and affirmed that the projects contained in the 2017-2022 Capital Improvements Plan (CIP) are in conformance with Frederick County’s 2035 Comprehensive Plan; and,

**WHEREAS**, the Frederick County Board of Supervisors held a public hearing on this plan during their regular meeting on December 13, 2017; and,

**WHEREAS**, the Frederick County Board of Supervisors supports the priorities for capital expenditures contained in the Capital Improvements Plan (CIP) and has affirmed the determination of the Planning Commission that the projects contained in the Capital Improvements Plan (CIP) conform to the Frederick County Comprehensive Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors as follows:

The Frederick County Board of Supervisors hereby approves the 2017-2022 Capital Improvements Plan (CIP) for Frederick County, Virginia as an element of the 2035 Comprehensive Plan with an amendment to include updated Frederick County Public Schools priorities.

Passed this 13th day of December, 2017.

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**4. Eastern Road Plan/Comprehensive Plan Amendment - A Proposed Amendment to the Frederick County 2035 Comprehensive Plan to Update and Clarify a Number of Items on the Eastern Road Plan. The Eastern Road Plan Guides Road Projects in Frederick County that Address the Long-Range Transportation Needs of the County. - APPROVED**

Assistant Planning Director for Transportation John Bishop appeared before the Board and noted the Eastern Road Plan is developed to plan a transportation network that supports the Board of Supervisors’ long-range vision for the overall development of the County. He said this update is primarily to incorporate VDOT work on Route 37 and Route 522 and to clean up and clarify a number of items. Mr. Bishop outlined the specific changes on the maps. He said staff recommends approval of the changes with the 800 foot wide interchange at Snowden Bridge Boulevard and Route 37, and added the Transportation Committee recommended approval, the Comprehensive Plans and Programs Committee recommended approval, and the Planning Commission recommended approval.

Chairman DeHaven asked for clarification of the Coverstone Drive extension to the realigned Rt. 522. Mr. Bishop said the intention is to extend Coverstone to the realigned road.

Supervisor Dunn asked for more detail on the 800' v. 1200' ramp width. Mr. Bishop explained that the 800' width was preferable because it would have less impact on property in the area, adding that the 1200' ramp width would require going outside the reservation significantly.

Chairman DeHaven opened the public hearing.

There were no public hearing speakers.

Chairman DeHaven closed the public hearing.

Supervisor Fisher moved that the Board of Supervisors of Frederick County adopt the following Amendment to the Frederick County 2035 Comprehensive Plan Chapter V as explained by Mr. Bishop with the 800' wide ramp spacing specification. Supervisor Lofton seconded the motion which carried as follows on a roll call vote:

|                                |            |
|--------------------------------|------------|
| <b>Gary A. Lofton</b>          | <b>Aye</b> |
| <b>J. Douglas McCarthy</b>     | <b>Aye</b> |
| <b>Robert W. Wells</b>         | <b>Aye</b> |
| <b>Blaine P. Dunn</b>          | <b>Aye</b> |
| <b>Gene E. Fisher</b>          | <b>Aye</b> |
| <b>Judith McCann-Slaughter</b> | <b>Aye</b> |
| <b>Charles S. DeHaven, Jr.</b> | <b>Aye</b> |

AN AMENDMENT TO  
THE FREDERICK COUNTY 2035 COMPREHENSIVE PLAN  
CHAPTER V, TRANSPORTATION

**WHEREAS**, an amendment to The Frederick County 2035 Comprehensive Plan, Chapter V, Transportation, to modify the Eastern Road Plan was considered. This amendment was reviewed by the Transportation Committee, the Comprehensive Plans and Programs Committee (CPPC), and the Planning Commission during their regularly scheduled meetings; and

**WHEREAS**, The Transportation Committee recommended approval of this amendment on October 30, 2017; and

**WHEREAS**, The Comprehensive Plans and Programs Committee (CPPC) recommended approval of this amendment on November 13, 2017; and

**WHEREAS**, the Planning Commission held a public hearing on this Comprehensive Plan amendment on November 15, 2017; and

**WHEREAS**, the Board of Supervisors held a public hearing on this Comprehensive Plan amendment on December 13; and

**WHEREAS**, the Frederick County Board of Supervisors finds the adoption of this Comprehensive Plan amendment to be in the best interest of the public health, safety, welfare, and in good planning practice;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that the Frederick County 2035 Comprehensive Plan, Chapter V, Transportation, is amended to modify the Eastern Road Plan.

This amendment shall be in effect on the day of adoption.

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**5. Proposed Ordinance Amendment to the Frederick County Code – Chapter 165 Zoning, Article II Supplementary Use Regulations; Parking; Buffers; and Regulations for Specific Uses, Part 203 - Buffers and Landscaping; Section 165-203.02 Buffer and Screening Requirements. Revisions to the Frederick County Zoning Ordinance to Modify Requirements for Residential Separation Buffers in the RP (Residential Performance) Zoning District. - APPROVED**

Planner Tyler Klein appeared before the Board and said Staff had drafted a revision to the Zoning Ordinance to modify the required residential separation buffer matrix between certain housing types specifically: single-family detached (SFD) units and townhome units; and single-family small lot (attached and detached) units and townhome units. He said the modification would change the required buffer category from a Category B Type Buffer to a Category A Type Buffer. Mr. Klein continued saying the intent of this modification is to provide flexibility for smaller infill-type lots in the RP Zoning District, ensuring the desired housing types and densities are sited where they are planned for as part of the County’s 2035 Comprehensive Plan’s Long Range Land Use Plan (LRLUP). He noted this amendment does not change the required “Zoning District Buffers” that would otherwise be required between different land uses (such as between residential and commercial/industrial uses). The Planning Commission voted to forward the text amendment to the Board of Supervisors for public hearing with a recommendation of approval.

The Board members discussed the buffer text amendment, and the requirements in single family and multi family zones.

Chairman DeHaven opened the public hearing.

The public hearing speakers were as follows:

Jeremy Tweedy of Greenway Engineering said that changing the buffer requirement will allow more flexible with in-fill lots.

Patrick Sowers, Opequon District, said this is right-sizing the buffers. He said the purpose is to separate incompatible uses, and a single-family house is not that different from a townhouse, so the buffers could be more reasonably sized.

Chairman DeHaven closed the public hearing.

Supervisor Fisher discussed the topic and asked if it had been researched, whether there were loopholes, and said it is not acceptable to have a three-story townhouse next to a single-family home. He noted a townhouse development on Tasker Road that was not popular with the neighbors in a bordering single-family development.

Supervisor Dunn said that it can be a problem when existing in-fill lots with zoning will now have different size buffers.

Supervisor McCarthy said there may be a reverse effect where a three-story house could be a two-story because the buffer is smaller.

Supervisor Dunn asked for clarification on the footprint of a two-story v. three-story townhomes.

Mr. Tierney explained that to attain the same amount of living space, developers will choose to build three-story if the footprint will not allow the size to be a two-story.

Chairman DeHaven said the worst conflicts will be on older lots where setbacks are minimal. He said there are always potential problems with in-fill development, but the CUP process is expensive and time-consuming. He suggested trying this option and changing it later if necessary.

Supervisor Wells said there are not many areas where this buffer will play a role, but the Board needs to move ahead with the change and allow the smaller buffer so that in-fill will not be as intrusive.

Supervisor Dunn said that in Red Bud District, the change may be a problem.

Supervisor Wells moved that the Board of Supervisors of Frederick County adopt the following Ordinance Amendment to the Frederick County Code – Chapter 165 Zoning, Article II Supplementary Use Regulations; Parking; Buffers; and Regulations for Specific Uses, Part 203 - Buffers and Landscaping; Section 165-203.02 Buffer and Screening Requirements. Supervisor Lofton seconded the motion which carried on a roll call vote:

|                                |            |
|--------------------------------|------------|
| <b>Gary A. Lofton</b>          | <b>Aye</b> |
| <b>J. Douglas McCarthy</b>     | <b>Aye</b> |
| <b>Robert W. Wells</b>         | <b>Aye</b> |
| <b>Blaine P. Dunn</b>          | <b>Nay</b> |
| <b>Gene E. Fisher</b>          | <b>Aye</b> |
| <b>Judith McCann-Slaughter</b> | <b>Nay</b> |
| <b>Charles S. DeHaven, Jr.</b> | <b>Aye</b> |

AN ORDINANCE AMENDING  
THE FREDERICK COUNTY CODE  
CHAPTER 165 ZONING  
ARTICLE II  
SUPPLEMENTARY USE REGULATIONS; PARKING; BUFFERS; AND REGULATIONS FOR  
SPECIFIC USES  
PART 203 – BUFFERS AND LANDSCAPING  
§165-203.02. BUFFER AND SCREENING REQUIREMENTS

**WHEREAS**, an ordinance to amend Chapter 165, Zoning to modify the requirement for residential separation buffers in the RP (Residential Performance) Zoning District was considered; and

**WHEREAS**, the Planning Commission held a public hearing on this ordinance on November 1, 2017; and

**WHEREAS**, the Board of Supervisors held a public hearing on this ordinance on December 13, 2017; and

**WHEREAS**, the Frederick County Board of Supervisors finds that the adoption of this ordinance to be in the best interest of the public health, safety, welfare, and in good zoning practice; and

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that Chapter 165 Zoning, is amended to modify ARTICLE II – SUPPLEMENTARY USE REGULATIONS; PARKING; BUFFERS; AND REGULATIONS FOR SPECIFIC USES, PART 203 – BUFFERS AND LANDSCAPING, §165-203.02. BUFFER AND SCREENING REQUIREMENTS -- to modify the requirement for residential separation buffers in the RP (Residential Performance) Zoning District.  
Passed this 13th day of December 2017

Article II  
**SUPPLEMENTARY USE REGULATIONS; PARKING; BUFFERS; AND REGULATIONS FOR SPECIFIC USES**

**Part 203. Buffers and Landscaping**  
**§ 165-203.02. Buffer and screening requirements.**

C. Residential separation buffers. Residential separation buffers shall be established to adequately buffer different housing types from dissimilar housing types within adjacent separate developments. The requirements for residential separation buffers are as follows:

(1) When placed adjacent to one another, developments with different housing types shall provide the following residential separation buffers:

| Proposed Use/Development                     | Minimum Residential Separation Buffer Area Required |          |                          |   |   |
|----------------------------------------------|-----------------------------------------------------|----------|--------------------------|---|---|
|                                              | Adjoining                                           |          | Existing Use/Development |   |   |
|                                              | 1                                                   | 2        | 3                        | 4 | 5 |
| Single-family detached                       | -                                                   | -        | A                        | B | B |
| Single-family zero lot line or small lot     | -                                                   | -        | A                        | B | B |
| <del>Multiplex</del> or Townhouse            | <u>A</u>                                            | <u>A</u> | -                        | B | B |
| Garden apartment or multi-family Buildings C | C                                                   | B        | -                        | A |   |
| Age-restricted Multifamily                   | C                                                   | C        | C                        | - | - |

+ + + + + + + + + + +

**Other Planning Items:**

**ROAD RESOLUTION – ROUND HILL FIRE STATION – APPROVED ON CONSENT AGENDA**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

|                                             |            |
|---------------------------------------------|------------|
| Corporate Place, State Route Number 877     | 0.07 miles |
| Spinning Wheel Lane, State Route Number 878 | 0.08 miles |
| Corporate Place, State Route Number 877     | 0.08 miles |

RESOLUTION BY THE FREDERICK COUNTY BOARD OF SUPERVISORS

The Board of Supervisors of Frederick County, in regular meeting on the 13th day of December, 2017, adopted the following:

**WHEREAS**, the Edinburg Residency Office of the Virginia Department of Transportation recommends that the street(s) referenced in this Board’s resolution to be added to the secondary system of state highways as a no cost rural addition pursuant to Section 33.1-229 and Commonwealth Transportation Board policy, because the street(s) meets current minimum standards, the condition of the existing hard surface is serviceable, the street(s) has provided continuous public service since its establishment in July 2016 and currently services the Round

Hill Fire Hall.

**WHEREAS**, the Edinburg Residency Office of the Virginia Department of Transportation confirms that no Department funds are required to improve the street(s) described on the attached additions form AM-4.3 to meet current minimum design or maintenance standards of the Department.

**NOW, THEREFORE, BE IT RESOLVED**, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached additions Form AM-4.3 to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia, and the and the Rural Addition Policy of the Commonwealth Transportation Board of the Virginia Department of Transportation.

**BE IT FURTHER RESOLVED**, this Board guarantees a clear and unrestricted right-of-way, as described, on the attached for AM-4.3, and any necessary easements for cuts, fills and drainage; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

+ + + + + + + + + + + +

**Board Liaison Reports** (None)

**Citizen Comments** (None)

**Board of Supervisors Comments**

Chairman DeHaven welcomed Supervisor McCarthy. He noted this was Supervisor Fisher’s final Board meeting, and praised the service and dedication shown by Supervisor Fisher during his tenure.

Supervisor Lofton echoed the Chairman’s comments and praised the service of Supervisor Fisher.

Supervisor Wells said that Supervisor Fisher had been his mentor when he joined the Board. He added that he appreciated the good things Supervisor Fisher had done for the Shawnee District and the County.

Supervisor Slaughter said that Supervisor Fisher had been of great service especially on planning and transportation issues.

Supervisor McCarthy thanked the Board and staff for the welcome.

Supervisor Lofton praised Mrs. Fisher and thanked her for her service while Mr. Fisher served on the Board.

Supervisor Fisher praised the staff and said it was humbling and a privilege to serve on the Board. He said the Board members do not always agree, but respect the opinions of the other members.

**ADJOURN**

On motion of Supervisor Fisher, seconded by Supervisor Wells, the meeting was adjourned at 9:30 P.M.

Information Technologies  
**Scott Varner**  
Director  
(540) 655-5614  
Fax: (540) 722-2169  
svarner@fcva.us

**To:** Board of Supervisors  
**From:** Technology Committee  
**Date:** January 4, 2018  
**Subject:** Technologies Committee Report and Recommendations

---

A Technologies Committee meeting was held in the First Floor Conference Room at 107 N Kent Street on Wednesday, November 1, 2017 at 8:15 a.m. Members present were Gary Lofton, Chairman, Judith McCann-Slaughter, Board Member, Bill Ewing, Board Member, and Todd Robertson, Citizen Member. Members absent were Quaiser Absar, Citizen Member, and Lorin Sutton, Citizen Member. Also in attendance were Jay Tibbs, Deputy County Administrator, Scott Varner, IT Director, Benny Tyson, MIS Director, Patrick Fly, GIS Manager, Michelle Nugent, Network Operations Manager, and Alisa Scott, Administrative Assistant.

INFORMATION ONLY

1. The IT Director provided copies of the IT 3 Year Budget Overview and the proposed IT FY19 Budget. Details for the 3 Year Budget Overview included funding for a 3-year network switch hardware replacement schedule, Fire & Rescue and Sheriff's Department (PSB) field PC replacement schedule, Windows 10 upgrades, and Network Security and Firewall Auditing.
2. The proposed IT FY 19 Budget included line-item detail that equates to the funds being requested to answer pertinent questions that support the request. Details included the GIS Intern, Maintenance Service Contracts, and the travel line item that covers training-only items.

Respectfully Submitted,

INFORMATION TECHNOLOGIES COMMITTEE  
Gary Lofton, Chairman                      Quaiser Absar  
Judith McCann-Slaughter                  Lorin Sutton  
Bill Ewing                                      Todd Robertson  
By: Scott Varner, IT Director



**Appendix B**  
**County of Frederick**

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**Becky A. Merriner**  
Director of Human Resources

(540) 665-5668  
Fax: (540) 665-5669  
bmerriner@fcva.us

TO: Human Resources Committee and Board of Supervisors  
FROM: Becky A. Merriner, HR Director  
DATE: November 17, 2017  
SUBJECT: HR Committee Meeting Report

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The HR Committee met in the First Floor Conference Room at 107 North Kent Street at 8:00 a.m. on Friday, November 17, 2017.

HR Committee members present were: Supervisors Robert Wells, and Blaine Dunn; Citizen Members Beth Lewin and Dorrie Greene.

**\*\*\*Items Requiring Board Action\*\*\***

**1. Employee of the Month December 2017 – see attachment**

The Committee reviewed the attached employee of the month for December. Upon a motion by Blaine Dunn, seconded by Beth Lewin, the Committee recommended approval; the motion was approved unanimously. Trisha Clevenger will be recognized at the Board of Supervisors meeting on December 13<sup>th</sup>.

**2. Employee of the Year Selection (July 2016 – June 2017).**

Dorrie Green moved that the HR Committee convene in closed session pursuant to Section 2.2-37711 A (1) of the Code of Virginia, 1950, as amended, for discussion of personnel matters, specifically, consideration of nominees for employee of the year, seconded by Blaine Dunn.

Dorrie Green moved that the HR Committee come out of closed session and reconvene in open session, seconded by Blaine Dunn.

Dorrie Green moved that to the best of each HR Committee Member's knowledge that only personnel matters pursuant to Section 2.2-3711 A (1) of the Code of Virginia, 1950, as amended, specifically consideration of nominees for employee of the year were discussed, seconded by Blaine Dunn.

Beth Lewin made the motion that the HR Committee approve the 2016-2017 Employee of the Year, seconded by Blaine Dunn.

The Employee of the Year will be recognized at the Frederick County Employee Holiday Party on December 15<sup>th</sup> and at the Board of Supervisors meeting on January 10, 2018.

**\*\*\*Items Not Requiring Action\*\*\***

**3. HR Quarterly Reports (July – September), see attached.**

Becky Merriner asked the HR Committee if they would like additional data provided in the quarterly reports, the committee discussed and felt the current reporting structure provided the appropriate amount of information; however, a snapshot of HR activities would be helpful from time-to-time.

The HR Committee discussed efficiencies of tasks within HR and current software used by the county for data entry and reporting. The committee asked if there was a county-wide plan to update current systems and if not, suggested that a conversation begin. Mr. Wells said he would talk with Kris Tierney.

Becky Merriner shared that she was in the process of updating the HR Policy Manual and is planning to bring it to an upcoming HR Committee meeting for review and recommendation to the board of supervisors.

The committee will review the current process for Employee of the Month and Employee of the Year and discuss options to enhance the program to recognize employees. Becky Merriner will provide the committee with the currently policies.

There being no further business, the meeting was adjourned.

The next HR Committee meeting is scheduled for **Friday, December 8, 2017 at 9:00 am.**

Respectfully submitted,

Human Resources Committee

|                 |               |
|-----------------|---------------|
| Robert W. Wells | Beth Lewin    |
| Blaine P. Dunn  | Dorrie Greene |
| Don Butler      |               |

By: Becky A. Merriner, HR Director

**MEMORANDUM**

**TO:** Board of Supervisors

**FROM:** LeeAnna Pyles,  
Director Public Safety Communications

**SUBJECT:** Public Safety Committee Meeting.  
Report for November 16, 2017

**DATE:** December 7, 2017

=====

A meeting of the Public Safety Committee was held on Thursday November 16, 2017 at 8:30 a.m. at the Frederick County Public Safety Building, 1080 Coverstone Drive, Winchester, VA. Committee members present were: Committee Chairman Gene Fisher, Gary Lofton, Blaine Dunn, Helen Lake and Chuck Torpy. Member Walt Cunningham was not present. Also in attendance were Major Steve Hawkins, Deputy Chief Larry Oliver, Director of Communications LeeAnna Pyles, County Attorney Rod Williams, Fire Chief Linaburg, Volunteer Fire & Rescue President Dan Cunningham, Deputy County Administrator Jay Tibbs, Sheriff Lenny Millholland, Fire Marshal Jay Bauserman, Deputy Director of Emergency Management Chester Lauck, Lieutenant Fred Kinder, IT Director Scott Varner, Budget Analyst Jennifer Place, and Finance Director Cheryl Shiffler. The following items were discussed:

**\*\*\*Discussion Items\*\*\***

**1. Departmental budget presentations for FY19 (see attachments):**

Director LeeAnna Pyles presented her proposed FY19 budget. She advised that her budget request reflected an \$80,000 increase. This money would go to replace and repair old and worn equipment at all tower sites, installation of cameras at all sites as well as other necessities within the Center. Director Pyles also mentioned that the yearly revenue from the 911 Wireless Board had gone up to \$249,588 (previously \$64,000) and she would like to earmark \$80,000 to be distributed into appropriate line items to cover expenses on repairs.

Chester Lauck has applied for a grant for a generator to be replaced at one of the tower sites and he will update the Committee with the process.

Chief Linaburg presented his departments FY19 budget request of \$18 million dollars to the Public Safety Committee. Operationally, he is requesting increased funding for 20 additional personnel, vehicle replacement, equipment and gear. The Fire & Rescue Association is requesting an increase in training and fuel assistance, as well, Revenue Recovery is anticipating \$1.5 million dollars in expenses and revenues.

Sheriff Millholland requested a budget increase of \$4 million dollars for FY19. Many items requested by the Sheriff are over \$10,000 and range from additional personnel to vehicles to training and equipment. The biggest item on the list was the replacement and update of (147)

portable radios. Sheriff Millholland discussed some of the radio issues his department has experienced over the past few years.

IT Director Scott Varner advised that he had been working on projects within the Sheriff's FY 19 budget request. First was the 130 MCT (mobile computer terminal) units in each deputy vehicle. These units are out of warranty. He noted that he had discussed 3 options with the IT Committee that would get them on a regular replacement program and was part of the IT budget. The other item being addressed was a new 50 mb internet "pipe" which would go from the Public Safety Building to the Kent Street building. This would allow the bodycam videos to be uploaded and obtained much faster for the Sheriff's office. The IT department would also budget this item.

## **2. Other business:**

The Public Safety Committee thanked and commended Chairman Gene Fisher for his service and dedication on the Committee during his tenure, as his term will end at the end of the year. Chairman Fisher in returned, thanked the Departments' for their outstanding services to the community and the citizens of Frederick County.

**Next Meeting: Thursday, January 18, 2018**

**Adjourn:** 10:30 a.m.

Respectfully submitted,

Public Safety Committee

Gene Fisher  
Denny Linaburg  
Sheriff Lenny Millholland  
Dan Cunningham

Gary Lofton  
Ann B. Lloyd  
Rod Williams  
Helen Lake

Chuck Torpy  
Walt Cunningham  
Blaine Dunn

By \_\_\_\_\_  
LeeAnna Pyles, Director Public Safety Communications

LP/sds

**MEMORANDUM**

**TO:** Landfill Oversight Committee Members and Board of Supervisors  
**FROM:** Joe C. Wilder, Director of Public Works *JCW*  
**SUBJECT:** Landfill Oversight Committee Report for Meeting of November 16, 2017  
**DATE:** December 19, 2017

---

The Landfill Oversight Committee met on Thursday, November 16, 2017, at 11:00 a.m. All committee members were present except Stan Crockett, Eden Freeman and Justin Hall. The following items were discussed:

**\*\*\*Items Not Requiring Action\*\*\***

1. Update on Existing Projects
  - a. We discussed some of the on-going projects at the Landfill. We are starting the design for our next MSW Landfill Cell, Phase 3, Cell A. This cell has a great deal of rock removal needed to achieve base grades of the cell. Our Landfill consultant, SCS Engineers, is working on a design for the rock removal needed along with a bid package. Our plan is to start rock blasting and removal in the spring of 2018 and continue that operation for about one (1) year or less.
  - b. We are studying some alternatives on dealing with processed sludges coming from the Opequon Wastewater Treatment Plant that are creating some major issues on the working face of the MSW Landfill. These sludges will not allow our equipment to properly compact the waste, thus creating issues with waste density and placement. We are planning to study a couple alternatives and then discuss the issues with the wastewater plant staff during the first part of 2018.
  - c. We discussed some future methane gas collection systems which are currently being studied and designed. It is our intent to increase the collection of Landfill gases to increase output from our waste to energy power plant.

2. Discussion of Future Projects

As shown on Page 1 of the budget packet, we have listed several major projects over the next four (4) to five (5) years. Most are related to the development of the next MSW Cell, Phase 3, Cell A. The total estimate for these future projects is over \$18,000,000.00.

3. Proposed Fiscal Year 2018-2019 Budget

We presented the draft FY19 Landfill budget. Earlier this year, staff presented a Pro Forma Analysis that looked at the entire Landfill operation, budget, capital projects, equipment needs, etc. over the life of our Landfill. The major conclusion of the analysis is that the Landfill Reserve needs to be built up to \$71,000,000.00 over the upcoming time period to ensure we can meet all the capital expenses, future cell development expenses, closures and post-closure expenses, etc. In order to meet those future expenses tipping fee scenarios were developed to determine where the fees should be set in the near future to achieve the financial requirements in the future. After discussions with the Landfill Oversight Committee, the Public Works Committee and the Finance Committee it was determined the course of action for FY19 was to have a modest tipping fee increase for all wastes at the Landfill for FY19. The following is a summary of the existing tip fee in FY18 and the proposed tip fee for FY19.

| Waste Type     | Current Tip Fee<br>FY18 | Proposed Tip Fee<br>FY19 |
|----------------|-------------------------|--------------------------|
| Municipal      | \$18                    | \$20                     |
| Commercial     | \$47                    | \$50                     |
| CDD            | \$42                    | \$45                     |
| Sludge         | \$36                    | \$38                     |
| Concrete/Ruble | \$12                    | \$15                     |

If these tip fees are approved for FY19, we don't anticipate having to raise tip fees for several years. Staff will monitor our Fund Balance annually to see our progress on achieving the desired goal of \$71,000.00.

Within the budget package, we highlighted our proposed capital requests, future projects and proposed revenues. After some discussion, the committee endorsed the proposed budget and requested it be forwarded the Public Works Committee for further review.

JCW/kco

cc: Committee Members  
Kris Tierney, County Administrator  
Jay Tibbs, Deputy County Administrator  
Ron Kimble, Landfill Manager  
Andrew Clark, Environmental Manager  
Gloria Puffinburger, Solid Waste Manager  
file

**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Joe C. Wilder, Director of Public Works *JCW*  
**SUBJECT:** Public Works Committee Report for Meeting of November 28, 2017  
**DATE:** January 4, 2018

---

The Public Works Committee met on Tuesday, November 28, 2017, at 8:00 a.m. All members were present except James T. Wilson and David Ganse. The following items were discussed:

**\*\*\*Items Not Requiring Action\*\*\***

1. Update on the new Stephenson Convenience Site

Staff presented an update on the project. We issued a contract with Kee Construction in the amount of \$1,221,294.00 to construct the improvements for the convenience site. A notice to Proceed has been issued and the date for substantial completion is May 31, 2018. The contractor has indicated they plan to mobilize to the site the week of December 4, 2017.

2. Review Proposed Fiscal Year 2018/2019 Budgets

Staff presented a general overview of the proposed Public Works budgets for FY19. A copy of the entire budget package along with a summary of the proposed personnel requests and capital requests have been included. The budget package was sent to the Finance Department for their review as well.

Within the department, we are requesting two (2) new full-time positions. In the Refuse Collection department, we are requesting an Assistant Site Supervisor position. This position will assist the Solid Waste Coordinator in managing the part-time staff and maintaining all the equipment for the 10 convenience sites located throughout the county. Also, we are requesting a new full-time position at the Animal Shelter. We are proposing an animal caretaker position to assist with multiple duties at the shelter. Both requests have been forwarded to the Human Resources Committee for further consideration within the budget requests. All proposed capital requests have been clearly outlined within the budget package.

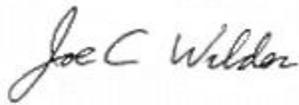
In conclusion, the Public Works proposed budget for FY19 have been prepared and submitted for further consideration.

3. Miscellaneous Reports:
- a) Tonnage Report  
**(Attachment 5)**
  - b) Recycling Report  
**(Attachment 6)**
  - c) Animal Shelter Dog Report  
**(Attachment 7)**
  - d) Animal Shelter Cat Report  
**(Attachment 8)**

Respectfully submitted,

Public Works Committee

Gene E. Fisher, Chairman  
Robert W. Wells  
David W. Ganse, AIA  
Whitney "Whit" L. Wagner  
James T. Wilson

By   
\_\_\_\_\_  
Joe C. Wilder  
Public Works Director

JCW/kco

cc: Kris Tierney, County Administrator  
Jay Tibbs, Deputy County Administrator  
Ron Kimble, Landfill Manager  
Gloria Puffinburger, Solid Waste Manager  
Kathy Whetzel, Animal Shelter Manager  
file

**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** John A. Bishop, AICP, Assistant Director - Transportation <sup>JB</sup>  
**RE:** Transportation Committee Report for Meeting of November 27, 2017  
**DATE:** November 29, 2017

---

The Transportation Committee met on Monday, November 27, 2017 at 8:30 a.m.

Members Present

Gary Lofton Chairman (voting)  
Judith McCann-Slaughter (voting)  
James Racey (voting)  
Gene Fisher (voting)  
Kevin Kenney (liaison PC)

Members Absent

Mark Davis (liaison Middletown)  
Barry Schnoor (voting)  
Lewis Boyer (liaison Stephens City)

The Committee submits the following:

**\*\*\*Items Requiring Action\*\*\***

None

**\*\*\*Items Not Requiring Action\*\*\***

**1. Designation of Critical Freight Corridors (see attached):**

Staff presented a brief overview on VDOT updating statewide inventory of Critical Urban and Critical Rural Freight Corridors. This is a federal designation and criteria for designating these corridors, which are outlined in Section 1116 of the FAST Act. According to the Act, Virginia has an allotment of 166.69 miles of Critical Rural Freight Corridors and 83.35 miles of Critical Urban Freight Corridors. Designation makes projects eligible for National Highway Freight Program funds. Staff has recommended the areas below for inclusion as VDOT considers final designations.

- Route 522 South from Exit 313 to the Virginia Inland Port
- Route 277 from I-81 to Route 522
- Future Route 37 from I-81 Exit 310 to Route 522
- Route 11 South from the Winchester City Limits to Route 37
- Route 522 North from Route 37 to Indian Hollow Road
- Route 11 North from Route 37 to Old Charlestown Road

- Hopewell and Brucetown Roads from I-81 to the Carmeuse Entrance
- Rest Church Road from I-81 to Route 11
- Route 11 North from Rest Church Road to Woodbine Road

Mr. Lofton asked that Renaissance Drive be extended to the Route 11 South and to include Renaissance Drive, since this area will become a major freight area. Mr. Tierney suggested adjusting the 522 North area to show from Route 37 to Crossroads Grocery (Route 654).

A motion was made to endorse the Staff's recommendations with the amendments by Mr. Fisher and seconded by Ms. McCann-Slaughter. Motion passed unanimously.

## **2. Old Charlestown Road Bridge Discussion (see attached):**

Mr. Keith Harrop, Design Engineer for VDOT was present to update and explain the four (4) options in discussion on the Old Charlestown Road Bridge replacement with the Committee. The project is currently funded at \$4.356 million in Clarke County's program. Staff noted that Clarke County was in favor of options 2 and option 4 of the attached.

By consensus, the Committee chose to table this recommendation until the December committee meeting.

## **3. County Project Updates**

### **Tevis Street Extension/Airport Road/I-81 Bridge:**

The full bridge plans are in review for final comments. The Airport Road and the Roundabout are at 60% and have been submitted to VDOT. Environmental surveys are complete. Geotech report is expected by the end of the week.

### **Renaissance Drive:**

TPOF agreement has been executed. Also, the pending Carbaugh rezoning application has a potential to impact this project with matching funds for revenue sharing. This rezoning is proceeding to the Board of Supervisors.

### **Coverstone Drive:**

No activity at this time.

### **Jubal Early Drive Extension and Interchange with Route 37:**

Communication was sent to the Applicants noted that the County could make no further moves forward on the project until a revenue sharing agreement is in place. A meeting was held at which the agreement was discussed. Staff is awaiting feedback from the Applicant. Staff has reached out to the Applicant's engineer and no update was provided. No new action as of this agenda

### **3. Upcoming Agenda Items:**

#### December

MPO Route 11 South Stars Study

#### December/January

Oakdale Crossing Traffic Calming Study

SmartScale Applications Discussion

### **5. Other Business:**

Eastern Road Plan Progress – Staff noted that the Planning Commission recommended approval and the Board of Supervisors will see the item on December 13.

Transportation Forum follow up that will be held on December 5, 2017.

Supervisor McCann-Slaughter mentioned the concern with the speed limit on Greenspring Road. A study by VDOT traffic engineering regarding a potential reduction in the speed limit will be conducted. A formal request for this item will be presented to the Committee in December.

The Committee meeting date for December has been rescheduled to Monday, December 18, 2017 at 8:30 a.m. Time will be 8:30 in the first-floor conference room.

JAB/ks

MEMO

**To:** Jay Tibbs, Deputy County Administrator for Human Services  
**From:** Jason L. Robertson, Director, Parks & Recreation Dept.  
**Subject:** Parks and Recreation Commission Action  
**Date:** November 15, 2017

The Parks and Recreation Commission met on November 14, 2017. Members present were: Randy Carter, Christopher Fordney, Natalie Gerometta, Gary Longerbeam, Ronald Madagan, Guss Morrison, Charles Sandy, Jr., Amy Strosnider, and Robert Wells (Board of Supervisors' Non-Voting Liaison). Members absent: None

Items Requiring Board of Supervisors Action:

1. Right of Way Donation – Abrams Creek – A property owner of land needed for Abrams Creek Trail right of way has requested assurance the County would accept the property as a donation should he choose to donate. The attached resolution provides this assurance and additionally allows for the acceptance of the property in the event it is donated. The Buildings and Grounds Committee recommended the resolution, second by Mr. Fordney, motion carried unanimously (8-0). Please see attached Resolution Authorizing Acceptance of Real Property.
2. Rose Hill Memorandum of Understanding – The Buildings and Grounds Committee recommended to approve the 2014 Rose Hill Park Memorandum of Understanding addendum which clarifies lease area changes due to new hiking trails and addresses the lease area implication for future amenities, second by Mr. Morrison, motion carried unanimously (8-0). Please see attached Memorandum of Understanding.

Submitted for Board Information Only:

1. Policy Revisions - Mr. Sandy moved to adopt the Facility Rental (500.19) and Athletic Field Use Policies (500.01), second by Mr. Madagan motion carried unanimously (8-0). The Facility Rental and Athletic Field Use policies are attached.
2. Sherando High School – The Buildings and Grounds Committee recommended to accept Frederick County Public Schools' request to use the north Sherando Park softball fields for necessary improvements to comply with a U.S. Department of Education Office of Civil Rights agreement, second by Mr. Carter, motion carried unanimously (8-0).
3. OH! Grant – Frederick Heights Park – The Buildings and Grounds Committee recommended accepting McKee Foods expectation of recognition with a directional sign

identifying OH! Outdoor Happiness program to receive \$20,000 to be used at Frederick Heights Park, second by Mr. Sandy, motion carried unanimously (8-0).

4. FY 2019 Budget including Fees and Charges – The Finance Committee recommended to accept the 2019 Budget including Fees and Charges as submitted, second by Mr. Morrison, motion carried unanimously (8-0).

Attachment

cc: Gary Longerbeam, Chairman  
Robert Wells, Board of Supervisors' Non-Voting Liaison

**FREDERICK COUNTY BOARD OF  
SUPERVISORS' MINUTES**

**Budget Work Session**

**December 20, 2017**

A Budget Work Session of the Frederick County Board of Supervisors and Finance Committee was held on Wednesday, December 20, 2017 at 8:20 A.M., in the First Floor Conference Room, 107 North Kent Street, Winchester, VA.

**PRESENT**

Chairman Charles S. DeHaven, Jr.; Blaine P. Dunn; Gary A. Lofton; and Judith McCann-Slaughter

**ABSENT**

Vice-Chairman Gene E. Fisher; J. Douglas McCarthy; and Robert W. Wells

**OTHERS PRESENT**

Finance Committee members Angela Rudolph and Jeff Boppe; County Administrator Kris C. Tierney, Deputy County Administrator Jay E. Tibbs, Commissioner of the Revenue Ellen Murphy, Treasurer C. William Orndoff, Jr., Finance Director Cheryl B. Shiffler, Assistant Finance Director Sharon Kibler; Budget Analyst Jennifer Place, County Attorney Rod Williams, IT Director Scott Varner, School Board Member Mike Lake; and Handley Library Director John Huddy.

**CALL TO ORDER**

Chairman DeHaven called the work session to order.

Finance Director Shiffler began by reviewing the contents of the budget notebooks to include the proposed budget calendar. She noted two proposed changes to the calendar. The January and February Finance Committee meetings would be moved to 3:00 or 3:30 p.m. depending on the agenda with the budget work session to follow those meetings. She then reviewed the contents of the budget notebooks. Finance Director Shiffler noted a vehicle listing

was provided in each notebook so the Board could see the age and mileage of the county fleet since there were several vehicles being requested as part of this budget.

Chairman DeHaven stated he would like to discuss a vehicle replacement policy whenever it was ready.

Administrator Tierney advised that staff would be meeting with certain departments in the upcoming weeks to go over their requests.

Supervisor Dunn stated he would like to revisit the 57/43 split with the schools.

Chairman DeHaven stated that he would support that discussion, but not as part of this budget process.

There being no further discussion, the work session was adjourned at 9:04 a.m.

C



Jay E. Tibbs  
Deputy County Administrator

540/665-6382

Fax: 540/667-0370

E-mail: jtibbs@fcva.us

**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Jay E. Tibbs, Deputy County Administrator *JET*  
**DATE:** January 4, 2018  
**RE:** Committee Appointments

Listed below are the vacancies/appointments due through March, 2018. As a reminder, in order for everyone to have ample time to review applications, and so they can be included in the agenda, please remember to submit applications prior to Friday agenda preparation. Your assistance is greatly appreciated.

**VACANCIES/OTHER**

Historic Resources Advisory Board (HRAB)

Clint Jones – Shawnee District Representative  
3108 Middle Road  
Winchester, VA 22602  
Phone: (540)667-6350  
Term Expires: 05/22/18  
Four year term

**(See Attached Application of Carl Rush)**

Community Policy and Management Team (CPMT)

Leslie Stewart - Parent Representative  
121 Garden Court  
Winchester, VA 22601  
Home: (540)336-8086  
Term Expires: 06/30/18  
Two year term

*(Staff has been advised that Ms. Leslie Stewart has resigned. The CSA Coordinator and CPMT staff is attempting to get recommendation(s) for appointment and, upon receipt, will forward same to the Board of Supervisors at a future meeting.)*

Lord Fairfax Community College Board (LFCC)

J. Douglas McCarthy – County Representative  
579 Brush Creek Road  
Winchester, VA 22603  
Term Expires: 06/30/19  
Four year term

**(See Attached Correspondence from Lord Fairfax Community College President Cheryl Thompson-Stacy. Mr. McCarthy has resigned from this position.)**

Handley Regional Library Board

Gary A. Wygal – Frederick County Representative  
311 Caroline Avenue  
Stephens City, VA 22655  
Term Expires: 11/30/21  
Four year term

*(Mr. Wygal has resigned.) (See Attached) (The County has five seats on the Handley Regional Library Board. As stated in the library by-laws, members serve a four year term and are limited to two consecutive terms.)*

Social Services Board

Maximillion J. Press – Red Bud District Representative  
117 Monticello Square  
Winchester, VA 22602  
Phone: (540)303-9404  
Term Expires: 06/30/20  
Four year term

*(Staff has been notified that Mr. Press will be moving from the Red Bud District in February, 2018.)*

M. Frank Heisey – Gainesboro District Representative  
238 Fairway Circle  
Cross Junction, VA 22625  
Phone: (540)888-7983  
Term Expires: 06/30/21  
Four year term

*(Mr. Heisey will be moving from the Gainesboro District and will resign from the Social Services Board effective February 15, 2018. (See Attached)*

**JANUARY 2018**

Frederick County Planning Commission

Christopher M. Mohn – Red Bud District Representative  
316 Ridge Road  
Winchester, VA 22602  
Home: (540)678-1366  
Term Expires: 01/27/18  
Four year term

Kay Dawson – Red Bud District Representative  
203 Canyon Road  
Winchester, VA 22602  
Phone: (540)247-6926  
Term Expires: 01/27/18  
Four year term

*(Staff may recall that Ms. Dawson was appointed at the October 25, 2017 Board meeting to fill the unexpired term of Mr. Charles Dunlap who moved from the area.)*

**FEBRUARY 2018**

No remaining appointments due.

**MARCH 2018**

Conservation Easement Authority (CEA)

Bryan J. Green – County Representative  
504 Heishman Lane  
Winchester, VA 22602  
Home: (540)877-1844  
Term Expires: 03/14/18  
Three year term

*(The Conservation Easement Authority was established in August, 2005. The Authority consists of seven citizen members, one member from the Board of*

Memorandum – Board of Supervisors  
January 4, 2018  
Page 4

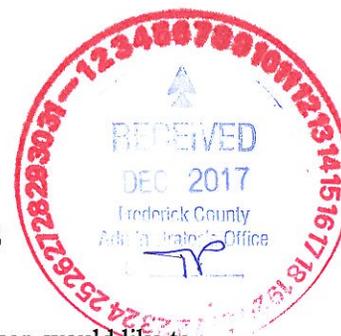
*Supervisors and one member from the Planning Commission. **Members should be knowledgeable in one or more of the following fields: conservation, biology, real estate and/or rural land appraisal, accounting, farming, or forestry.** Members serve a three year term and are eligible for reappointment.)*

JET/tjp

Attachments

U:\TJP\committeeappointments\MmosLettrs\BoardCommitteeAppts(011018BdMtg).docx

**INFORMATIONAL DATA SHEET  
FOR  
FREDERICK COUNTY BOARD OF SUPERVISORS  
COMMITTEE APPOINTMENTS**



Ms. Shannon Trout, Shawnee District Supervisor, would like to nominate you to serve on the Historical Advisory Board.

As a brief personal introduction to the other Board members, please fill out the information requested below for their review prior to filling the appointment. **(Please Print Clearly. Thank You.)**

**Name:** Carl Rush **Home Phone:** 540-877-5983  
**Address:** 2757 Millwood Pike **Office Phone:** 540-622-3471  
Winchester, VA 22602 **Cell/Mobile:** 540-877-5983  
**Fax:** \_\_\_\_\_  
**Employer:** Winchester Public Schools **Email:** rushc@wps.k12.va.us

**Occupation:** Teacher

**Civic/Community Activities:** Board of Directors- Handley Regional Library, Board of Directors-Judges Athletic Association

**Will You Be Able To Attend This Committee's Regularly Scheduled Meeting On:**  
\_\_\_\_\_ **Yes:**  **No:** \_\_\_\_\_

**Do You Foresee Any Possible Conflicts Of Interest Which Might Arise By Your Serving On This Committee?** **Yes:** \_\_\_\_\_ **No:**  **Explain:**  
\_\_\_\_\_

**Additional Information Or Comments You Would Like To Provide (If you need more space, please use the reverse side or include additional sheets):**  
Please utilize Supervisor Blaine Dunn as a reference.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Applicant's Signature:**  **Date:** 11/27/2017

**Nominating Supervisor's Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please submit form to:**  
Frederick County Administrator's Office  
107 North Kent Street  
Winchester, VA 22601  
or email to: [tprice@fcva.us](mailto:tprice@fcva.us) or [jtibbs@fcva.us](mailto:jtibbs@fcva.us)

# LFCC

Lord Fairfax Community College

Office of the President



November 7, 2017

Kris Tierney  
County Administrator  
107 N Kent Street  
Woodstock, VA 22601

Dear Mr. Tierney:

Douglas J. McCarthy is unable to fulfill his term as a member of the Lord Fairfax Community College (LFCC) Board representing Frederick County, and has submitted his resignation in writing to the board. Mr. McCarthy was appointed to his first four-year term in October 2015; this term will expire June 30, 2019.

The LFCC Board requests appointment of a new board member representing Frederick County to fulfill the remainder of this unexpired term through June 30, 2019. In July of 2019, the individual appointed will be eligible to serve two consecutive, four-year terms if the board of supervisors chooses to reappoint him or her. Please present this information to the Frederick County Board of Supervisors with our request for a college board appointment.

The College Board asked me to pass along their strong request to the Frederick County Board of Supervisors that the person appointed be able to consistently attend the college board meetings. The *2017-18 College Board meeting schedule* is enclosed for reference.

The following informational items are also enclosed for your reference: *LFCC Board Bylaws; Duties and Responsibilities of Local College Boards of the VCCS; Commitment of LFCC Board Member*; and a listing of current College Board members. Please contact me if you have any questions.

Thank you very much for your attention to this appointment. My retirement is effective at the end of this calendar year and it would be great to have the second Frederick County board representative appointed prior to the new president coming on board.

Sincerely,

Cheryl Thompson-Stacy  
President

Cc: Fran L. Jeffries, Lord Fairfax Community College Board chair  
Douglas J. McCarthy

**Middletown Campus**  
173 Skirmisher Lane  
Middletown, VA 22645-1745  
540-868-7000  
lfcc.edu/middletown

**Fauquier Campus**  
6480 College Street  
Warrenton, VA 20187-8820  
540-351-1505  
lfcc.edu/fauquier

**Luray-Page County Center**  
334 North Hawksbill Street  
Luray, VA 22835-1130  
540-843-0722  
lfcc.edu/luray

**Vint Hill**  
4151 Weeks Drive  
Warrenton, VA 20187-3945  
540-351-1531  
lfcc.edu/vinthill



**LORD FAIRFAX COMMUNITY COLLEGE BOARD**  
**2017-18 Calendar of Scheduled Meetings**  
**(Updated June 16, 2017)**

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| <u>DATE</u>       | <u>TIME</u> | <u>LOCATION</u>                                                                            |
|-------------------|-------------|--------------------------------------------------------------------------------------------|
| August 3, 2017    | 12:00 p.m.  | American Woodmark Board Room,<br>Corron Community Development Center,<br>Middletown campus |
| October 5, 2017   | 12:00 p.m.  | American Woodmark Board Room,<br>Corron Community Development Center,<br>Middletown campus |
| November 30, 2017 | 12:00 p.m.  | American Woodmark Board Room,<br>Corron Community Development Center,<br>Middletown campus |
| February 1, 2018  | 12:00 p.m.  | American Woodmark Board Room,<br>Corron Community Development Center,<br>Middletown campus |
| April 5, 2018     | 12:00 p.m.  | The Barn, Fauquier campus                                                                  |
| June 7, 2018      | 12:00 p.m.  | Luray-Page County Center                                                                   |

**Note: All College Board meetings are scheduled to begin at 12:00 p.m.; a light lunch is served at 11:30 a.m. Dates, times and meeting locations are subject to change due to unforeseen circumstances.**



**BYLAWS OF**  
**LORD FAIRFAX COMMUNITY COLLEGE BOARD**

President's Office  
173 Skirmisher Lane  
Middletown, VA 22645  
(540) 868-7101

**ARTICLE ONE**

**Section 1.** These Bylaws are subject to all rules, regulations, directives, policies and procedures as established by the State Board for Community Colleges of the Commonwealth of Virginia.

**ARTICLE TWO**

**COLLEGE BOARD**

**Section 1.** The local affairs of the College shall be managed by its College Board.

**Section 2.** The Lord Fairfax Community College Board shall exercise the responsibilities prescribed for local community college boards by the Code of Virginia and the State Board for Community Colleges.

**Section 3.** The number of Board members shall be fourteen (14). The Board members shall be appointed by the political subdivisions participating in the support of the

College. These political subdivisions are the Counties of Clarke, Fauquier, Frederick, Page, Rappahannock, Shenandoah and Warren and the City of Winchester. Each political subdivision shall be represented by two members on the Board, with the exceptions of the Counties of Clarke and Rappahannock, which shall have one member, each subject, however, to the provisions for reallocation of Board members as established by the State Board for Community Colleges. Each member shall serve for a term of four (4) years and may serve two successive terms.

**Section 4.** Regular meetings of the Board shall be held during the months of August, October, December, February, April, and June, the time and place for holding said regular meetings to be as directed by resolution of the Board.

**Section 5.** Special meetings of the Board may be called by or at the request of the Chair, the President of the College, or any two Board members.

**Section 6.** All meetings, both regular and special, shall be held at the Middletown or Fauquier Campus of the College, or at such other place as the members of the Board may determine.

**Section 7.** Notice of any special meeting of the Board shall be given at least five (5) days previously thereto by written notice delivered personally or sent by mail, e-mail or fax to each Board member at his/her address as shown by the records of the College. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage thereon prepaid. Any Board member may waive notice of any meeting. The attendance of a Board member at any meeting shall constitute a waiver of notice of such meeting except where a Board member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted at the meeting need not be

specified in the notice or waiver of notice of such meeting, unless specifically required by law, by these Bylaws, or by order of the State Board for Community Colleges.

**Section 8.** A majority of the members of the Board shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the Board members are present at any meeting, a majority of the Board members present may adjourn the meeting from time to time without further notice.

**Section 9.** The act of a majority of the Board members present at a meeting at which a quorum is present shall be the act of the Board, unless the act of a greater number is required by law or by these Bylaws.

**Section 10.** Any vacancy occurring in the Board shall be filled by the political subdivision that the vacating Board member represented. Any College Board member who misses three (3) consecutive regularly scheduled meetings, may be dismissed by the College Board. For purposes of this section, attendance during any part of the official meeting is considered attending the meeting. The Secretary of the Board shall notify the Chair of the Board of any member who has missed three (3) consecutive regular meetings. The Chair shall investigate to determine if there were extenuating circumstances that caused the member to miss the three (3) meetings. The investigation must include a discussion with the member and the Chair may consult the Vice Chair concerning the member and the circumstances. If after consultation, it is the opinion of the Chair that the member does not have good cause for missing the meetings, the Chair shall request the Board to consider whether replacement of the member is in the best interest of the college. If the Board votes to replace the member, the Board shall notify the sponsoring subdivision of the need for a replacement.

## ARTICLE THREE

### OFFICERS

**Section 1.** The officers of the Board shall be a Chair, Vice Chair, a Secretary and such other officers as may be elected in accordance with the provisions of this article. The Vice Chair will be considered to be the Chair Elect. The Secretary shall be the President of the College. The Board may elect or appoint such other officers as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board.

**Section 2.** The officers of the Board shall be elected biennially by the Board at its June meeting to serve from July 1 immediately following. If the election of officers is not held at such meeting, such election shall be held as soon thereafter as is convenient. Nominations for the offices of Chair and Vice Chair during an election year will be proposed by a nominations committee consisting of the Chair, Vice Chair and a Board member appointed by the Chair, preferably a past Chair if available. The nominations committee shall be sensitive to locality representation and Board rotation in its proposed nominations which will be provided in writing to the Board prior to the election. New offices may be created and filled at any meeting of the Board. Each officer shall hold office until his successor has been duly elected and qualifies, except that an officer whose term of office on the Board has expired and who is not eligible for re-appointments shall hold office only until his term has expired.

**Section 3.** Any officer elected or appointed by the Board may be removed by the Board by a two thirds vote of the Board whenever in its judgment the best interest of the College would be served thereby.

**Section 4.** A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the members of the Board for the unexpired portion of the term.

**Section 5.** The several officers shall have such powers and perform such duties as may from time to time be specified in resolutions or other directives of the Board or of the State Board for Community Colleges or the Commonwealth of Virginia and that publication in the Minutes shall constitute sufficient notice.

#### **ARTICLE FOUR**

##### **COMMITTEES**

**Section 1.** The Board, by resolution adopted by a majority of the members of the Board-in office, may designate one or more committees, not having and exercising the authority of the Board in the management of the College. Except as otherwise provided in such resolution, members of each such committee shall be members of the Board and the Chair of the Board shall appoint the members thereof. Any member thereof may be removed by the Chair whenever in his/her judgment the best interests of the College shall be served by such removal.

#### **ARTICLE FIVE**

##### **EDUCATIONAL FOUNDATION BOARD MEMBER**

The College Board will recommend a College Board member, to be considered for membership on the Foundation Board to serve a one-year term. The recommendation will be made after the College Board member is approached by the chair and vice chair and agrees to be nominated for membership on the Foundation Board. The Foundation Board will follow

its normal Board member selection process. The Foundation Board chair will inform the nominated College Board member and College Board chair of the Foundation Board's decision in writing. For College Board members who do not serve full terms on the Foundation Board, their successors will be selected using the aforementioned process.

## **ARTICLE SIX**

### **WAIVER OF NOTICE**

Whenever any notice is required to be given under the provisions of the law, these Bylaws or under any provision or regulation formulated by the State Board for Community Colleges, a waiver thereof signed by the person or persons entitled to such notice whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

## **ARTICLE SEVEN**

### **AMENDMENT OF BYLAWS**

These Bylaws may be altered, amended, or repealed, and new Bylaws may be adopted by a majority of the Board members present at any regular meeting or at any special meeting, if at least ten (10) days notice is given of intention to alter, amend, or repeal or to adopt new Bylaws at such meeting.

I, Cheryl Thompson-Stacy, Secretary of the College Board of Lord Fairfax Community College, do certify that the foregoing is a true and correct copy of the Bylaws of the Board duly adopted at a meeting of the Board held on the eighth day of February, 2007. I further certify that a quorum was present at said meeting.

---

Cheryl Thompson-Stacy  
President of the College and Secretary to the  
Lord Fairfax Community College Board

---

Barbara P. Lee  
College Board Chair

Revised June 14, 2007  
Revised February 8, 2007  
Revised February 9, 2006  
Revised January 14, 1988

## **DUTIES AND RESPONSIBILITIES OF LOCAL COLLEGE BOARDS** of the **Virginia Community College System**

The State Board for Community Colleges has prescribed the following duties and responsibilities for local college boards.

- ◆ Elect a chairman and other such officers as it deems necessary and adopt rules and regulations to conduct its business. (The College President is Secretary to the Board.)
- ◆ Serve as a channel of communication between the State Board and the localities.
- ◆ Recommend a name for the college and, in multi-campus colleges, for each campus.
- ◆ Recommend a site plan for the campus.
- ◆ Participate in the selection, evaluation, and removal of the college president.
- ◆ Participate in the development and evaluation of the program of education.
- ◆ Be responsible for eliciting community participation in program planning and development; establish advisory committees for specialized programs; approve appointments of members of these committees.
- ◆ Recommend curriculum proposals to the State Board (new programs and program discontinuations).
- ◆ Oversee the community service program of the college.
- ◆ Review and recommend biennial budget Program Proposal.
- ◆ Review and approve local funds budget. (The State Board receives a copy, and also receives financial statements.)
- ◆ Establish local regulations on student conduct.
- ◆ Approve a budget for the expenditure of revenues from vending commissions and auxiliary enterprises.
- ◆ Review reports of audits and the college president's response to audit reports.
- ◆ Be informed of personnel matters by the college president.

Any local College Board, or its authorized representative, may appear before the State Board simply by notifying the Secretary of the State Board (Chancellor) 15 days prior to a regularly scheduled meeting so that the matter may be placed on the agenda.



## Commitment of LFCC Board Member and LFCC Staff

*As a member of the LFCC College Board, I am committed to helping promote the growth and development of the College by:*

- ◆ Becoming familiar with the mission, vision, values and programs of the College.
- ◆ Analyzing the mission and goals of the College, setting priorities and assisting in the creation of new programs and projects in which the College can participate.
- ◆ Making a personal financial contribution to the Foundation on an annual basis. This contribution will reflect my capacity to give and love for the College.
- ◆ Identifying, cultivating, and/or soliciting prospective donors.
- ◆ Serving as an ambassador of the College.
- ◆ Assisting in the decision-making process of fiscal matters, goal setting, long-range planning and other matters affecting the operation of the College.
- ◆ Assisting the College President with special projects that may develop throughout the year.
- ◆ Attending and/or participating in special College events, including fundraising events, the Appreciation Dinner and Commencement.
- ◆ Attending the Board meeting (six times a year).
- ◆ Serving at least one full four-year term.
- ◆ Letting us know about community issues (i.e., new programs).
- ◆ Assist in finding adjunct faculty and employees.
- ◆ Informing us about programs or services needed by your community.

*As members of the LFCC staff, we are committed to providing you with the necessary support to perform the duties of a College Board member by:*

1. Using your gift of time wisely. Every meeting will be strategic, focused and necessary.
2. Ensuring the tasks we ask you to perform are ones that require a volunteer's touch. You will not be asked to do things better suited for the staff's skills and experience.
3. Structuring your Board experience so that you are better prepared to serve as a volunteer on other boards and, at the end of your tenure on the Board, you leave knowing that you have made a real and lasting difference in the lives of LFCC students.



**Lord Fairfax Community College Board  
2017-18**

Fran L. Jeffries, Chair  
William C. Daniel, Vice Chair  
Cheryl Thompson-Stacy, Secretary to the Board, LFCC president

**City of Winchester**

Fran L. Jeffries  
Kathryn K. Rosa

**County of Clarke**

William C. Daniel

**County of Fauquier**

Mary W. Barton  
Richard M. Galecki

**County of Frederick**

Michael A. Lake  
*Vacancy – pending appointment*

**County of Page**

Craig C. Lancto  
Bruce S. Short

**County of Rappahannock**

Paula L. Howland

**County of Shenandoah**

*Vacancy – pending appointment*  
*Vacancy – pending appointment*

**County of Warren**

Pamela M. McInnis  
Daryl L. Funk

Handley Regional Library  
100 W Piccadilly Street  
Winchester, VA 22601

Due to unforeseen circumstances I, Gary Wygal, resign my position as a member of the Handley Regional Library board.

*Gary A. Wygal*

Signature

*12/18/17*

Date

M Frank Heisey  
238 Fairway Circle  
Cross Junction VA 22625

November 17, 2017

Doug McCarthy, Supervisor Gainesboro District  
Frederick County Board of Supervisors  
107 N Kent St  
Winchester, VA

Dear Mr. McCarthy,

This letter serves to advise that I will be moving from the Gainesboro District of Frederick County and therefore am submitting my letter of resignation from the Frederick County Department of Social Services Board of Directors effective February 15, 2018.

It has been an honor and privilege to serve on this Board of Directors.

In addition, I wish you the very best as you pick up the baton in serving our communities on the Frederick County Board of Supervisors.

With best regards.

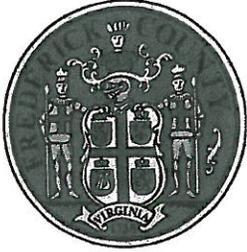
Sincerely,



M. Frank Heisey

C: Gary Lofton, Frederick County Board of Supervisors Liaison  
Tamara Green, Director Department of Social Services

D



COUNTY OF FREDERICK

**Roderick B. Williams**  
County Attorney

540/722-8383  
Fax 540/667-0370  
E-mail rwillia@fcva.us

**MEMORANDUM**

TO: Ellen E. Murphy, Commissioner of the Revenue  
Frederick County Board of Supervisors

CC: Kris Tierney, County Administrator

FROM: Roderick B. Williams, County Attorney

DATE: January 4, 2018

RE: Refund –John P. Tagnesi



I am in receipt of the Commissioner's request, dated December 7, 2017, to authorize the Treasurer to refund John P. Tagnesi the amount of \$5,703.23, for exoneration of personal property taxes from 2014 through 2017 and vehicle license fees from 2014 through 2017. This vehicle was not located in Frederick County during any of the periods in question.

The Commissioner verified that documentation and details for this refund meet all requirements. Pursuant to the provisions of Section 58.1-3981(A) of the Code of Virginia (1950, as amended), I hereby note my consent to the proposed action. The Board of Supervisors will also need to act on the request for approval of a supplemental appropriation, as indicated in the Commissioner's memorandum.

Roderick B. Williams  
County Attorney

Attachment



*Frederick County, Virginia*  
**Ellen E. Murphy**  
**Commissioner of the Revenue**  
107 North Kent Street  
Winchester, VA 22601  
Phone 540-665-5681 Fax 540-667-6487  
email: [emurphy@co.frederick.va.us](mailto:emurphy@co.frederick.va.us)



December 7, 2017

TO: Rod Williams, County Attorney  
Cheryl Shiffler, Finance Director  
Frederick County Board of Supervisors  
Kris Tierney, County Administrator

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Exoneration – Tagnesi, John P

Please approve a refund of \$5,703.23 for exoneration of personal property taxes in the name of John P. Tagnesi. This refund is for vehicular personal property for 2014 through 2017 plus registration fees, vehicle was not located in Frederick County during any of the period in question.

To comply with requirements for the Treasurer to apply this refund board action is required.

The Commissioner's staff has verified all required data and the paperwork is in the care of the Commissioner of the Revenue.

Please also approve a supplemental appropriation for the Finance Director on this request.

Exoneration is \$5,703.23.

Customer Name: TAGNESI JOHN P  
 Total Transactions: 975  
 Customer Transactions: 12

Options: 2=Edit 4=Delete 5=View

| Opt | Dept   | Trans | Ticket No.  | Tax Amount | Penalty/Int | Amount Paid |
|-----|--------|-------|-------------|------------|-------------|-------------|
| -   | PP2014 | 1     | 00544530001 | \$824.14-  | \$ .00      | \$824.14-   |
| -   | PP2014 | 2     | 00544530002 | \$993.15-  | \$ .00      | \$993.15-   |
| -   | PP2015 | 3     | 00553360001 | \$764.24-  | \$ .00      | \$764.24-   |
| -   | PP2015 | 4     | 00553360002 | \$764.23-  | \$ .00      | \$764.23-   |
| -   | PP2016 | 5     | 00566490001 | \$650.03-  | \$ .00      | \$650.03-   |
| -   | PP2016 | 6     | 00566490002 | \$650.02-  | \$ .00      | \$650.02-   |
| -   | PP2017 | 7     | 00580610001 | \$478.71-  | \$ .00      | \$478.71-   |
| -   | PP2017 | 8     | 00580610002 | \$478.71-  | \$ .00      | \$478.71-   |
| -   | VL2014 | 9     | 00748270001 | \$25.00-   | \$ .00      | \$25.00-    |
| -   | VL2015 | 10    | 00767770001 | \$25.00-   | \$ .00      | \$25.00-    |
| -   | VL2016 | 11    | 00786280001 | \$25.00-   | \$ .00      | \$25.00-    |
| -   | VL2017 | 12    | 00811710001 | \$25.00-   | \$ .00      | \$25.00-    |

Total Paid : \$5,703.23  
 F15=Show Balance F18=Sort-Entered

F3=Exit F14=Show Map# F21=CmdLine  
 F20=Attach

*Needs Board Approval*

E



Becky A. Merriner  
Director of Human Resources



TO: Human Resources Committee and Board of Supervisors  
FROM: Becky A. Merriner, HR Director  
DATE: December 8, 2017  
SUBJECT: HR Committee Report

The HR Committee met in the First Floor Conference Room at 107 North Kent Street at 9:00 a.m. on Friday, December 8, 2017.

HR Committee members present were: Supervisors, Robert Wells, Interim Chairman; Blaine Dunn, Douglas McCarthy and citizen members Don Butler, and Dorrie Greene. Citizen member not present, Beth Lewin. Others present were: Kris Tierney, County Administrator; Jay Tibbs, Deputy County Administrator; Erin Swisshelm, Assistant County Attorney; DeLois Blevins, HR Manager; Cheryl Shiffler, Director of Finance; Jennifer Place, Budget Analyst; Ross Spicer, Commonwealth's Attorney; Andrew Robbins, Deputy Commonwealth's Attorney; Delsie Jobe, DSS Administrative Services Manager; Joe Wilder, Public Works Director; Dennis Linaburg, Fire Chief; Larry Oliver, Deputy Chief; C. William Orndoff, Jr., Treasurer; Kathy Whetzel, Animal Shelter Manager; Holly Grim, Assistant Animal Shelter Manager; and Gloria Puffinburger, Solid Waste Manager.

**\*\*\*Items Requiring Board Action\*\*\***

**1. Fiscal Year 2018-2019 Requests for New Positions**

All new position requests submitted as part of the FY2018-2019 budget are brought to the HR Committee for review and recommendation as to the need for the position(s) and whether or not the position(s) should be created. The only action being sought from the committee was a recommendation regarding the creation of any new positions. Funding consideration for any new positions will be dealt with separately as part of the overall budget process.

After listening to the presentations from the various departments, the Committee approved the creation of 8 of the 9 requested positions. The attached position allocation chart shows the current number of funded positions for each department. The chart also contains columns reflecting the number of new positions being requested by the various departments and the Committees' recommendations. The Committee is seeking Board approval of the position allocation chart and with the newly recommended positions.

**a. Commonwealth's Attorney**

- i. (1) Legal Secretary
- ii. (1) Assistant Commonwealth's Attorney

Upon a motion by Blaine Dunn, seconded by Don Butler, the Committee recommended approval of both positions requested by the Commonwealth's Attorney. The motion was approved unanimously.

**b. Department of Social Services**

- i. (1) Family Services Worker II

Upon a motion by Doug McCarthy, seconded by Don Butler, the Committee recommended approval of the Family Services Worker position requested by the Department of Social Services. The motion was approved unanimously.

**c. Public Works**

- i. (1) Assistant Convenience Site Supervisor
- ii. (1) Animal Caretaker

Upon a motion by Blaine Dunn, seconded by Don Butler, the Committee recommended approval of the Assistant Convenience Site Supervisor requested by Public Works. The motion was approved unanimously.

Dorrie Greene made a motion to recommend approval of the Animal Caretaker position, there was no second; with the lack of a second, the motion was not considered.

**d. Fire & Rescue**

- i. (2) Firefighter/EMT
- ii. (2) EMS Shift Supervisor

Upon a motion by Blaine Dunn, seconded by Dorrie Greene, the Committee recommended approval of the four positions requested by Fire & Rescue. The motion was approved unanimously.

**\*\*\*Items Not Requiring Action\*\*\***

Fire & Rescue shared information about the Fire & Rescue Career Development Program changes which will be included on the HR Committee Agenda in January.

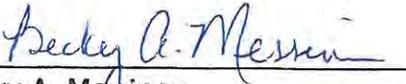
There being no further business, the meeting was adjourned.

The next HR Committee meeting is scheduled for Friday, January 19, 2018 at 9:00 am.

Respectfully submitted,

**Human Resources Committee**

Robert W. Wells, Interim Chairman  
Blaine P. Dunn  
J. Douglas McCarthy  
Don Butler  
Beth Lewin  
Dorrie Greene

BY:   
Becky A. Merriner  
Director of Human Resources

# Position Allocation Chart

| Budget Dept # | Department                       | Total Position Allocation 2017- 2018 | 2017-2018 Funded | 2017-2018 Unfunded | Unfunded Positions approved BOS                                         | 12/8/17 HR Committee approves and recommends to BOS these positions to be added to the Unfunded Positions |
|---------------|----------------------------------|--------------------------------------|------------------|--------------------|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| 2106          | Clerk's Office                   | 9                                    | 9                |                    |                                                                         |                                                                                                           |
| 1209          | Comm of the Revenue              | 22                                   | 22               |                    |                                                                         |                                                                                                           |
| 2201          | Commonwealth's Attorney's Office | 13                                   | 13               |                    |                                                                         |                                                                                                           |
| 2202          | Victim Witness                   | 3                                    | 3                |                    |                                                                         | Legal Secretary & Asst. Commonwealth Attorney                                                             |
| 5671          | Children's Services              | 2                                    | 2                |                    |                                                                         |                                                                                                           |
| 1201          | County Administrator's Office    | 7                                    | 7                |                    |                                                                         |                                                                                                           |
| 1202          | County Attorney's Office         | 3                                    | 3                |                    |                                                                         |                                                                                                           |
| 5316          | Department of Social Services    | 72                                   | 72               |                    |                                                                         |                                                                                                           |
| 8102          | Economic Development             | 4                                    | 3                | 1                  | Research Manager                                                        | Family Services Worker II                                                                                 |
| 8301          | Extension Office                 | 2                                    | 2                |                    |                                                                         |                                                                                                           |
| 1214          | Finance Department               | 7                                    | 7                |                    |                                                                         |                                                                                                           |
| 3505          | Fire & Rescue Department         | 136                                  | 120              | 16                 | 12 Firefighters; 2 Training Officers, 1-Asst. Fire Marshall; 1-EMS Spr. | 2 Firefighter/EMT; 2 EMS Supervisors                                                                      |
| 1203          | HR Department                    | 6                                    | 6                |                    |                                                                         |                                                                                                           |
| 1220          | IT Department                    | 14                                   | 14               |                    |                                                                         |                                                                                                           |
| 3303          | Juvenile Probation Office        | 2                                    | 2                |                    |                                                                         |                                                                                                           |
| 4301          | Maintenance                      | 9                                    | 9                |                    |                                                                         |                                                                                                           |
| 3301          | NRADC                            | 204                                  | 204              |                    |                                                                         |                                                                                                           |
| 2109/2112     | NRADC/DCS                        | 12                                   | 12               |                    |                                                                         |                                                                                                           |
| 7104          | Parks & Recreation Department    | 41                                   | 41               |                    |                                                                         |                                                                                                           |
| 8101          | Planning & Development           | 12                                   | 11               | 1                  | Planner                                                                 |                                                                                                           |
| 3506          | Public Safety Communications     | 16                                   | 16               |                    |                                                                         |                                                                                                           |
| 4201          | Public Works/Administration      | 4                                    | 4                |                    |                                                                         |                                                                                                           |
| 4305          | Public Works/Animal Shelter      | 7                                    | 7                |                    |                                                                         |                                                                                                           |
| 3401          | Public Works/Inspections         | 15                                   | 15               |                    |                                                                         |                                                                                                           |
| 4204          | Public Works/Landfill            | 27                                   | 27               |                    |                                                                         |                                                                                                           |
| 4203          | Public Works/Recycling           | 2                                    | 2                |                    |                                                                         |                                                                                                           |
| 8108          | Public Works/Shawneeland         | 7                                    | 7                |                    |                                                                         | Assistant Convenience Site Supervisor                                                                     |
| 1302          | Registrar's Office               | 2                                    | 2                |                    |                                                                         |                                                                                                           |
| 3102          | Sheriff's Office                 | 152                                  | 144              | 8                  | 7 Patrol Deputies; 1 Investigator                                       |                                                                                                           |
| 1213          | Treasurer's Office               | 13                                   | 13               |                    |                                                                         |                                                                                                           |
| 8109          | Winchester Regional Airport      | 11                                   | 11               |                    |                                                                         |                                                                                                           |
|               | <b>Grand Total</b>               | <b>836</b>                           | <b>810</b>       | <b>26</b>          |                                                                         |                                                                                                           |

## Position Justification Statement

The Commonwealth's Attorney's Office is requesting one additional Assistant Commonwealth's Attorney ("ACA") position and one additional legal secretary position. As justification for this request, the Commonwealth's Attorney notes that the caseload of this office has increased substantially in recent years. Indeed, the caseloads of prosecutors across the Commonwealth have risen dramatically over the last several years, as demonstrated by the annual caseload statistics reported by the Supreme Court of Virginia.

There are many causes for the recent increases in crime across the state, not the least of which is the explosion of Opioid dependence and the myriad of property and violent crimes that attend to it. In response, the Virginia General Assembly has increased the capacity of the courts to handle the influx by adding two new Circuit Court judgeships and several General District and Juvenile Court judgeships to the 26<sup>th</sup> Judicial Circuit, which includes Frederick County. In order to accommodate the increased judicial capacity, the Winchester & Frederick County Joint Judicial Center has been expanded to house several new courtrooms on both the second and third floors of the courthouse, which in turn increases the number of days during which each court can actively adjudicate cases.

For example, the General District Court for Frederick County previously scheduled criminal and traffic cases only on Tuesdays. This gave our Assistant Commonwealth's Attorneys more time to do legal research, meet with victims and witnesses, and prepare their cases for trial. But within just the last few years, the General District Court has tripled its capacity, and now sets full trial dockets for the County on Tuesdays, Thursdays and Fridays. At least one Frederick County prosecutor, and frequently two, must appear to handle each of these dockets. Both the Juvenile & Domestic Relations District Court and the Circuit Court have initiated similar increases in their number of active docket days, and so have stretched the personnel of the Commonwealth's Attorney's Office even thinner. All of this additional court time puts substantial strain on the ability of the existing attorneys and support staff to prepare cases adequately, and still cover all of the court dockets.

This year, as in previous years, the Frederick County Finance Committee has listed public safety staffing and equipment as the first and second (of four) budgetary priorities respectively. And to its credit, the County Board of Supervisors has responded to the increased need over the past several years as reflected in the expanded staffs of the Frederick County Sheriff's Office, Frederick County Fire and Rescue, and the Northwest Regional Adult Detention Center. The Board has approved the funding of numerous additional positions for each of these organizations in the FY2016 and FY2017 budgets (Sheriff's Office +8 positions; Fire & Rescue +22 positions; Jail +6 positions).

All of this shows that the conduit through which criminal cases are taken from the initial crime to final adjudication has expanded dramatically at both ends, in response to the increase in crime generally. At the center of this conduit stands the Commonwealth's Attorney's Office. We are being assigned more cases to prosecute by the hard-working members of the law enforcement community, and we are expected to dispose of them in a competent and timely manner by an expanded and conscientious judiciary.

Also telling are the Staffing Standards compiled by the Compensation Board, the state entity that, among other things, is responsible for assessing staffing needs in Commonwealth's Attorney's Offices around the state. The Compensation Board currently ranks Frederick County 18<sup>th</sup> out of 120 offices in terms of need for additional attorney staffing. According to the Compensation Board's statistics, Frederick County stands at only 57.91% of the staffing standard for offices of similar size and caseload. Unfortunately, the General Assembly refuses to allocate adequate pass-through funding to the Compensation Board. As a result of underfunding from Richmond, the localities around the state typically are required to make up the shortfall to ensure that their citizenry are appropriately served by their local prosecutor's office.

Based on the increasing caseload and courtroom presence being demanded of this office by a growing law enforcement community and an expanding judiciary, the Frederick County Commonwealth's Attorney's Office is seeking both a new attorney and a new legal secretary to handle the additional work. We would like to offer a new full-time attorney a starting salary of \$70,000 (plus the County's generous benefits package). We believe, based on recent experience, that such a salary will be needed to attract quality candidates in a competitive market. Similarly, we would like to offer a full-time legal secretary a starting salary of \$35,000 (plus benefits). Again, the administrative work done in this office is atypical, requiring a good knowledge of legal procedure, sensitivity to the subject matter, and an exceptional level of confidentiality. As a result, the requested salary will help attract qualified candidates to a demanding position.

The work done by the Frederick County Commonwealth's Attorney's Office is unique in many respects. The service that we provide to our community is unusually public, occurring on a daily basis in open courtrooms full of people, and also in the presence of the media. It is also adversarial in its nature, as the defense bar challenges our preparedness in every case. This means that the competence, dedication and professionalism of our attorneys are tested, in a very public way, each and every day. In order to best serve this community in general, and its victims of crime in particular, we must have the tools and the time to adequately prepare our cases for trial. The addition of these two positions to our office will give all of our staff members more time to provide the kind of high-quality legal services that the citizens of Frederick County deserve, and have come to expect from us.

As always, the Commonwealth's Attorney's Office appreciates the consideration of the Board as to this request.

Commonwealth's Attorneys FY16 Staffing Standards - Assistant Attorneys - After Position Reallocation

| RANK | FIPS | LOCALITY             | # Pos<br>FY15 | Calculated<br>Reduction FTE | Tot Attys<br>Pos FY16 | CY13-14 AVG<br>FEL DEF &<br>AVG FY13-14<br>SENT EVENTS |                        | RATING | ADD'L POS<br>DUE | WHOLE                         | Remaining | Remaining | % of Need<br>After Alloc | FY16 ASST<br>ATTY<br>REQUESTED | UNFUNDED<br>ATTY<br>POSITIONS |
|------|------|----------------------|---------------|-----------------------------|-----------------------|--------------------------------------------------------|------------------------|--------|------------------|-------------------------------|-----------|-----------|--------------------------|--------------------------------|-------------------------------|
|      |      |                      |               |                             |                       | ADD'L POS<br>DUE FY16                                  | Whole Pos Due,<br>FY17 |        |                  | Add'l Pos Due,<br>After Alloc |           |           |                          |                                |                               |
| 1    | 135  | Nottoway             | 2.00          | -0.28                       | 1.72                  | 241                                                    | SMALL                  | 1.72   | 2                | 2                             | 1.72      | 100.47%   |                          | 0.0                            |                               |
| 2    | 033  | Caroline             | 2.00          | -0.08                       | 1.92                  | 266                                                    | SMALL                  | 1.89   | 2                | 2                             | 1.89      | 98.32%    |                          | 0.0                            |                               |
| 3    | 750  | Radford              | 3.00          | -1.09                       | 1.91                  | 256                                                    | SMALL                  | 1.75   | 2                | 2                             | 1.75      | 92.03%    |                          | 1.0                            |                               |
| 4    | 167  | Russell              | 3.50          | -0.34                       | 3.16                  | 508                                                    | MID                    | 2.81   | 3                | 3                             | 2.81      | 88.97%    | 1                        | 0.0                            |                               |
| 5    | 191  | Washington           | 4.00          | -0.76                       | 3.24                  | 518                                                    | MID                    | 2.85   | 3                | 3                             | 2.85      | 87.87%    | 3                        | 0.0                            |                               |
| 6    | 051  | Dickenson            | 2.50          | -0.74                       | 1.76                  | 229                                                    | SMALL                  | 1.51   | 2                | 2                             | 1.51      | 85.63%    |                          | 0.5                            |                               |
| 7    | 029  | Buckingham           | 1.50          | -0.09                       | 1.41                  | 182                                                    | SMALL                  | 1.19   | 1                | 1                             | 1.19      | 84.36%    | 1                        | 0.0                            |                               |
| 8    | 071  | Giles                | 3.00          | -0.99                       | 2.01                  | 311                                                    | MID                    | 1.66   | 2                | 2                             | 1.66      | 82.67%    | 2                        | 1.0                            |                               |
| 9    | 141  | Patrick              | 2.00          | -0.12                       | 1.88                  | 237                                                    | SMALL                  | 1.51   | 2                | 2                             | 1.51      | 80.01%    | 1                        | 0.0                            |                               |
| 10   | 137  | Orange               | 2.00          | -0.22                       | 1.78                  | 224                                                    | SMALL                  | 1.42   | 1                | 1                             | 1.42      | 79.89%    | 1                        | 0.0                            |                               |
| 11   | 111  | Lunenburg            | 2.00          | -0.93                       | 1.07                  | 133                                                    | SMALL                  | 0.83   | 1                | 1                             | 0.83      | 77.24%    | 1                        | 1.0                            |                               |
| 12   | 530  | Buena Vista          | 1.00          | -0.16                       | 0.84                  | 102                                                    | SMALL                  | 0.62   | 1                | 1                             | 0.62      | 74.02%    |                          | 0.0                            |                               |
| 13   | 117  | Mecklenburg          | 5.00          | -0.58                       | 4.42                  | 619                                                    | MID                    | 2.86   | 3                | 3                             | 2.86      | 64.71%    |                          | 1.0                            |                               |
| 14   | 003  | Albemarle            | 5.00          | -1.68                       | 3.32                  | 454                                                    | MID                    | 2.02   | 2                | 2                             | 2.02      | 60.74%    | 2                        | 0.0                            |                               |
| 15   | 089  | Henry                | 6.00          | -1.27                       | 4.73                  | 641                                                    | MID                    | 2.81   | 3                | 3                             | 2.81      | 59.29%    | 1                        | 1.0                            |                               |
| 16   | 187  | Warren               | 4.00          | -0.72                       | 3.28                  | 443                                                    | MID                    | 1.93   | 2                | 2                             | 1.93      | 58.68%    | 2                        | 0.0                            |                               |
| 17   | 119  | Middlesex            | 1.00          | -0.18                       | 0.82                  | 91                                                     | SMALL                  | 0.48   | 0                | 0                             | 0.48      | 58.67%    | 1                        | 0.0                            |                               |
| 18   | 069  | Frederick            | 5.00          | -0.50                       | 5.50                  | 738                                                    | MID                    | 4.18   | 4                | 3                             | 3.18      | 57.91%    | 3                        | 0.0                            |                               |
| 19   | 139  | Page                 | 2.50          | -0.24                       | 2.26                  | 248                                                    | SMALL                  | 1.28   | 1                | 1                             | 1.28      | 56.77%    | 1                        | 0.0                            |                               |
| 20   | 790  | Staunton             | 4.00          | -1.11                       | 2.89                  | 380                                                    | MID                    | 1.58   | 2                | 2                             | 1.58      | 54.65%    | 1                        | 1.0                            |                               |
| 21   | 630  | Fredericksburg       | 7.00          | -1.07                       | 5.93                  | 760                                                    | MID                    | 3.02   | 3                | 3                             | 3.02      | 50.93%    | 2                        | 1.0                            |                               |
| 22   | 067  | Franklin             | 6.00          | -0.91                       | 5.09                  | 650                                                    | MID                    | 2.56   | 3                | 3                             | 2.56      | 50.28%    | 2                        | 1.0                            |                               |
| 23   | 107  | Loudoun              | 8.00          | -0.79                       | 7.21                  | 913                                                    | MID                    | 3.53   | 4                | 4                             | 3.53      | 48.97%    | 8                        | 0.0                            |                               |
| 24   | 185  | Tazewell             | 8.00          | -0.89                       | 7.11                  | 1,057                                                  | LARGE                  | 3.46   | 3                | 3                             | 3.46      | 48.60%    | 1                        | 0.0                            |                               |
| 25   | 109  | Louisa               | 3.00          | -0.77                       | 2.23                  | 231                                                    | SMALL                  | 1.06   | 1                | 1                             | 1.06      | 47.66%    | 1                        | 0.0                            |                               |
| 26   | 163  | Rockbridge/Lexington | 3.00          | -0.50                       | 2.50                  | 258                                                    | SMALL                  | 1.18   | 1                | 1                             | 1.18      | 47.30%    | 3                        | 0.0                            |                               |
| 27   | 037  | Charlotte            | 1.00          | -0.09                       | 0.91                  | 94                                                     | SMALL                  | 0.43   | 0                | 0                             | 0.43      | 47.09%    |                          | 0.0                            |                               |
| 28   | 121  | Montgomery           | 7.00          | -0.88                       | 6.12                  | 760                                                    | MID                    | 2.82   | 3                | 3                             | 2.82      | 45.99%    | 1                        | 0.0                            |                               |
| 29   | 161  | Roanoke County       | 7.00          | -0.68                       | 6.32                  | 781                                                    | MID                    | 2.86   | 3                | 3                             | 2.86      | 45.23%    | 1                        | 0.0                            |                               |
| 30   | 173  | Smyth                | 5.00          | -1.45                       | 3.55                  | 431                                                    | MID                    | 1.53   | 2                | 2                             | 1.53      | 43.14%    |                          | 1.0                            |                               |
| 31   | 031  | Campbell             | 5.00          | -0.73                       | 4.27                  | 519                                                    | MID                    | 1.84   | 2                | 2                             | 1.84      | 42.96%    | 3                        | 0.0                            |                               |
| 32   | 077  | Grayson/Galax        | 3.00          | -0.67                       | 2.33                  | 233                                                    | SMALL                  | 0.99   | 1                | 1                             | 0.99      | 42.64%    |                          | 0.0                            |                               |
| 33   | 061  | Fauquier             | 5.00          | -0.55                       | 4.45                  | 532                                                    | MID                    | 1.81   | 2                | 2                             | 1.81      | 40.56%    | 2                        | 0.0                            |                               |
| 34   | 041  | Chesterfield         | 21.00         | -2.41                       | 18.59                 | 2,579                                                  | LARGE                  | 7.20   | 7                | 7                             | 7.20      | 38.72%    | 2                        | 0.0                            |                               |
| 35   | 063  | Floyd                | 2.00          | 0.00                        | 2.00                  | 194                                                    | SMALL                  | 0.77   | 1                | 1                             | 0.77      | 38.57%    | 1                        | 0.0                            |                               |
| 36   | 035  | Carroll/Galax        | 4.00          | -0.46                       | 3.54                  | 416                                                    | MID                    | 1.35   | 1                | 1                             | 1.35      | 38.24%    | 2                        | 0.0                            |                               |
| 37   | 171  | Shenandoah           | 4.00          | -0.68                       | 3.32                  | 388                                                    | MID                    | 1.25   | 1                | 1                             | 1.25      | 37.63%    | 1                        | 0.0                            |                               |

Commonwealth's Attorneys FY16 Staffing Standards - Assistant Attorneys - After Position Reallocation

| RANK | FIPS | LOCALITY                | # Pos<br>FY15 | Calculated<br>Reduction FTE | Tot Attys<br>Pos FY16 | CY13-14 AVG<br>FEL DEF &<br>AVG FY13-14 |                       | RATING | ADD'L POS<br>DUE | WHOLE                  | Remaining                     | Remaining         | % of Need<br>After Alloc | FY16 ASST         | UNFUNDED |
|------|------|-------------------------|---------------|-----------------------------|-----------------------|-----------------------------------------|-----------------------|--------|------------------|------------------------|-------------------------------|-------------------|--------------------------|-------------------|----------|
|      |      |                         |               |                             |                       | SENT EVENTS                             | ADD'L POS<br>DUE FY16 |        |                  | Whole Pos Due,<br>FY17 | Add'l Pos Due,<br>After Alloc | ATTY<br>REQUESTED |                          | ATTY<br>POSITIONS |          |
| 38   | 177  | Spotsylvania            | 9.00          | -1.14                       | 7.86                  | 918                                     | MID                   | 2.94   | 3                | 3                      | 2.94                          | 37.47%            | 1                        | 1.0               |          |
| 39   | 097  | King and Queen          | 1.00          | -0.45                       | 0.55                  | 53                                      | SMALL                 | 0.21   | 0                | 0                      | 0.21                          | 37.40%            |                          | 0.0               |          |
| 40   | 169  | Scott                   | 2.50          | -0.56                       | 2.94                  | 340                                     | MID                   | 2.06   | 2                | 1                      | 1.06                          | 36.21%            | 2                        | 0.0               |          |
| 42   | 085  | Hanover                 | 9.00          | -1.39                       | 7.61                  | 873                                     | MID                   | 2.66   | 3                | 3                      | 2.66                          | 35.00%            |                          | 1.0               |          |
| 43   | 197  | Wythe                   | 5.00          | -0.46                       | 4.54                  | 516                                     | MID                   | 1.54   | 2                | 2                      | 1.54                          | 33.87%            |                          | 0.0               |          |
| 44   | 101  | King William            | 1.00          | -0.15                       | 0.85                  | 79                                      | SMALL                 | 0.28   | 0                | 0                      | 0.28                          | 33.36%            |                          | 0.0               |          |
| 45   | 053  | Dinwiddie               | 3.50          | -0.66                       | 2.84                  | 263                                     | SMALL                 | 0.92   | 1                | 1                      | 0.92                          | 32.29%            | 2                        | 0.5               |          |
| 46   | 775  | Salem                   | 3.50          | -0.69                       | 2.81                  | 314                                     | MID                   | 0.89   | 1                | 1                      | 0.89                          | 31.63%            | 1                        | 0.0               |          |
| 47   | 047  | Culpeper                | 4.00          | -0.59                       | 3.41                  | 380                                     | MID                   | 1.06   | 1                | 1                      | 1.06                          | 31.06%            | 1                        | 0.0               |          |
| 48   | 149  | Prince George           | 3.50          | -0.38                       | 3.12                  | 285                                     | SMALL                 | 0.96   | 1                | 1                      | 0.96                          | 30.78%            | 1                        | 0.0               |          |
| 49   | 099  | King George             | 2.50          | -0.46                       | 2.04                  | 186                                     | SMALL                 | 0.61   | 1                | 1                      | 0.61                          | 29.90%            | 1                        | 0.5               |          |
| 50   | 005  | Alleghany/Covington     | 3.50          | -0.18                       | 3.32                  | 299                                     | SMALL                 | 0.95   | 1                | 1                      | 0.95                          | 28.61%            |                          | 0.0               |          |
| 51   | 059  | Fairfax/Fairfax City    | 26.00         | -1.98                       | 24.02                 | 3,846                                   | SUPER                 | 6.74   | 7                | 7                      | 6.74                          | 28.06%            | 10                       | 2.0               |          |
| 51   | 800  | Suffolk                 | 10.00         | -1.36                       | 8.64                  | 936                                     | MID                   | 2.36   | 2                | 2                      | 2.36                          | 27.33%            | 3                        | 0.0               |          |
| 52   | 810  | Virginia Beach          | 29.00         | -2.97                       | 26.03                 | 4,138                                   | SUPER                 | 7.07   | 7                | 7                      | 7.07                          | 27.18%            | 5                        | 0.0               |          |
| 53   | 770  | Roanoke City            | 13.00         | -0.96                       | 12.04                 | 1,520                                   | LARGE                 | 3.16   | 3                | 3                      | 3.16                          | 26.20%            | 2                        | 1.0               |          |
| 54   | 195  | Wise/Norton             | 8.00          | -0.56                       | 7.44                  | 794                                     | MID                   | 1.90   | 2                | 2                      | 1.90                          | 25.54%            | 2                        | 0.0               |          |
| 55   | 027  | Buchanan                | 4.50          | -0.26                       | 4.24                  | 448                                     | MID                   | 1.03   | 1                | 1                      | 1.03                          | 24.21%            | 1                        | 0.0               |          |
| 56   | 179  | Stafford                | 12.00         | -0.87                       | 11.13                 | 1,374                                   | LARGE                 | 2.60   | 3                | 3                      | 2.60                          | 23.37%            | 1                        | 0.0               |          |
| 57   | 550  | Chesapeake              | 22.00         | -2.58                       | 19.42                 | 2,377                                   | LARGE                 | 4.35   | 4                | 4                      | 4.35                          | 22.38%            | 5                        | 0.0               |          |
| 58   | 155  | Pulaski                 | 7.00          | -0.83                       | 6.17                  | 634                                     | MID                   | 1.30   | 1                | 1                      | 1.30                          | 21.04%            |                          | 0.0               |          |
| 59   | 105  | Lee                     | 4.00          | -1.04                       | 2.96                  | 304                                     | MID                   | 0.61   | 1                | 1                      | 0.61                          | 20.71%            | 1                        | 1.0               |          |
| 60   | 073  | Gloucester              | 4.00          | -0.56                       | 3.44                  | 290                                     | SMALL                 | 0.70   | 1                | 1                      | 0.70                          | 20.34%            | 1                        | 0.0               |          |
| 61   | 193  | Westmoreland            | 2.00          | 0.00                        | 2.00                  | 168                                     | SMALL                 | 0.40   | 0                | 0                      | 0.40                          | 19.76%            | 1                        | 0.0               |          |
| 62   | 095  | James City/Williamsburg | 5.00          | -0.18                       | 4.82                  | 489                                     | MID                   | 0.93   | 1                | 1                      | 0.93                          | 19.23%            | 1                        | 0.0               |          |
| 63   | 049  | Cumberland              | 1.00          | -0.07                       | 0.93                  | 77                                      | SMALL                 | 0.17   | 0                | 0                      | 0.17                          | 18.75%            | 1                        | 0.0               |          |
| 64   | 570  | Colonial Heights        | 5.00          | -0.95                       | 4.05                  | 405                                     | MID                   | 0.72   | 1                | 1                      | 0.72                          | 17.70%            | 1                        | 0.0               |          |
| 65   | 001  | Accomack                | 3.50          | -0.73                       | 2.77                  | 228                                     | SMALL                 | 0.48   | 0                | 0                      | 0.48                          | 17.39%            |                          | 0.0               |          |
| 66   | 165  | Rockingham/Harrisonburg | 10.00         | -0.95                       | 9.05                  | 1,059                                   | LARGE                 | 1.54   | 2                | 2                      | 1.54                          | 17.07%            | 3                        | 0.0               |          |
| 67   | 009  | Amherst                 | 4.00          | -0.63                       | 3.37                  | 334                                     | MID                   | 0.55   | 1                | 1                      | 0.55                          | 16.32%            |                          | 0.0               |          |
| 68   | 159  | Richmond County         | 1.00          | -0.12                       | 0.88                  | 71                                      | SMALL                 | 0.13   | 0                | 0                      | 0.13                          | 14.96%            | 1                        | 0.0               |          |
| 69   | 175  | Southampton/Franklin    | 4.00          | -0.72                       | 3.28                  | 320                                     | MID                   | 0.48   | 0                | 0                      | 0.48                          | 14.70%            |                          | 0.0               |          |
| 70   | 083  | Halifax                 | 5.00          | -0.52                       | 4.48                  | 429                                     | MID                   | 0.57   | 1                | 1                      | 0.57                          | 12.76%            | 1                        | 0.0               |          |
| 71   | 840  | Winchester              | 8.00          | -0.88                       | 7.12                  | 680                                     | MID                   | 0.88   | 1                | 1                      | 0.88                          | 12.39%            | 1                        | 1.0               |          |
| 72   | 113  | Madison                 | 1.00          | -0.14                       | 0.86                  | 67                                      | SMALL                 | 0.10   | 0                | 0                      | 0.10                          | 11.76%            | 1                        | 0.0               |          |
| 73   | 015  | Augusta                 | 6.00          | -0.30                       | 5.70                  | 540                                     | MID                   | 0.65   | 1                | 1                      | 0.65                          | 11.48%            | 1                        | 0.0               |          |
| 74   | 590  | Danville                | 10.00         | -0.89                       | 9.11                  | 1,005                                   | LARGE                 | 0.94   | 1                | 1                      | 0.94                          | 10.29%            |                          | 0.0               |          |

Commonwealth's Attorneys FY16 Staffing Standards - Assistant Attorneys - After Position Reallocation

| RANK | FIPS | LOCALITY                  | # Pos<br>FY15 | Calculated<br>Reduction | FTE | Tot Attys<br>Pos FY16 | CY13-14 AVG<br>FEL DEF &<br>AVG FY13-14 |        | RATING | ADD'L POS<br>DUE | WHOLE<br>ADD'L POS<br>DUE FY16 | Remaining<br>Whole Pos Due,<br>FY17 | Remaining<br>Add'l Pos Due,<br>After Alloc | % of Need<br>After Alloc | FY16 ASST<br>ATTY<br>REQUESTED | UNFUNDED<br>ATTY<br>POSITIONS |
|------|------|---------------------------|---------------|-------------------------|-----|-----------------------|-----------------------------------------|--------|--------|------------------|--------------------------------|-------------------------------------|--------------------------------------------|--------------------------|--------------------------------|-------------------------------|
|      |      |                           |               |                         |     |                       | SENT                                    | EVENTS |        |                  |                                |                                     |                                            |                          |                                |                               |
| 75   | 145  | Powhatan                  | 1.50          | -0.23                   |     | 2.27                  | 173                                     |        | SMALL  | 1.20             | 1                              | 0                                   | 0.20                                       | 9.01%                    | 2                              | 0.0                           |
| 76   | 153  | Prince William/Man/Man Pk | 22.00         | -2.27                   |     | 19.73                 | 2,145                                   |        | LARGE  | 1.72             | 2                              | 2                                   | 1.72                                       | 8.70%                    | 2                              | 2.0                           |
| 77   | 670  | Hopewell                  | 4.00          | -0.40                   |     | 3.60                  | 274                                     |        | SMALL  | 0.31             | 0                              | 0                                   | 0.31                                       | 8.57%                    |                                | 0.0                           |
| 78   | 520  | Bristol                   | 4.00          | -0.42                   |     | 3.58                  | 324                                     |        | MID    | 0.24             | 0                              | 0                                   | 0.24                                       | 6.58%                    | 2                              | 0.0                           |
| 79   | 131  | Northampton               | 2.00          | -0.74                   |     | 1.26                  | 93                                      |        | SMALL  | 0.07             | 0                              | 0                                   | 0.07                                       | 5.56%                    |                                | 0.0                           |
| 80   | 820  | Waynesboro                | 5.00          | -1.16                   |     | 3.84                  | 281                                     |        | SMALL  | 0.17             | 0                              | 0                                   | 0.17                                       | 4.31%                    | 1                              | 1.0                           |
| 81   | 023  | Botetourt                 | 4.00          | -0.43                   |     | 3.57                  | 317                                     |        | MID    | 0.15             | 0                              | 0                                   | 0.15                                       | 4.22%                    | 1                              | 0.0                           |
| 82   | 199  | York/Poquoson             | 5.00          | -0.75                   |     | 4.25                  | 372                                     |        | MID    | 0.13             | 0                              | 0                                   | 0.13                                       | 2.98%                    | 1                              | 0.0                           |
| 83   | 143  | Pittsylvania              | 6.00          | -0.84                   |     | 5.16                  | 448                                     |        | MID    | 0.11             | 0                              | 0                                   | 0.11                                       | 2.13%                    | 1                              | 0.0                           |
| 84   | 760  | Richmond City             | 32.00         | -4.80                   |     | 27.20                 | 3,466                                   |        | SUPER  | 0.53             | 1                              | 1                                   | 0.53                                       | 1.96%                    | 2                              | 0.0                           |
| 85   | 127  | New Kent                  | 2.00          | -0.15                   |     | 1.85                  | 131                                     |        | SMALL  | 0.03             | 0                              | 0                                   | 0.03                                       | 1.40%                    |                                | 0.0                           |
| 86   | 087  | Henrico                   | 24.00         | -2.32                   |     | 21.68                 | 2,195                                   |        | LARGE  | 0.27             | 0                              | 0                                   | 0.27                                       | 1.24%                    | 4                              | 0.0                           |
| 87   | 147  | Prince Edward             | 4.50          | -0.43                   |     | 4.07                  | 350                                     |        | MID    | 0.05             | 0                              | 0                                   | 0.05                                       | 1.11%                    | 1                              | 0.5                           |
| 88   | 680  | Lynchburg                 | 11.00         | -0.99                   |     | 10.01                 | 1,005                                   |        | LARGE  | 0.04             | 0                              | 0                                   | 0.04                                       | 0.44%                    | 2                              | 1.0                           |
| 89   | 025  | Brunswick                 | 3.00          | -0.46                   |     | 2.54                  | 177                                     |        | SMALL  | -0.01            | 0                              | 0                                   | (0.01)                                     | -0.35%                   | 1                              | 0.0                           |
| 90   | 540  | Charlottesville           | 6.00          | -1.01                   |     | 4.99                  | 420                                     |        | MID    | -0.05            | 0                              | 0                                   | (0.05)                                     | -0.96%                   | 1                              | 0.0                           |
| 91   | 740  | Portsmouth                | 19.00         | -2.17                   |     | 14.83                 | 1,447                                   |        | LARGE  | -2.36            | (2)                            | 0                                   | (0.36)                                     | -2.42%                   | 1                              | 0.0                           |
| 92   | 057  | Essex                     | 1.00          | -0.23                   |     | 1.77                  | 120                                     |        | SMALL  | 0.94             | 1                              | 0                                   | (0.06)                                     | -3.21%                   | 1                              | 0.0                           |
| 93   | 690  | Martinsville              | 5.00          | -1.19                   |     | 3.81                  | 310                                     |        | MID    | -0.16            | 0                              | 0                                   | (0.16)                                     | -4.24%                   | 2                              | 1.0                           |
| 94   | 079  | Greene                    | 1.00          | -0.08                   |     | 1.92                  | 128                                     |        | SMALL  | 0.90             | 1                              | 0                                   | (0.10)                                     | -5.12%                   | 1                              | 0.0                           |
| 95   | 007  | Amelia                    | 2.00          | -0.24                   |     | 1.76                  | 117                                     |        | SMALL  | -0.09            | 0                              | 0                                   | (0.09)                                     | -5.12%                   |                                | 0.0                           |
| 96   | 650  | Hampton                   | 13.00         | -1.49                   |     | 11.51                 | 1,075                                   |        | LARGE  | -0.76            | 0                              | 0                                   | (0.76)                                     | -6.59%                   | 4                              | 1.0                           |
| 97   | 700  | Newport News              | 22.00         | -2.53                   |     | 19.47                 | 1,808                                   |        | LARGE  | -1.40            | (1)                            | (1)                                 | (1.40)                                     | -7.17%                   | 6                              | 0.0                           |
| 98   | 013  | Arlington/Falls Church    | 13.00         | -1.87                   |     | 11.13                 | 870                                     |        | MID    | -0.89            | 0                              | 0                                   | (0.89)                                     | -8.04%                   | 1                              | 0.0                           |
| 99   | 157  | Rappahannock              | 1.00          | -0.13                   |     | 0.87                  | 56                                      |        | SMALL  | -0.07            | 0                              | 0                                   | (0.07)                                     | -8.24%                   | 1                              | 0.0                           |
| 100  | 019  | Bedford/Bedford City      | 6.00          | -0.40                   |     | 5.60                  | 431                                     |        | MID    | -0.52            | 0                              | 0                                   | (0.52)                                     | -9.32%                   |                                | 0.0                           |
| 101  | 081  | Greensville/Emporia       | 4.50          | -0.36                   |     | 4.14                  | 261                                     |        | SMALL  | -0.41            | 0                              | 0                                   | (0.41)                                     | -9.83%                   | 1                              | 0.5                           |
| 102  | 710  | Norfolk                   | 35.00         | -3.33                   |     | 28.67                 | 3,160                                   |        | SUPER  | -6.39            | (6)                            | (3)                                 | (3.39)                                     | -11.82%                  | 3                              | 0.0                           |
| 103  | 183  | Sussex                    | 2.00          | -0.21                   |     | 1.79                  | 110                                     |        | SMALL  | -0.21            | 0                              | 0                                   | (0.21)                                     | -11.86%                  |                                | 0.0                           |
| 104  | 730  | Petersburg                | 8.00          | -0.90                   |     | 7.10                  | 526                                     |        | MID    | -0.92            | 0                              | 0                                   | (0.92)                                     | -12.95%                  | 1                              | 1.0                           |
| 105  | 133  | Northumberland            | 2.00          | -0.20                   |     | 1.80                  | 109                                     |        | SMALL  | -0.24            | 0                              | 0                                   | (0.24)                                     | -13.50%                  |                                | 0.0                           |
| 106  | 043  | Clarke                    | 1.50          | -0.23                   |     | 1.27                  | 77                                      |        | SMALL  | -0.17            | 0                              | 0                                   | (0.17)                                     | -13.61%                  | 1                              | 0.0                           |
| 107  | 065  | Fluvanna                  | 2.00          | 0.00                    |     | 2.00                  | 116                                     |        | SMALL  | -0.34            | 0                              | 0                                   | (0.34)                                     | -16.90%                  |                                | 0.0                           |
| 108  | 510  | Alexandria                | 10.00         | -1.28                   |     | 8.72                  | 603                                     |        | MID    | -1.63            | (1)                            | (1)                                 | (1.63)                                     | -18.66%                  |                                | 0.0                           |
| 109  | 021  | Bland*                    | 1.00          | -0.10                   |     | 0.90                  | 51                                      |        | SMALL  | -0.17            | 0                              | 0                                   | (0.17)                                     | -18.69%                  |                                | 0.0                           |
| 110  | 125  | Nelson                    | 2.00          | -0.18                   |     | 1.82                  | 103                                     |        | SMALL  | -0.35            | 0                              | 0                                   | (0.35)                                     | -19.19%                  | 1                              | 0.0                           |
| 111  | 103  | Lancaster                 | 2.00          | -0.46                   |     | 1.54                  | 86                                      |        | SMALL  | -0.30            | 0                              | 0                                   | (0.30)                                     | -19.78%                  | 1                              | 0.0                           |
| 112  | 093  | Isle of Wight             | 4.00          | -0.47                   |     | 3.53                  | 196                                     |        | SMALL  | -0.73            | 0                              | 0                                   | (0.73)                                     | -20.56%                  |                                | 1.0                           |
| 113  | 115  | Mathews                   | 1.00          | -0.17                   |     | 0.83                  | 46                                      |        | SMALL  | -0.17            | 0                              | 0                                   | (0.17)                                     | -21.14%                  | 1                              | 0.0                           |
| 114  | 075  | Goochland                 | 2.00          | -0.16                   |     | 1.84                  | 100                                     |        | SMALL  | -0.42            | 0                              | 0                                   | (0.42)                                     | -22.73%                  |                                | 0.0                           |
| 115  | 011  | Appomattox                | 3.00          | -0.59                   |     | 2.41                  | 108                                     |        | SMALL  | -0.87            | 0                              | 0                                   | (0.87)                                     | -35.97%                  | 1                              | 0.0                           |

Commonwealth's Attorneys FY16 Staffing Standards - Assistant Attorneys - After Position Reallocation

| RANK   | FIPS | LOCALITY     | # Pos<br>FY15 | Calculated<br>Reduction FTE | Tot Attys<br>Pos FY16 | CY13-14 AVG<br>FEL DEF &<br>AVG FY13-14 |  | RATING | ADD'L POS<br>DUE | WHOLE<br>ADD'L POS<br>DUE FY16 | Remaining              |                               | % of Need<br>After Alloc | FY16 ASST<br>ATTY<br>REQUESTED | UNFUNDED<br>ATTY<br>POSITIONS |
|--------|------|--------------|---------------|-----------------------------|-----------------------|-----------------------------------------|--|--------|------------------|--------------------------------|------------------------|-------------------------------|--------------------------|--------------------------------|-------------------------------|
|        |      |              |               |                             |                       | SENT EVENTS                             |  |        |                  |                                | Whole Pos Due,<br>FY17 | Add'l Pos Due,<br>After Alloc |                          |                                |                               |
| 116    | 181  | Surry*       | 1.00          | -0.08                       | 0.92                  | 37                                      |  | SMALL  | -0.38            | 0                              | 0                      | (0.38)                        | -41.85%                  |                                | 0.0                           |
| 117    | 017  | Bath*        | 1.00          | -0.09                       | 0.91                  | 32                                      |  | SMALL  | -0.46            | 0                              | 0                      | (0.46)                        | -50.00%                  |                                | 0.0                           |
| 118    | 036  | Charles City | 1.00          | -0.10                       | 0.90                  | 30                                      |  | SMALL  | -0.47            | 0                              | 0                      | (0.47)                        | -52.69%                  |                                | 0.0                           |
| 119    | 091  | Highland*    | 1.00          | -0.30                       | 0.70                  | 11                                      |  | SMALL  | -0.55            | 0                              | 0                      | (0.55)                        | -78.37%                  |                                | 0.0                           |
| 120    | 045  | Craig*       | 1.00          | -0.09                       | 0.91                  | 8                                       |  | SMALL  | -0.80            | 0                              | 0                      | (0.80)                        | -87.99%                  |                                | 0.0                           |
| TOTALS |      |              | 717           | (91)                        | 626.21                | 68,956                                  |  |        | 115              | 130                            | 130                    | 115                           | -87.99%                  | 151                            | 27                            |

**County of Frederick, Virginia**

**Position Details**

|                                                                                |                          |                               |
|--------------------------------------------------------------------------------|--------------------------|-------------------------------|
| Position Title: Assistant Commonwealth's Attorney                              |                          | Date Position Created:        |
| Department: Commonwealth's Attorney                                            |                          | Reports To: Ross P. Spicer    |
| <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt | Date Prepared: 1/29/2016 | Prepared By: Randi W. Wilkins |
| Range:                                                                         | Grade:                   | Salary:                       |
| G/L Line Item: 1001-004, 005, 013, 050                                         |                          |                               |

**Job Description**

**Job Purpose:** Performs complex prosecutorial legal services for the Commonwealth. Prepares and researches criminal cases involving complex issues of constitutional law, evidence, and trial strategy in all courts of the Commonwealth, State, and Federal. Advises County and State law enforcement officials on a wide variety of problems having legal implications. Performs related duties as assigned.

**Essential Functions**

- With minimal supervision: Effectively prosecute complex criminal cases, including necessary research, witness interview, negotiations with opposing counsel, preparation of jury instruction, and presentation of cases at trial
- Uses tact and discretion in order to establish effective relationships with other judicial agencies, victims, witnesses, and law enforcement officials, adequately documenting in writing all actions and providing sufficient justification to support recommendations
- Prepare legal briefs and memoranda of law
- Prepare cases for trial including interview witnesses
- Prepare case evaluations
- Prepare discovery and Bills of Particulars
- Provide advice to law enforcement officers and County and State officials

**Job Requirements:**

**Education:** Active Membership in good standing in the Virginia State Bar. Completion of continuing education courses in all categories of criminal law.

**Experience:** Four years of experience as a criminal prosecutor or three years of experience as a criminal prosecutor and two additional years of experience in general practice law, or equivalent combination of education and experience and training which provides the required knowledge, skills, and abilities.

**Knowledge/Skills:** Thorough knowledge and use of the principles, practices, and procedures of law, particularly criminal law and procedure. Knowledge of legal research methodology. Knowledge and use of the Code of Professional Responsibility for Attorneys. Knowledge and use of principles, practices and procedures of local and State law and Court decisions. Knowledge of County ordinances. Knowledge and use of Rules of Evidence. Skilled in trial tactics and trial strategy. Ability to speak extemporaneously and persuasively. Ability to prepare and present a variety of clear and concise reports. Ability to express complex ideas orally and in writing. Ability to establish and maintain effective, professional working relationship with co-workers, law enforcement officers, County and State official's agencies and the general public and possess professional telephone etiquette.

**Working Conditions:**

**Physical Demands:**

**Supervisory Responsibilities:**

|                                   |                                                       |
|-----------------------------------|-------------------------------------------------------|
| Number of Employees Supervised: 0 | Number of Subordinate Supervisors Reporting to Job: 0 |
|-----------------------------------|-------------------------------------------------------|

| Approvals:                     |       |
|--------------------------------|-------|
| Department Director:           | Date: |
| HR Director:                   | Date: |
| Finance Director:              | Date: |
| County Administrator:          | Date: |
| Board of Supervisors Approval: | Date: |

## County of Frederick, Virginia

### Position Details

|                                                                                |                          |                            |
|--------------------------------------------------------------------------------|--------------------------|----------------------------|
| Position Title: Legal Secretary                                                |                          | Date Position Created:     |
| Department: Commonwealth's Attorney                                            |                          | Reports To: Ross Spicer    |
| <input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non-Exempt | Date Prepared: 1/28/2016 | Prepared By: Randi Wilkins |
| Range:                                                                         | Grade:                   | Salary:                    |
| G/L Line Item: 1001-046                                                        |                          |                            |

### Job Description

**Job Purpose:** Performs skilled legal secretarial work. Assists in a variety of duties crucial to the department's daily functions. Performs related duties assigned. Work is performed under direct supervision of the Commonwealth's Attorney or his designee

### Essential Functions

- Create, prepare, and maintain misdemeanor appeal files in Circuit Court
- Procure all information needed for prosecution in misdemeanor appeal files
- Subpoena all Commonwealth witnesses for misdemeanor appeal files in Circuit Court
- Obtain driving records and criminal histories for Circuit Court files
- Log and distribute laboratory analysis
- Search for and secure attested copies of conviction orders for Circuit Court
- Process requests for continuances and record/update changes for misdemeanor appeal files
- Prepare Motions and Notices in misdemeanor appeal files in Circuit Court
- Pull and prepare files for misdemeanor appeals in Circuit Court and distribute to Attorneys
- Maintain filing system for Circuit Court
- Maintain electronic database for misdemeanor appeal files in Circuit Court
- Receive and process evidence destruction orders
- Request, prepare, maintain available officer court date calendars
- Assists with answering telephones, greeting the public, witnesses, and attorneys
- Process and distribute incoming and outgoing mail

### Job Requirements:

**Education:** Any combination of education and experience equivalent to graduation from a high school, supplemented by practical legal/secretarial, clerical and computer experience performed in a professional legal/court environment or related experience in a similar environment considered.

### Experience:

**Knowledge/Skills:** Thorough knowledge and use of standard legal/secretarial office practices and procedures. Ability to process and prepare a variety of legal documents and other general correspondence, possess research skills and maintain accurate records and files. Ability to work independently under strict deadlines, follow verbal instruction, work from marginal notes or drafts, and possess excellent organizational skills. Thorough knowledge and use of business English and legal terminology. Possess good computer skills and ability to learn and use multiple law enforcement programs. Proficient in the use of standard office equipment. Ability to maintain a high level of confidentiality. Ability to establish and maintain professional and effective working relationships with co-workers, attorneys, court employees, law enforcement, other agencies, and the general public and possess professional telephone etiquette.

### Working Conditions:

#### Physical Demands:

**Supervisory Responsibilities:****Number of Employees Supervised: 0****Number of Subordinate Supervisors Reporting to Job: 0****Approvals:**

Department Director:

Date:

HR Director:

Date:

Finance Director:

Date:

County Administrator:

Date:

Board of Supervisors Approval:

Date:



Tamara Green  
Director

FREDERICK COUNTY  
DEPARTMENT OF SOCIAL SERVICES

107 N. KENT STREET, THIRD FLOOR  
WINCHESTER, VA 22601

(540) 665-5688

(540) 535-2146 FAX

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## Memorandum

To: Finance Committee/Cheryl Shiffler  
Human Resources/Becky Merriner

From: Tamara Green, Director

Date: 11-27-17

Re: Request for Family Services Worker II

---

The Frederick County Department of Social Services is requesting an additional Family Services Worker II for our Adult Services Unit. Upon recommendation from our Administrative Board this memo provides justification for the position request.

FCDSS currently has five full time Family Service Worker II's that work with the elderly and disabled population. The average caseload currently per worker is 185. From January 1, 2017 to October 31, 2017, the Adult Services unit received 789 new cases. In addition, to the pure volume of the caseloads, we also have increased challenges due to the complexity of the cases received (financial exploitation, self-neglect, and neglect by caregivers), meeting documentation requirements, cases involved with the legal system, retaining qualified staff and decreasing staff burnout. Our Department continues to struggle to meet the mandated services we are required to provide to the aging and disabled population of Frederick County.

The impact on our budget to increase our staff by one Family Services Specialist worker for salary and fringes would be a total dollar amount of \$72,030 (\$20,888 Federal/State + \$51,142 Local).

My sincere appreciation for your time and consideration.

Tamara Green, Director



MEMORANDUM

**TO:** Human Resources Committee  
**FROM:** Joe C. Wilder, Director of Public Works *JCW*  
**SUBJECT:** Request for Two (2) Full-Time Positions Within the Public Works Department  
**DATE:** November 30, 2017

---

In preparation of the Fiscal Year 2019 budget, we are proposing to add two (2) new full-time positions within the Public Works Department. I will summarize both requests below.

1. Refuse Collection Budget            10-4203-000-000  
New Position: Assistant Convenience Site Supervisor  
Salary Range: 4                            Starting Salary: \$33,506.00

I have attached a justification memorandum from Gloria Puffinburger, Solid Waste Manager, detailing the performance of our current part-time site attendant who could perform these duties. This individual has been with Frederick County on a part-time basis for five years. We have also provided a job description for the position. By providing this full-time position, it will help the department in continuing to meet the growing demands of needed waste collection services within the county.

**(Attachment 1)**

2. Animal Shelter Budget            10-4305-000-000  
New Position: Animal Caretaker  
Salary Range: 2                            Starting Salary: \$26,673.00

I have attached a justification memorandum from Kathy Whetzel, Animal Shelter Manager, detailing our request to add an addition full-time Animal Caretaker position in the Fiscal Year 2019 budget. Due to increasing services needed to provide staffing for the Animal Shelter, and the need to expand our services regarding outreach, medical needs of animals, etc., this requested position will help the shelter to continue

Request for Two Full-Time Positions

Page 2

October 13, 2017

to meet state requirements. We have provided a revised job description as well to show the various job functions an Animal Caretaker must perform.  
(Attachment 2)

We request your consideration for both of these new job position requests. Staff will be in attendance at the Human Resources Committee meeting being held on Friday, December 8, 2017 to answer any questions.

JCW/kco

Attachments: as stated

cc: Kris Tierney, County Administrator  
Jay Tibbs, Deputy County Administrator  
Kathy Whetzel, Animal Shelter Manager  
Gloria Puffinburger, Solid Waste Manager  
file



**COUNTY of FREDERICK**

**Department of Public Works**

**540/665-5643**

**FAX: 540/678-0682**

**MEMORANDUM**

**TO:** Becky Merriner  
Director of Human Resources

**FROM:** Gloria Puffinburger  
Solid Waste Manager

**THROUGH:** Joe C. Wilder  
Director of Public Works

**SUBJECT:** Assistant Convenience Site Supervisor;  
Refuse Collection (4203) Budget

**DATE:** November 29, 2018

---

Staff is requesting that the position of Assistant Convenience Site Supervisor be added to the FY 2018/19 Refuse Collection (4203) budget.

This individual has been employed for five years as a part-time site attendant. Since July, he has worked directly with the solid waste coordinator, assisting with the maintenance of equipment and grounds and operating compactor sites as necessitated by short staffing. He has also begun assuming weekend on-call duties and has cross-trained as a litter crew supervisor. During this time, he has demonstrated that he is dependable, has the ability to operate many types of equipment, and flexible enough to handle a variety of duties both with and without supervision. This winter, he will again assist with snow removal.

Creation of a full-time position with benefits will afford the county an opportunity to retain an employee that is capable of not only functioning as a site attendant when needed, but assisting the solid waste coordinator on a daily basis with equipment maintenance, grounds upkeep and the supervision of site attendants.

If approved, one part-time floater position (30 hours/week) will be eliminated in order to offset this cost in the 4203 (Refuse Collection) budget. With fringe benefits, \$52,508 will be required to fund this position and is already included in the 4203 (Refuse Collection) budget

cc: file

**County of Frederick, Virginia****Position Details**

|                                                                                |                         |                                           |  |
|--------------------------------------------------------------------------------|-------------------------|-------------------------------------------|--|
| Position Title: Assistant Conv Site Supervisor                                 |                         | Date Position Created:                    |  |
| Department: Public Works                                                       |                         | Reports To: G. Puffinburger & R. Devinney |  |
| <input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non-Exempt | Date Prepared: 11/28/17 | Prepared By: GMP                          |  |
| Range: min                                                                     | Grade: R4               | Salary: 33,506                            |  |
| G/L Line Item: 10-4203-1001-000-003                                            |                         |                                           |  |

**Job Description**

**Job Purpose:** Responsible for assisting solid waste coordinator in performance of duties. Also responsible for on-call weekend duties and supervision of site attendants.

**Essential Functions**

- Operate trash compactor as necessitated by vacancies – assist residents; traffic control; police illegal dumping; enforce dumping regulations; assist refuse hauler; litter pickup; monitor recycling area
- Assist solid waste coordinator in function of daily duties such as mowing, grass and tree trimming, snow and ice removal, fence repair, asphalt patching, building repair and maintenance, power washing compactors, painting and priming of equipment, welding, etc.
- Address personnel issues with site attendants as requested by solid waste coordinator
- Serve as evening and weekend contact person on behalf of solid waste coordinator as-needed
- Coordinate waste pulls with hauler as needed
- Supervise litter crew as required
- Other duties as assigned

**Job Requirements:**

**Education:** HS diploma or equivalent

**Experience:** minimum one year in general building and equipment maintenance and operation

**Knowledge/Skills:** Possess valid driver's license. Ability to understand and follow specific oral and written instructions. Ability to safely operate small engine and large equipment such as mowers, trimmers, blowers, snow throwers, trucks, trailers, dump trucks, snow plows, tractors, skid steers, etc. Ability to establish and maintain effective working relationships with co-workers, subordinates and the general public. Ability to work unsupervised and in unfavorable weather conditions, emergency situations and work flexible schedules including holidays/weekends. Must be dependable, trustworthy and self-motivated.

**Working Conditions:**

**Physical Demands:** Ability to perform manual labor and lift up to 50 pounds for extended periods of time. Ability to work unsupervised and in unfavorable weather conditions, emergency situations and work flexible schedules including holidays/weekends.

**Supervisory Responsibilities:****Number of Employees Supervised: 0****Number of Subordinate Supervisors Reporting to Job: 0****Approvals:**

Department Director:

Date:

HR Director:

Date:

Finance Director:

Date:

County Administrator:

Date:

Board of Supervisors Approval:

Date:

**COUNTY of FREDERICK**

Department of Public Works

540/665-5643

FAX: 540/678-0682

**MEMORANDUM**

**TO:** Becky Merriner  
Director of Human Resources

**FROM:** Kathy Whetzel  
Animal Shelter Manager

**THROUGH:** Joe C. Wilder  
Director of Public Works

**SUBJECT:** Animal Caretaker;  
Animal Shelter (4305) Budget

**DATE:** November 29, 2018

---

The animal shelter is requesting an animal caretaker position for FY 2019 budget. This position is an R2 salary range with a starting salary of \$26,673. Benefits for this position total \$17,212 with a total cost of \$43,885.

The addition of a caretaker would:

- Alleviate staff shortages when employees need to take leave.
- Free senior staff from cleaning duties to better assist the visiting public.
- Allow staff to accept more requests for public events.
- Improve the quality of care provided to shelter animals (intake exams, training, assessments, enrichment, etc.).
- Staff and utilize the new recreation center.

The animal shelter has an excellent partnership with the Community Correction Program. Inmate volunteers work alongside staff for an approximate value of \$100,000 per year at the part time rate. Although a valuable program, Inmates are unskilled, short term, and require close supervision. The jail does not always have enough candidates to fill our needs.

An additional full-time caretaker is needed to stay current with the level of service expected of animal shelters. Staff have additional duties with the new medical protocols and transporting animals to be neutered.

We have also provided the chart below that looks at regional municipalities and their population, animals taken in on a yearly basis and their full and part-time. As you can see, we take in more animals than any other locality shown in chart.

We submit this request for an additional full-time Animal Caretaker position to be included in the FY 2019 budget.

| LOCALITY   | POPULATION | ANIMALS YEARLY | FULL TIME | PART TIME | INMATE LABOR |
|------------|------------|----------------|-----------|-----------|--------------|
| Frederick  | 80,296     | 2771           | 7         | 3         | 3 or 4       |
| Loudoun    | 337,248    | 2532           | 17        | 1         | None         |
| Warren     | 38,037     | 1530           | 6         | 14        | None         |
| Winchester | 26,203     | 1224           | 4         | 22        | 2            |
| Clarke     | 14,321     | 647            | 3         |           | 2            |
| Shenandoah | 42,614     | 629            | 4         | 3         | None         |

**County of Frederick, Virginia****Position Details**

Position Title: Animal Caretaker

Date Position Created:

Department: Animal Shelter/Public Works

Reports To: Animal Shelter Manager

 Exempt  Non-Exempt

Date Prepared:

Prepared By: JCW

Range: 2

Grade:

Salary: \$26,673

G/L Line Item: 4-010-043050-

**Job Description**

**Job Purpose:** Performs routine, skilled manual work. Performs related duties as assigned. Work is performed under immediate supervision by the Animal Shelter Manager or his/her designee.

**Essential Functions**

- Cleans runs, cages and equipment daily in accordance with shelter protocol in compliance with the state regulations;
- Performs general janitorial and ground maintenance duties;
- Keeps all equipment and tools in a neat and orderly manner and good working order;
- Feeds waters, and performs general care of impounded animals. Performs or assists in giving vaccinations to impounded animals;
- Assist or performs euthanasia of impounded animals as necessary. Delivers bills and paperwork to main office;
- Picks up supplies for shelter;
- Transports animals to and from the veterinarian and special events;
- Ability to work flexible schedule including holidays and weekends often on an on-call basis;
- Monitors animal population for illness or injury and administers medication as needed in accordance with shelter protocol or at the order of the veterinarian;
- Performs diagnostic testing as needed to identify illness in shelter animals;
- Meets with members of the public having business with the shelter;
- Processes paperwork related to shelter operation as needed;
- Assists with special events, media promotion, and shelter events.

**Job Requirements:**

**Education:** High School Diploma. Ability to achieve certification in animal euthanasia required.

**Experience:** Some experience in performance of heavy manual work desirable. Experience in working in the shelter environment desirable.

**Knowledge/Skills:** Possess valid driver's license. Certification in euthanasia required. Rabies and hepatitis vaccinations required. Ability to establish and maintain an effective working relationship with co-workers and the ability to deal effectively with the general public. Knowledge of breeds of animals, Knowledge of in handling techniques of animals. Ability to work flexible schedule including holidays and weekends.

**Working Conditions:**

**Physical Demands:** Walking, talking, stooping, kneeling, bending, reaching, and gripping. Incumbent may be required to move and lift up to 50 lbs. on a frequent basis; position requires the ability to stand and walk for long periods of time; Ability to perform manual labor for extended periods of time, often under unfavorable weather conditions.

**Supervisory Responsibilities:****Number of Employees Supervised: 4****Number of Subordinate Supervisors Reporting to Job:****Approvals:**

Department Director:

Date:

HR Director:

Date:

Finance Director:

Date:

County Administrator:

Date:

Board of Supervisors Approval:

Date:



COUNTY OF FREDERICK, VIRGINIA

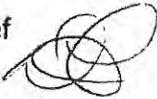
FIRE AND RESCUE DEPARTMENT

1080 Coverstone Drive  
Winchester, VA 22602

Dennis D. Linaburg  
Fire Chief

MEMORANDUM

**TO:** Becky Merriner  
HR Director

**FROM:** Dennis D. Linaburg, Chief  
Fire & Rescue 

**SUBJECT:** Staffing Request – FY19

**DATE:** November 29, 2017

The Frederick County Fire and Rescue Department has requested four (4) additional uniformed positions in the upcoming Fiscal Year 2019 Budget. The additional positions bring the Department's total personnel requests to twenty (20).

Two (2) of the requested positions would be additional field positions, bringing the total requested Operational Firefighter/EMTs to 14. The additional positions would:

- ✓ Allow FY18 initiative to increase minimum staffing at Stephens City & Greenwood
  - Increase staffing at busiest stations
    - FY18: Stephens City & Greenwood
    - FY19: Relief Staff
    - FY20: Round Hill & Millwood Station
- ✓ Allow multiple units from one station to respond to calls for service;
  - Decrease response times within 1<sup>st</sup> Due areas
- ✓ Address safety concerns due to understaffing
- ✓ Decrease the dependence of mutual aid resources;
- ✓ Address coverage for Vacation, Sick, Injury / FMLA & Training Leave
- ✓ Alleviate Overtime coverage for unexpected leave;
- ✓ Address demands of current staffing model;
- ✓ Improve employee morale;
- ✓ Decrease employee injuries.

We must come to the realization that the current staffing levels and minimum station staffing is not meeting the needs of our citizens. As the County continues to grow, the demands on staffing will continue to increase and the need to expand is evident. Insuring the safety of our personnel, obtaining an acceptable level of service, and meeting new standards adopted by State and Federal agencies are the immediate challenges facing our Fire and Rescue Department.

In the current position allocation chart, the Department has listed one (1) backfilled position for the creation of a Captain – EMS Supervisor. After careful consideration, it was realized that each shift needed additional supervision to relieve some of the demands on the Battalion Chief, who is currently responsible for supervising more than 30 employees daily.

The remaining two (2) positions would be utilized as backfill positions to allow for three (3) promotions to Captain – EMS *Shift* Supervisor. There are no established career positions for EMS supervisory personnel within the combined system which is a critical component of emergency services. These additional positions will:

- ✓ Relieve the DC of Operations of protocol compliance and on-scene provider competency;
- ✓ Provide patient-care oversight, serve as day-to-day liaisons with hospital staff and the OMD;
- ✓ Redistribute Battalion Chief response areas;
  - Address span of control for current Battalion Chiefs;
- ✓ Provide patient-care oversight and monitor critical components of the EMS system;
- ✓ Monitor Protocol Compliance, ensuring positive EMS delivery system wide;
  - Establish quality program indicators to monitor provider quality and competence;
  - Provide direct field observation during EMS responses to monitor delivery;
  - Work directly with EMS providers to improve skills and provide mentoring as needed.
- ✓ Improve Medical Control while working with the Incident Commander allowing for seamless ICS results.

We are now requesting the HR Committee's consideration for this additional request in personnel. If you have any questions or need additional information regarding this request, please do not hesitate to contact me so I may further discuss it with you.

DDL/mhn

F



Finance Department  
**Cheryl B. Shiffler**  
Director

540/665-5610  
Fax: 540/667-0370  
E-mail: cshiffle@fcva.us

**TO:** Board of Supervisors  
**FROM:** Finance Committee  
**DATE:** December 20, 2017  
**SUBJECT:** Finance Committee Report and Recommendations

---

A Finance Committee meeting was held in the First Floor Conference Room at 107 North Kent Street on Wednesday, December 20, 2017 at 8:00 a.m. All members were present.  Items 1 and 2 were approved under consent agenda.  Items 4 and 5 do not require Board action. A budget work session immediately followed.

**FINANCE COMMITTEE**

1.  The Fire & Rescue Chief requests a General Fund supplemental appropriation in the amount of \$11,441. This amount represents unbudgeted Aid-to-Localities funds received. No local funds required. See attached memo, p. 3 – 4.
2.  The Sheriff requests a General Fund supplemental appropriation in the amount of \$7,082.64. This amount represents auto claim reimbursements. No local funds required. See attached memos, p. 5 – 8.
3. The Sheriff requests a General Fund supplemental appropriation in the amount of \$36,207.35. This amount represents reimbursements from the State – ICAC. No local funds required. See attached memo, p. 9 – 10. The committee recommends approval.
4.  The Sheriff requests a reallocation of funds previously approved for equipment. See attached memo, p. 11 – 12. The committee endorsed the request.
5.  The Airport Executive Director provides aircraft and ramp fee information as requested by the committee. See attached information, p. 13 – 18. The committee determined the information to be sufficient.

**BUDGET WORK SESSION**

1. Discussion on the FY 2019 budget.

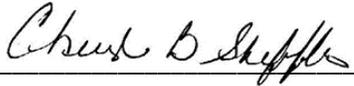
**INFORMATION ONLY**

1. The Finance Director provides a Fund 10 Transfer Report for November 2017. See attached, p. 19.
2. The Finance Director provides financial statements ending November 30, 2017. See attached, p. 20 – 30.
3. The Finance Director provides an FY 2018 Fund Balance Report ending December 13, 2017. See attached, p. 31.

Respectfully submitted,

FINANCE COMMITTEE

Judith McCann-Slaughter, Chairman  
Charles DeHaven  
Gary Lofton  
Angela Rudolph  
Jeffrey Boppe

By 

Cheryl B. Shiffler, Finance Director



COUNTY OF FREDERICK, VIRGINIA

FIRE AND RESCUE DEPARTMENT

1080 Coverstone Drive  
Winchester, VA 22602

Dennis D. Linaburg  
Fire Chief

MEMORANDUM



**TO:** Cheryl Shiffler, Director  
Finance Department

**FROM:** Dennis D. Linaburg, Chief *DDL/msn*  
Fire and Rescue Department

**SUBJECT:** Request for Revenue Funds

**DATE:** December 1, 2017

The FY14 Aid-to-Localities funds have been received with an overage of \$11,441.00. I respectfully request these funds be transferred from 3-010-024040-013 (Emergency Services Fire Programs) for us to move forward with distributing the funds to the eleven volunteer companies.

**Total Request: \$11,441.00**

I request these funds be placed into line item 4-010-032020-5604-049, Fire Programs. If you have any questions or need additional information regarding this request, please do not hesitate to contact me so I may further discuss this with you.

DDL:msn  
CC: file

Limit Search N From/To Date: 00000000 / 99999999

Company No: 001 Account Number: 3010 2404 13 Period:  
EMERGENCY SERVICES FIRE PROGRAM

| <u>Budget Amount</u> | <u>Year To Date</u> | <u>Encumbrances</u> | <u>Balance</u> |
|----------------------|---------------------|---------------------|----------------|
| \$240,000.00-        | \$251,441.00-       | \$ .00              | \$11,441.00    |

| <u>Date</u> | <u>Source</u> | <u>Reference Number</u> | <u>PO#</u> | <u>Amount</u> | <u>Period</u> |
|-------------|---------------|-------------------------|------------|---------------|---------------|
| 09282017    | CS 1          | 20170928                |            | \$251,441.00- | 201709        |
| *****       |               | G/L Year-To-Date-       |            | \$251,441.00- |               |
| *****       |               | Encumbrance-            |            |               |               |
| *****       |               | A/P Holding File-       |            |               |               |
| *****       |               | P/R Holding File-       |            |               |               |

More...

F3=Exit

F5=Print

F19=Page Left

F20=Page Right

# FREDERICK COUNTY SHERIFF'S OFFICE



Sheriff Lenny Millholland

Major Steve A. Hawkins

1080 COVERSTONE DRIVE  
WINCHESTER, VIRGINIA 22602

540-662-6168  
FAX 540-504-6400



TO : Cheryl Shiffler Director of Finance  
FROM : Sheriff Lenny Millholland  
DATE : December 1, 2017  
SUBJECT : Insurance Reimbursement

---

We are requesting the insurance check received in the amount of \$3,875.84 for the auto claim involving Deputy Fletcher dated October 30, 2017 be appropriated into our budget line of 3102-3004-000-002.

Thank you

LWM/adl

C.S. 12/7/17  
3-010-018990-0001



**VACORP**

November 17, 2017

Frederick County  
Attn: Jennifer Place  
107 North Kent Street  
Winchester, VA 22601

1315 Franklin Road, SW  
Roanoke, Virginia 24016

540.345.8500

toll free 888.822.6772

fax 540.345.5330

toll free 877.212.8599

VA Association of Counties Group Self-Insurance Risk Pool

Participant: Frederick County

Claim Number 0342017198338

Date of Loss: 10/30/2017

Dear Jennifer Place,

Enclosed please find a VACORP property damage check in the amount of \$3,875.84. This check is for cost related to the repair on the 2014 Ford Taurus Vin # 4872. This amount was determined by the repair cost \$4,375.84- \$500.00 (deductible) = \$3,875.84

If you should have any questions regarding this payment, please do not hesitate to contact our office.

Sincerely,

Jennifer Williams  
Claims Associate

Enclosed: check

# FREDERICK COUNTY SHERIFF'S OFFICE



Sheriff Lenny Millholland

Major Steve A. Hawkins

1080 COVERSTONE DRIVE  
WINCHESTER, VIRGINIA 22602

540-662-6168  
FAX 540-504-6400



TO : Cheryl Shiffler Director of Finance  
FROM : Sheriff Lenny Millholland  
DATE : November 20, 2017  
SUBJECT : Insurance Reimbursement

---

We are requesting the insurance check received in the amount of \$3,206.80 for the auto claim involving Deputy Fletcher dated October 19, 2017 be appropriated into our budget line of 3102-3004-000-002.

Thank you

LWM/adl

C.S. 11/21/17  
3-010-018990-0001



**VACORP**

1315 Franklin Road, SW  
Roanoke, Virginia 24016

540.345.8500  
toll free 888.822.6772  
fax 540.345.5330  
toll free 877.212.8599

November 10, 2017

Frederick County  
Attn: Jennifer Place  
107 North Kent Street  
Winchester, VA 22601

VA Association of Counties Group Self-Insurance Risk Pool

Participant: Frederick County  
Claim Number 0342017197601  
Date of Loss: 10/20/2017  
19

Dear Jennifer Place,

Enclosed please find a VACORP property damage check in the amount of \$3,206.80. This check is for cost related to the repair on the 2014 Ford Interceptor Vin # 6465. This amount was determined by the repair cost \$3,706.80- \$500.00 (deductible) = \$3206.80

If you should have any questions regarding this payment, please do not hesitate to contact our office.

Sincerely,

Jennifer Williams  
Claims Associate

Enclosed: check

# FREDERICK COUNTY SHERIFF'S OFFICE



Sheriff Lenny Millholland

Major Steve A. Hawkins

1080 COVERSTONE DRIVE  
WINCHESTER, VIRGINIA 22602

540-662-6168  
FAX 540-504-6400



To : Cheryl Shiffler, Director of Finance  
From : Sheriff Lenny Millholland  
Subject : Appropriation of Funds  
Date : November 21, 2017

We are requesting the funds received and deposited in the revenue line 3-010-2404-0030 on November 7, 2017 in the amount of \$36,207.25 be appropriated as follows:

3102-3004-000-002 - \$35,402.00 Purchase of Jeep for Killian)

3102-5401-000-000 - \$805.35 (Office Supplies)

This amount represents reimbursement from the State – ICAC. Attached please find copies of the expenses submitted by Inv. Killian for his quarterly reporting to ICAC

Thank you.

LWM/adl

C.S. 11/7/17



# Frederick County Sheriff's Office

Sheriff Lenny Millholland



Major Steve A. Hawkins

1080 Coverstone Drive  
Winchester, Virginia 22602

Office (540) 662-6168  
Fax (540) 504-6400

TO: Cheryl Shiffler

FROM: Sheriff Lenny Millholland

A handwritten signature in blue ink, appearing to be 'Lenny Millholland', written over the printed name.

DATE: December 12, 2017

REF: Finance Committee

The Frederick County Sheriff's Office is requesting that the Finance Committee consider allowing \$39,050.00 of the \$52,905.00, which was allocated for powered equipment for new vehicles, to remain in 8005-line item (Motor Vehicle and Equipment) with the remainder \$13,855.00 being transferred to 5408-line item (Vehicle and Powered Equipment). The purpose of this request is to purchase a 2018 Chevy Tahoe which will be utilized as a Patrol Supervisors Response Vehicle to handle incident command management during a major event/incident to enhance communications and personnel accountability.

The Frederick County Sheriff's Office has also requested that \$1,500.00 of State Forfeiture assets be transferred to the 8005-line item (Motor Vehicle and Equipment) to supplement the remaining balance after all purchase orders have been processed, to purchase a specialty response vehicle for the Dive Team to support and enhance rescue and recovery operations. Due to the capabilities and additional equipment assigned to this vehicle, it can be utilized during crime scene operations and search and rescue operations.

SHERIFF VEHICLES

|                              |              |             |                                                      |
|------------------------------|--------------|-------------|------------------------------------------------------|
| Approved budget original     | 377,179.40   |             | 14 VEHICLES                                          |
| Oct supplement vehicles      | 86,400.00    |             | 3 VEHICLES                                           |
|                              |              | 463,579.40  | 17 VEHICLES                                          |
| Purchased                    | (451,857.50) |             | (16 VEHICLES)                                        |
|                              |              | 11,721.90   | 1 VEHICLE                                            |
| Pending Purchases - proposed |              |             |                                                      |
| Tactical Vehicle             | (13,500.00)  |             |                                                      |
| txf from forf assets         | 1,500.00     |             |                                                      |
| Tahoe                        | (39,050.00)  |             | (1 VEHICLE)                                          |
|                              | (51,050.00)  | (39,328.10) | 0                                                    |
| Oct supplement equipment     | 52,905.00    |             | funds not needed for equip as originally requested * |
|                              |              | 13,576.90   | #                                                    |

\* have realized savings in equipment purchases due to improved purchasing methods

| PROPOSAL             |             |           |                                                           |
|----------------------|-------------|-----------|-----------------------------------------------------------|
| AS/400 BALANCE       | 65,126.90   |           | 4-010-31020-8005-000-000 - as of 12/14/17                 |
|                      |             | 65,126.90 |                                                           |
| Tactical Vehicle     | (13,500.00) |           | proposed - purchase partially with asset forfeiture funds |
| TXF from forf assets | 1,500.00    |           | proposed                                                  |
| Tahoe                | (39,050.00) |           | proposed - purchase with Oct supplement for equip *       |
|                      | (51,050.00) | 14,076.90 | #                                                         |
| TXF to equip         | (13,855.00) |           | remainder of Oct supplement for equip*                    |
|                      |             | 221.90    |                                                           |

# \$500 difference due to a rebate received, deposited 11/15/17



Commonwealth of Virginia  
 Department of Aviation  
 5702 Gulfstream Road  
 Richmond, VA 23250-2422  
 www.doav.virginia.gov

For DOAV Use Only  
 DATE STAMP BELOW

## Annual Based Aircraft Survey Based Aircraft Summary Report

### Instructions

- Complete Parts 1 through 3.
- Mail summary report to the Airport Services Division of the Virginia Department of Aviation at the address above no later than January 31 of each year.

### Part 1: Reporting Information

Name of Airport: Winchester Regional Airport

Calendar Year: 2014

Reported By: Serena R Manuel

Title: Executive Director

Phone: 540-662-5786

Email: okvmanuel@comcast.net

### Part 2: Sponsor Acknowledgement

The undersigned hereby acknowledges that the data recorded reflects the number of aircraft based at the airport on January 1 of the calendar year noted above. This survey is submitted pursuant to 24 VAC 5-20-350 of the *Virginia Administrative Code*.

*Serena R Manuel*  
 Original Signature

01/30/2015

Date

### Part 3: Aircraft Summary

|                          |                   |
|--------------------------|-------------------|
| Single Engine:           | <u>89</u>         |
| Multi-Engine Piston:     | <u>10</u>         |
| Multi-Engine Turbo-Prop: | <u>2</u>          |
| Jet:                     | <u>2</u>          |
| Helicopter:              | <u>2</u>          |
| Ultra-light:             | <u>          </u> |
| Glider:                  | <u>          </u> |
| Other:                   | <u>          </u> |
| Total:                   | <u>105</u>        |

### Part 4: Virginia Department of Aviation Action (agency use only)

summary recorded: \_\_\_\_\_



Commonwealth of Virginia  
 Department of Aviation  
 5702 Gulfstream Road  
 Richmond, VA 23250-2422  
 www.doav.virginia.gov

For DOAV Use Only  
 DATE STAMP BELOW

## Annual Based Aircraft Survey Based Aircraft Summary Report

### Instructions

- Complete Parts 1 through 3.
- Mail summary report to the Airport Services Division of the Virginia Department of Aviation at the address above no later than January 31 of each year.

### Part 1: Reporting Information

Name of Airport: Winchester Regional Airport

Calendar Year: 2015

Reported By: Serena R Manuel

Title: Executive Director

Phone: 540-662-5786

Email: okvmanuel@comcast.net

### Part 2: Sponsor Acknowledgement

The undersigned hereby acknowledges that the data recorded reflects the number of aircraft based at the airport on January 1 of the calendar year noted above. This survey is submitted pursuant to 24 VAC 5-20-350 of the *Virginia Administrative Code*.

\_\_\_\_\_ 01/30/2016 \_\_\_\_\_  
 Original Signature Date

### Part 3: Aircraft Summary

|                          |                   |
|--------------------------|-------------------|
| Single Engine:           | <u>89</u>         |
| Multi-Engine Piston:     | <u>12</u>         |
| Multi-Engine Turbo-Prop: | <u>1</u>          |
| Jet:                     | <u>2</u>          |
| Helicopter:              | <u>1</u>          |
| Ultra-light:             | <u>          </u> |
| Glider:                  | <u>          </u> |
| Other:                   | <u>          </u> |
| <b>Total:</b>            | <b><u>105</u></b> |

### Part 4: Virginia Department of Aviation Action (agency use only)

summary recorded: \_\_\_\_\_



Commonwealth of Virginia  
 Department of Aviation  
 5702 Gulfstream Road  
 Richmond, VA 23250-2422  
 www.doav.virginia.gov

For DOAV Use Only  
 DATE STAMP BELOW

## Annual Based Aircraft Survey Based Aircraft Summary Report

### Instructions

- Complete Parts 1 through 3.
- Mail summary report to the Airport Services Division of the Virginia Department of Aviation at the address above no later than January 31 of each year.

### Part 1: Reporting Information

Name of Airport: Winchester Regional Airport

Calendar Year: 2017

Reported By: Serena R Manuel

Title: Executive Director

Phone: 540-662-5786

Email: okvmanuel@comcast.net

### Part 2: Sponsor Acknowledgement

The undersigned hereby acknowledges that the data recorded reflects the number of aircraft based at the airport on January 1 of the calendar year noted above. This survey is submitted pursuant to 24 VAC 5-20-350 of the *Virginia Administrative Code*.

\_\_\_\_\_ 01/30/2017 \_\_\_\_\_  
 Original Signature Date

### Part 3: Aircraft Summary

|                          |                   |
|--------------------------|-------------------|
| Single Engine:           | <u>95</u>         |
| Multi-Engine Piston:     | <u>10</u>         |
| Multi-Engine Turbo-Prop: | <u>1</u>          |
| Jet:                     | <u>2</u>          |
| Helicopter:              | <u>1</u>          |
| Ultra-light:             | <u>          </u> |
| Glider:                  | <u>          </u> |
| Other:                   | <u>          </u> |
| Total:                   | <u>109</u>        |

### Part 4: Virginia Department of Aviation Action (agency use only)

summary recorded: \_\_\_\_\_

| Misc Revenue                    | Fiscal Year   |               |               |               | Total          |
|---------------------------------|---------------|---------------|---------------|---------------|----------------|
|                                 | 2014          | 2015          | 2016          | 2017          |                |
| Fuel Flow Fee                   | 22,923        | 13,949        | 8,954         | 13,561        | <b>59,388</b>  |
| Overnight Ramp Parking Fees     | 6,190         | 1,325         | 1,440         | 1,350         | <b>10,305</b>  |
| Overnight Hangar Fees           | 0             | 3,050         | 5,700         | 5,325         | <b>14,075</b>  |
| Cargo Forklift Services         | 200           | 800           | 270           | 550           | <b>1,820</b>   |
| Charter Part 135/Cargo Ramp Fee | 5,835         | 10,805        | 11,385        | 6,535         | <b>34,560</b>  |
| GPU Engine start                | 2,300         | 2,200         | 3,700         | 3,000         | <b>11,200</b>  |
| Lavatory Cart services          | 405           | 405           | 1,425         | 1,800         | <b>4,035</b>   |
| Towing to & from terminal       | 0             | 980           | 1,100         | 450           | <b>2,530</b>   |
| Utility Hookup/Reimbursements   | 9,486         | 7,807         | 5,111         | 3,718         | <b>26,122</b>  |
| Crew car donations              | 114           | 150           | 45            | 75            | <b>384</b>     |
|                                 |               |               |               |               |                |
| <b>Totals</b>                   | <b>47,453</b> | <b>41,471</b> | <b>39,130</b> | <b>36,364</b> | <b>164,418</b> |

| <b>Total Based Aircraft Reported in January</b> | <b>115</b> | <b>105</b> | <b>105</b> | <b>109</b> |
|-------------------------------------------------|------------|------------|------------|------------|
| Piston SE & ME                                  | 108        | 99         | 101        | 105        |
| Turbo Prop & Jet                                | 5          | 4          | 3          | 3          |
| Helicopter                                      | 2          | 2          | 1          | 1          |



|                                    |                                                                                                                         |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| GPU Engine Start:                  | \$50.00 per start – <b>one hour maximum use</b>                                                                         |
| Extended GPU Svc:                  | \$75.00 each additional hour                                                                                            |
| Part 135/Cargo Handling Fee:       | Waived with minimum fuel purchase - based on weight of aircraft – see ramp fee chart                                    |
| Over Night Parking - Transients    | \$10.00 (first night waived with fuel purchase) <b><u>Includes long term transient parking without signed lease</u></b> |
| Hangar Parking:                    | \$250.00 per night Class D Aircraft<br>\$150.00 per night Class B & C Aircraft<br>\$50.00 per night Class A Aircraft    |
| Aircraft Towing:                   | <b>\$50.00 one way to OR from terminal ramp</b>                                                                         |
| Electric Hookup for Engine Heater: | \$15.00 per day                                                                                                         |
| Cargo Handling Fee:                | \$100.00 per hour per person                                                                                            |
| Forklift Fees:                     | \$100.00 per hour                                                                                                       |
| Lav Cart Services:                 | \$75.00 includes flush/refill                                                                                           |

**Airport Staffed 24/7**

|                                                                  |                                                           |                                                        |
|------------------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------------------|
| <b>Terminal Building Open</b>                                    | 0700 – 1800 hrs                                           | Sun - Sat                                              |
| After Hours <b>Terminal Fees</b><br><b>(Fees May be applied)</b> | \$50.00 (first 2 hours)<br>\$30.00 (each additional hour) |                                                        |
| Conference Room Fees<br>(8AM – 5PM)                              | \$100.00<br>\$200.00<br>\$ 50.00                          | 0-4 hours<br>5-8 hours<br>Outside catering cleanup fee |

**Conference room fees do not apply to Government, EDC or air side meetings.**

**Thank you for visiting the Winchester Regional Airport!**

**We appreciate your continued patronage!**

**RETURNED CHECK FEE: \$55.00**



## RAMP USE FEES

| Max Take Off Weight |                 | Fee      | Fuel Required to Waive Fee                              |
|---------------------|-----------------|----------|---------------------------------------------------------|
| A                   | 0 – 7,000       | \$50 or  | 25 gallons - single engine<br>50 gallons - multi engine |
| B                   | 7,001 – 9,000   | \$65 or  | 50 gallons                                              |
| C                   | 9,001 – 12,500  | \$120 or | 100 gallons                                             |
| D                   | 12,501 – 50,000 | \$220 or | 100 gallons                                             |
|                     | 50,001 – UP     | \$350 or | 200 gallons                                             |

## CLASS EXAMPLES

### Class A

Aerostar  
 Aztec  
 Baron  
 C-402  
 Centurion 210  
 Cherokee/Warrior/Arrow  
 Dakota  
 Duchess  
 Duke  
 Lance  
 Mooney  
 Navajo  
 Seminole  
 Seneca  
 Skymaster  
 Sport/Sierra  
 Tomahawk  
 Bell 407  
 Eclipse 500

### Class B

Caravan 208  
 C-404  
 C-421  
 Cheyenne Series  
 Pilatus

### Class C

Beech 18  
 Citation I  
 Commander  
 Conquest  
 King Air 90-100  
 Piaggio Avanti  
 King Air 200  
 Pilatus PC-12

### Class D

Challenger  
 Citation II & UP  
 Convair  
 Diamond Jet  
 Falcon  
 Gulfstream  
 Hawker  
 King Air 300  
 Learjet 45 & 60

NOVEMBER 2017 BUDGET TRANSFERS

| DATE       | DEPARTMENT/GENERAL FUND            | REASON FOR TRANSFER                              | FROM | TO   | ACCT | CODE | AMOUNT     |
|------------|------------------------------------|--------------------------------------------------|------|------|------|------|------------|
| 11/1/2017  | SHERIFF                            | SALARY CHANGES 11/17                             | 3102 | 1002 | 000  | 001  | (610.74)   |
|            | SHERIFF                            |                                                  | 3102 | 1002 | 000  | 068  | 610.74     |
|            | SHERIFF                            |                                                  | 3102 | 1002 | 000  | 053  | (2,215.93) |
|            | SHERIFF                            |                                                  | 3102 | 1001 | 000  | 004  | (2,215.93) |
|            | SHERIFF                            |                                                  | 3102 | 1001 | 000  | 047  | 4,431.86   |
|            | SHERIFF                            |                                                  | 3102 | 1001 | 000  | 049  | (1,707.94) |
|            | SHERIFF                            |                                                  | 3102 | 1002 | 000  | 052  | 1,707.94   |
|            | SHERIFF                            |                                                  | 3102 | 1007 | 000  | 001  | (1,487.47) |
|            | SHERIFF                            |                                                  | 3102 | 1001 | 000  | 066  | 1,487.47   |
|            | SHERIFF                            |                                                  | 3102 | 1007 | 000  | 001  | (1,574.36) |
|            | SHERIFF                            |                                                  | 3102 | 1001 | 000  | 013  | 1,574.36   |
|            | SHERIFF                            |                                                  | 3102 | 1007 | 000  | 001  | (1,894.01) |
|            | SHERIFF                            |                                                  | 3102 | 1001 | 000  | 070  | 1,894.01   |
|            | SHERIFF                            |                                                  | 3102 | 1007 | 000  | 001  | (1,594.57) |
|            | SHERIFF                            |                                                  | 3102 | 1002 | 000  | 033  | 1,594.57   |
|            | SHERIFF                            |                                                  | 3102 | 1007 | 000  | 001  | (1,841.45) |
|            | SHERIFF                            |                                                  | 3102 | 1001 | 000  | 067  | 1,841.45   |
|            | SHERIFF                            |                                                  | 3102 | 1007 | 000  | 001  | (2,078.29) |
|            | SHERIFF                            |                                                  | 3102 | 1001 | 000  | 069  | 2,078.29   |
|            | SHERIFF                            |                                                  | 3102 | 1007 | 000  | 001  | (2,078.29) |
|            | SHERIFF                            |                                                  | 3102 | 1001 | 000  | 068  | 2,078.29   |
|            | PUBLIC SAFETY COMMUNICATIONS       |                                                  | 3506 | 1001 | 000  | 019  | (1,676.46) |
|            | PUBLIC SAFETY COMMUNICATIONS       |                                                  | 3506 | 1001 | 000  | 010  | 1,676.46   |
| 11/8/2017  | GENERAL ENGINEERING/ADMINISTRATION | TRAINING FOR NEW EMPLOYEE                        | 4201 | 4003 | 000  | 002  | (1,000.00) |
|            | GENERAL ENGINEERING/ADMINISTRATION |                                                  | 4201 | 5506 | 000  | 000  | 1,000.00   |
| 11/16/2017 | COMMISSIONER OF THE REVENUE        | SUBSCRIPTION-SMARTCHART                          | 1209 | 3005 | 000  | 000  | (144.00)   |
|            | REASSESSMENT/BOARD OF ASSESSORS    |                                                  | 1210 | 3010 | 000  | 000  | 144.00     |
| 11/21/2017 | HUMAN RESOURCES                    | LASERFICHE SCANNER REPAIR                        | 1203 | 3002 | 000  | 000  | (229.89)   |
|            | HUMAN RESOURCES                    |                                                  | 1203 | 3004 | 000  | 001  | 229.89     |
| 11/21/2017 | COMMONWEALTH'S ATTORNEY            | BOOKS AND SUBSCRIPTIONS                          | 2201 | 5401 | 000  | 000  | (2,000.00) |
|            | COMMONWEALTH'S ATTORNEY            |                                                  | 2201 | 5411 | 000  | 000  | 2,000.00   |
| 11/27/2017 | TREASURER                          | ADDED NEW STUFFER MACHINE                        | 1213 | 5401 | 000  | 000  | (3,250.00) |
|            | TREASURER                          |                                                  | 1213 | 3005 | 000  | 000  | 3,250.00   |
| 11/27/2017 | MANAGEMENT INFORMATION SYSTEMS     | BALANCE LINE ITEM                                | 1222 | 5401 | 000  | 000  | (2,000.00) |
|            | MANAGEMENT INFORMATION SYSTEMS     |                                                  | 1222 | 3005 | 000  | 000  | 2,000.00   |
| 11/27/2017 | SHERIFF                            | COVER EXPENSES                                   | 3102 | 5402 | 000  | 001  | (15.00)    |
|            | SHERIFF                            |                                                  | 3102 | 5801 | 000  | 000  | 15.00      |
| 11/29/2017 | SHERIFF                            | COVER EXPENSES                                   | 3102 | 4003 | 000  | 002  | (8,000.00) |
|            | SHERIFF                            |                                                  | 3102 | 5410 | 000  | 000  | 8,000.00   |
| 11/29/2017 | FIRE AND RESCUE                    | TO COVER PURCHASE OF CAD/VCIN                    | 3505 | 5413 | 000  | 000  | (6,300.00) |
|            | FIRE AND RESCUE                    |                                                  | 3505 | 3010 | 000  | 000  | 6,300.00   |
| 12/6/2017  | COUNTY OFFICE BUILDINGS/COURTHOUSE | BOILER SERVICE REPAIR/OLD COURTHOUSE             | 4304 | 3004 | 000  | 003  | (4,423.00) |
|            | COUNTY OFFICE BUILDINGS/COURTHOUSE |                                                  | 4304 | 3004 | 000  | 001  | 4,423.00   |
| 12/6/2017  | COUNTY OFFICE BUILDINGS/COURTHOUSE | CHEMICAL WATER METER ON BOILER AT OLD COURTHOUSE | 4304 | 3004 | 000  | 003  | (830.00)   |
|            | COUNTY OFFICE BUILDINGS/COURTHOUSE |                                                  | 4304 | 3004 | 000  | 001  | 830.00     |

County of Frederick  
 General Fund  
 November 30, 2017

| ASSETS                             | FY18<br><u>11/30/17</u>     | FY17<br><u>11/30/16</u>     | Increase<br><u>(Decrease)</u>      |
|------------------------------------|-----------------------------|-----------------------------|------------------------------------|
| Cash and Cash Equivalents          | 82,623,125.08               | 72,391,505.91               | 10,231,619.17 *A                   |
| Petty Cash                         | 1,555.00                    | 1,555.00                    | 0.00                               |
| Receivables:                       |                             |                             |                                    |
| Taxes, Commonwealth, Reimb. P/P    | 17,312,383.00               | 24,483,687.97               | (7,171,304.97)                     |
| Streetlights                       | 3,215.27                    | 10,178.78                   | (6,963.51)                         |
| Miscellaneous Charges              | 47,278.77                   | 20,147.12                   | 27,131.65                          |
| Due from Fred. Co. San. Auth.      | 657,083.23                  | 734,939.23                  | (77,856.00)                        |
| Prepaid Postage                    | 3,516.55                    | 2,554.21                    | 962.34                             |
| GL controls (est.rev / est. exp)   | <u>(15,732,889.28)</u>      | <u>(8,797,696.70)</u>       | <u>(6,935,192.58)</u> (1) Attached |
| <b>TOTAL ASSETS</b>                | <b><u>84,915,267.62</u></b> | <b><u>88,846,871.52</u></b> | <b><u>(3,931,603.90)</u></b>       |
| <b>LIABILITIES</b>                 |                             |                             |                                    |
| Performance Bonds Payable          | 1,188,847.76                | 1,288,546.58                | (99,698.82)                        |
| Taxes Collected in Advance         | 208,245.21                  | 111,543.99                  | 96,701.22 *B                       |
| Deferred Revenue                   | <u>17,352,018.51</u>        | <u>24,510,053.88</u>        | <u>(7,158,035.37)</u> *C           |
| <b>TOTAL LIABILITIES</b>           | <b>18,749,111.48</b>        | <b>25,910,144.45</b>        | <b>(7,161,032.97)</b>              |
| <b>EQUITY</b>                      |                             |                             |                                    |
| Fund Balance                       |                             |                             |                                    |
| Reserved:                          |                             |                             |                                    |
| Encumbrance General Fund           | 1,407,455.78                | 328,252.80                  | 1,079,202.98 (2) Attached          |
| Conservation Easement              | 4,779.85                    | 4,779.85                    | 0.00                               |
| Peg Grant                          | 234,066.38                  | 205,675.38                  | 28,391.00                          |
| Prepaid Items                      | 949.63                      | 949.63                      | 0.00                               |
| Advances                           | 657,083.23                  | 734,939.23                  | (77,856.00)                        |
| Employee Benefits                  | 93,120.82                   | 93,120.82                   | 0.00                               |
| Courthouse Fees                    | 362,751.09                  | 312,512.63                  | 50,238.46                          |
| Historical Markers                 | 17,501.27                   | 17,386.10                   | 115.17                             |
| Animal Shelter                     | 1,091,175.27                | 335,530.02                  | 755,645.25                         |
| Sheriff's Reserve                  | 1,000.00                    | 0.00                        | 1,000.00                           |
| Proffers                           | 4,160,177.57                | 3,610,003.96                | 550,173.61 (3) Attached            |
| Parks Reserve                      | 12,413.70                   | 9,810.01                    | 2,603.69                           |
| E-Summons Funds                    | 78,269.19                   | 78,763.75                   | (494.56)                           |
| VDOT Revenue Sharing               | 436,270.00                  | 436,270.00                  | 0.00                               |
| Undesignated Adjusted Fund Balance | <u>57,609,142.36</u>        | <u>56,768,732.89</u>        | <u>840,409.47</u> (4) Attached     |
| <b>TOTAL EQUITY</b>                | <b><u>66,166,156.14</u></b> | <b><u>62,936,727.07</u></b> | <b><u>3,229,429.07</u></b>         |
| <b>TOTAL LIAB. &amp; EQUITY</b>    | <b><u>84,915,267.62</u></b> | <b><u>88,846,871.52</u></b> | <b><u>(3,931,603.90)</u></b>       |

**NOTES:**

\*A Cash increase includes an increase in revenue, expenditures, transfers, and fund balance (refer to the comparative statement of revenues, expenditures, transfers and change in fund balance).

\*B Prepayment of taxes.

\*C Deferred revenue includes taxes receivable, street lights, misc.charges, dog tags, and motor vehicle registration fees.

**BALANCE SHEET**

| (1) GL Controls     | FY18          | FY17         | Inc/(Decrease) |
|---------------------|---------------|--------------|----------------|
| Est.Revenue         | 172,209,964   | 159,836,408  | 12,373,556     |
| Appropriations      | (84,594,267)  | (70,373,478) | (14,220,789)   |
| Est.Tr.to Other fds | (104,756,042) | (98,588,879) | (6,167,162)    |
| Encumbrances        | 1,407,456     | 328,253      | 1,079,203      |
|                     | (15,732,889)  | (8,797,697)  | (6,935,193)    |

**(2) Purchase Orders Outstanding 11/30/17**

| DEPARTMENT              | Amount                                  |                                                   |
|-------------------------|-----------------------------------------|---------------------------------------------------|
| County Office Buildings | 12,296.38                               | Replace Water Pump                                |
|                         | 12,141.00                               | Climate Control System                            |
|                         | 22,447.73                               | Install (2) Heat Pumps CAB                        |
| Fire & Rescue           | 36,649.72                               | Uniforms                                          |
|                         | 11,100.00                               | Radio Prevention Maintenance                      |
| Information Technology  | 37,229.61                               | (100) Sprint IPADS With Lighting Adapters for F&R |
|                         | 5,457.25                                | (83) Microsoft Licenses                           |
| Inspections             | 27,404.60                               | 2018 Chevrolet Colorado                           |
| Parks                   | 92,722.00                               | Natural Play Area Playground                      |
|                         | 11,237.50                               | Frederick Heights Park Design                     |
|                         | 21,043.84                               | Event Shirts                                      |
|                         | 1,560.77                                | Supplies/ Arts & Crafts                           |
|                         | 80,710.30                               | Outdoor Gym & Installation Sherando               |
|                         | 6,310.74                                | Wall Showers Clearbrook Park                      |
| Public Safety           | 7,496.00                                | Sherando Pool Gate Repair                         |
|                         | 5,150.00                                | Antenna Installation                              |
| Sheriff                 | 742,500.00                              | Radio Console Upgrade                             |
|                         | 6,164.50                                | Ammunition                                        |
|                         | 6,240.00                                | Electronic Summons Software                       |
|                         | 3,390.00                                | Body Armor Carriers                               |
|                         | 5,276.64                                | Combat Uniforms                                   |
|                         | 5,288.00                                | Uniforms                                          |
|                         | 119,208.00                              | (4) 2017 Police Interceptor SUV                   |
|                         | 20,962.50                               | (15) Protective Gear Kits                         |
|                         | 25,950.00                               | Tactical Armor Defense Kits                       |
|                         | 21,914.70                               | Swat Riot Communication                           |
| 59,604.00               | (2) 2017 Police Interceptor Utility AWD |                                                   |
| <b>Total</b>            | <b>1,407,455.78</b>                     |                                                   |

| (3) Proffer Information | SCHOOLS      | PARKS     | FIRE & RESCUE | Designated Other Projects | TOTAL        |
|-------------------------|--------------|-----------|---------------|---------------------------|--------------|
| Balance 11/30/17        | 1,958,914.05 | 80,415.29 | 363,485.63    | 1,757,362.60              | 4,160,177.57 |

**Designated Other Projects Detail**

|                               |                     |                                                                  |  |  |
|-------------------------------|---------------------|------------------------------------------------------------------|--|--|
| Administration                | 295,023.60          |                                                                  |  |  |
| Bridges                       | 4,100.00            |                                                                  |  |  |
| Historic Preservation         | 145,000.00          | 12/11/14 Board Action designated \$50,000 for final debt payment |  |  |
| Library                       | 171,026.00          | on the Huntsberry property.                                      |  |  |
| Rt.50 Trans.Imp.              | 10,000.00           |                                                                  |  |  |
| Rt. 50 Rezoning               | 25,000.00           |                                                                  |  |  |
| Rt. 656 & 657 Imp.            | 25,000.00           |                                                                  |  |  |
| RT.277                        | 162,375.00          |                                                                  |  |  |
| Sheriff                       | 69,448.00           |                                                                  |  |  |
| Solid Waste                   | 12,000.00           |                                                                  |  |  |
| Stop Lights                   | 52,445.00           |                                                                  |  |  |
| Treasurer                     | 700.00              |                                                                  |  |  |
| BPG Properties/Rt.11 Corridor | 330,000.00          |                                                                  |  |  |
| Blackburn Rezoning            | 452,745.00          |                                                                  |  |  |
| Clearbrook Bus.Ctr.Rezoning   | 2,500.00            |                                                                  |  |  |
| <b>Total</b>                  | <b>1,757,362.60</b> |                                                                  |  |  |

**Other Proffers 11/30/17**

|                                    |                      |
|------------------------------------|----------------------|
| (4) Fund Balance Adjusted          |                      |
| Ending Balance 11/30/17            | 37,891,921.62        |
| Revenue 11/17                      | 61,380,318.98        |
| Expenditures 11/17                 | (33,539,075.50)      |
| Transfers 11/17                    | (8,124,022.74)       |
| <b>11/17 Adjusted Fund Balance</b> | <b>57,609,142.36</b> |

County of Frederick  
 Comparative Statement of Revenues, Expenditures  
 and Changes in Fund Balance  
 November 30, 2017

| <b>REVENUES:</b>                                                                                         | <u>Appropriated</u>   | FY18<br>11/30/2017<br><u>Actual</u> | FY17<br>11/30/2016<br><u>Actual</u> | YTD<br>Actual<br><u>Variance</u> |
|----------------------------------------------------------------------------------------------------------|-----------------------|-------------------------------------|-------------------------------------|----------------------------------|
| General Property Taxes                                                                                   | 117,080,093.00        | 38,084,884.98                       | 26,071,901.25                       | 12,012,983.73 (1)                |
| Other local taxes                                                                                        | 35,717,875.00         | 8,685,396.69                        | 8,518,385.07                        | 167,011.62 (2)                   |
| Permits & Privilege fees                                                                                 | 2,004,806.00          | 805,974.87                          | 932,132.21                          | (126,157.34) (3)                 |
| Revenue from use of money<br>and property                                                                | 203,241.40            | 302,556.67                          | 145,745.56                          | 156,811.11 (4)                   |
| Charges for Services                                                                                     | 3,076,558.00          | 1,068,994.49                        | 1,133,929.67                        | (64,935.18)                      |
| Miscellaneous                                                                                            | 588,252.37            | 228,009.59                          | 267,551.17                          | (39,541.58)                      |
| Recovered Costs                                                                                          | 1,559,454.00          | 764,759.34                          | 895,898.50                          | (131,139.16) (5)                 |
| Proffers                                                                                                 |                       | 567,347.28                          | 726,896.02                          | (159,548.74) (5)                 |
| Intergovernmental:                                                                                       |                       |                                     |                                     |                                  |
| Commonwealth                                                                                             | 10,941,384.32         | 10,864,523.61                       | 10,677,283.31                       | 187,240.30 (6)                   |
| Federal                                                                                                  | 1,038,299.82          | 7,871.46                            | 24,814.58                           | (16,943.12) (7)                  |
| Transfers                                                                                                |                       | 0.00                                | 0.00                                | 0.00                             |
| <b>TOTAL REVENUES</b>                                                                                    | <b>172,209,963.91</b> | <b>61,380,318.98</b>                | <b>49,394,537.34</b>                | <b>11,985,781.64</b>             |
| <br>                                                                                                     |                       |                                     |                                     |                                  |
| <b>EXPENDITURES:</b>                                                                                     |                       |                                     |                                     |                                  |
| General Administration                                                                                   | 12,132,659.97         | 6,229,185.39                        | 5,347,316.91                        | 881,868.48                       |
| Judicial Administration                                                                                  | 2,709,881.55          | 1,060,829.51                        | 1,059,179.65                        | 1,649.86                         |
| Public Safety                                                                                            | 40,683,517.16         | 15,508,488.75                       | 14,275,319.89                       | 1,233,168.86                     |
| Public Works                                                                                             | 6,794,105.80          | 1,752,382.35                        | 1,822,836.45                        | (70,454.10)                      |
| Health and Welfare                                                                                       | 9,520,883.00          | 3,537,863.93                        | 3,323,564.24                        | 214,299.69                       |
| Education                                                                                                | 76,320.00             | 38,160.00                           | 39,409.50                           | (1,249.50)                       |
| Parks, Recreation, Culture                                                                               | 7,707,012.04          | 2,843,716.68                        | 2,821,891.13                        | 21,825.55                        |
| Community Development                                                                                    | 4,028,049.03          | 2,568,448.89                        | 542,820.91                          | 2,025,627.98                     |
| <b>TOTAL EXPENDITURES</b>                                                                                | <b>83,652,428.55</b>  | <b>33,539,075.50</b>                | <b>29,232,338.68</b>                | <b>4,306,736.82 (8)</b>          |
| <br>                                                                                                     |                       |                                     |                                     |                                  |
| <b>OTHER FINANCING SOURCES ( USES):</b>                                                                  |                       |                                     |                                     |                                  |
| Operating transfers from / to                                                                            | 105,697,880.42        | 8,124,022.74                        | 3,057,835.78                        | 5,066,186.96 (9)                 |
| <br><b>Excess (deficiency)of revenues &amp; other<br/>sources over expenditures<br/>&amp; other uses</b> | <br>(17,140,345.06)   | <br>19,717,220.74                   | <br>17,104,362.88                   | <br>(2,612,857.86)               |
| <br><b>Fund Balance per General Ledger</b>                                                               |                       | <b>37,891,921.62</b>                | <b>39,664,370.01</b>                | <b>(1,772,448.39)</b>            |
| <b>Fund Balance Adjusted to reflect<br/>Income Statement 11/30/17</b>                                    |                       | <b>57,609,142.36</b>                | <b>56,768,732.89</b>                | <b>840,409.47</b>                |

| (1)General Property Taxes            | FY18       | FY17       | Increase/Decrease |
|--------------------------------------|------------|------------|-------------------|
| Real Estate Taxes                    | 22,545,337 | 12,445,519 | 10,099,818        |
| Public Service Current Taxes         | 401,287    | 212,361    | 188,926           |
| Personal Property                    | 14,656,884 | 12,960,158 | 1,696,726         |
| Penalties and Interest               | 344,566    | 333,672    | 10,894            |
| Credit Card Chgs./Delinq.Advertising | (33,261)   | (24,670)   | (8,591)           |
| Adm.Fees For Liens&Distress          | 170,073    | 144,862    | 25,211            |
|                                      | 38,084,885 | 26,071,901 | 12,012,984        |

**(2) Other Local Taxes**

|                             |                     |                     |                   |    |
|-----------------------------|---------------------|---------------------|-------------------|----|
| Local Sales and Use Tax     | 3,596,574.14        | 3,422,707.09        | 173,867.05        |    |
| Communications Sales Tax    | 309,079.87          | 318,797.59          | (9,717.72)        |    |
| Utility Taxes               | 1,050,820.74        | 1,050,807.79        | 12.95             |    |
| Business Licenses           | 757,971.20          | 801,339.47          | (43,368.27)       | *1 |
| Auto Rental Tax             | 40,743.82           | 41,114.14           | (370.32)          |    |
| Motor Vehicle Licenses Fees | 325,744.81          | 289,202.80          | 36,542.01         |    |
| Recordation Taxes           | 718,383.67          | 715,512.63          | 2,871.04          |    |
| Meals Tax                   | 1,625,497.13        | 1,615,160.05        | 10,337.08         | *2 |
| Lodging Tax                 | 243,262.47          | 254,350.93          | (11,088.46)       | *2 |
| Street Lights               | 13,358.84           | 7,592.58            | 5,766.26          |    |
| Star Fort Fees              | 3,960.00            | 1,800.00            | 2,160.00          |    |
| <b>Total</b>                | <b>8,685,396.69</b> | <b>8,518,385.07</b> | <b>167,011.62</b> |    |

**(3)Permits&Privileges**

|                               |                   |                   |                     |    |
|-------------------------------|-------------------|-------------------|---------------------|----|
| Dog Licenses                  | 18,107.00         | 21,127.00         | (3,020.00)          |    |
| Land Use Application Fees     | 5,725.00          | 5,150.00          | 575.00              |    |
| Transfer Fees                 | 1,447.20          | 1,461.60          | (14.40)             |    |
| Development Review Fees       | 184,081.00        | 141,297.00        | 42,784.00           |    |
| Building Permits              | 407,528.06        | 599,177.77        | (191,649.71)        | *3 |
| 2% State Fees                 | 4,242.61          | 10,736.44         | (6,493.83)          |    |
| Electrical Permits            | 53,307.00         | 38,075.00         | 15,232.00           |    |
| Plumbing Permits              | 9,727.00          | 10,658.40         | (931.40)            |    |
| Mechanical Permits            | 43,168.00         | 36,032.00         | 7,136.00            |    |
| Sign Permits                  | 4,450.00          | 2,675.00          | 1,775.00            |    |
| Permits Commercial Burning    | 75.00             | 75.00             | -                   |    |
| Blasting Permits              | 120.00            | 120.00            | -                   |    |
| Land Disturbance Permits      | 73,297.00         | 65,297.00         | 8,000.00            |    |
| Residential Pump and Haul Fee | 500.00            | 50.00             | 450.00              |    |
| Transfer Development Rights   | 200.00            | 200.00            | -                   |    |
| <b>Total</b>                  | <b>805,974.87</b> | <b>932,132.21</b> | <b>(126,157.34)</b> |    |

**(4) Revenue from use of**

|              |                   |                   |                   |
|--------------|-------------------|-------------------|-------------------|
| Money        | 273,410.08        | 124,550.94        | 148,859.14        |
| Property     | 29,146.59         | 21,194.62         | 7,951.97          |
| <b>Total</b> | <b>302,556.67</b> | <b>145,745.56</b> | <b>156,811.11</b> |

\*1 COR has changed the process in billing earlier resulting in receipt of the revenue earlier.

Business license revenue that would have been received in the first quarter of FY18 was received in FY17. Comparison of the calendar years of FY17 and FY18 shows the current year revenue as higher.

\*2 Meals and lodging tax are affected by the assessment, filing date and timing of the deposits.

\*3 There were a greater number of commercial building permits issued last year for the same time period. Commercial permits generally have higher values than home building permits. Another factor is that a rush of home building permits were issued in the last quarter of FY2017 which caused a brief lull in FY2018.

| (5) Recovered Costs                  | FY18         | FY17         | Increase/Decrease |
|--------------------------------------|--------------|--------------|-------------------|
|                                      | 11/30/2017   | 11/30/2016   |                   |
| Recovered Costs Treasurer's Office   | -            | 33,861.00    | (33,861.00)       |
| Worker's Comp                        | -            | 500.00       | (500.00)          |
| Purchasing Card Rebate               | 156,281.56   | 161,675.29   | (5,393.73)        |
| Recovered Costs -IT/GIS              | 20,000.00    | 20,000.00    | -                 |
| Recovered Costs-F&R Fee Recovery     | 101,177.06   | 145,574.24   | (44,397.18)       |
| Recovered Cost Fire Companies        | 94,182.34    | 120,674.40   | (26,492.06)       |
| Recovered Costs Sheriff              | 10,625.00    | -            | 10,625.00         |
| Reimbursement Circuit Court          | 4,613.53     | 4,171.29     | 442.24            |
| Reimb.Public Works/Planning Clean Up | 1,183.68     | 1,100.00     | 83.68             |
| Clarke County Container Fees         | 14,799.20    | 36,358.16    | (21,558.96)       |
| City of Winchester Container Fees    | 19,008.40    | 27,226.66    | (8,218.26)        |
| Refuse Disposal Fees                 | 40,503.38    | 52,741.17    | (12,237.79)       |
| Recycling Revenue                    | 38,499.86    | 32,006.59    | 6,493.27          |
| Container Fees Bowman Library        | 770.90       | 784.06       | (13.16)           |
| Litter-Thon/Keep VA Beautiful Grant  | -            | 750.00       | (750.00)          |
| Restitution Victim Witness           | -            | 3,784.92     | (3,784.92)        |
| Reimb.of Expenses Gen.District Court | 12,830.11    | 15,746.69    | (2,916.58)        |
| Reimb.Task Force                     | 26,529.62    | 22,395.61    | 4,134.01          |
| Westminster Canterbury Lieu of Tax   | 18,651.80    | 13,967.40    | 4,684.40          |
| Grounds Maint.Frederick Co.Schools   | 142,671.65   | 135,347.57   | 7,324.08          |
| Comcast PEG Grant                    | 43,292.00    | 41,389.00    | 1,903.00          |
| Fire School Programs                 | 10,488.00    | 17,145.00    | (6,657.00)        |
| Clerks Reimbursement to County       | 4,435.36     | 4,070.15     | 365.21            |
| Reimb. Sheriff                       | 4,215.89     | 4,629.30     | (413.41)          |
| Subtotal Recovered Costs             | 764,759.34   | 895,898.50   | (131,139.16)      |
| Proffer Lynnhaven                    | 3,378.31     | 43,918.03    | (40,539.72)       |
| Proffer Redbud Run                   | 32,270.00    | 70,994.00    | (38,724.00)       |
| Proffer Canter Estates               | 49,055.64    | 44,967.67    | 4,087.97          |
| Proffer Village at Harvest Ridge     | -            | 12,312.00    | (12,312.00)       |
| Proffer Southern Hills               | 103,110.00   | 29,460.00    | 73,650.00         |
| Proffer Snowden Bridge               | 345,366.33   | 249,349.32   | 96,017.01         |
| Proffer Meadows Edge Racey Tract     | -            | 241,728.00   | (241,728.00)      |
| Proffer Cedar Meadows                | 34,167.00    | 34,167.00    | -                 |
| Subtotal Proffers                    | 567,347.28   | 726,896.02   | (159,548.74)      |
| Grand Total                          | 1,332,106.62 | 1,622,794.52 | (290,687.90)      |

\*1 Timing of the receipt of payments.

| (6) Commonwealth Revenue           | 11/30/17      | 11/30/16      |                   |
|------------------------------------|---------------|---------------|-------------------|
|                                    | FY18          | FY17          | Increase/Decrease |
| Motor Vehicle Carriers Tax         | 22,886.25     | 18,955.14     | 3,931.11          |
| Mobile Home Titling Tax            | 54,528.49     | 79,829.01     | (25,300.52)       |
| Recordation Taxes                  | 187,177.20    | 186,735.96    | 441.24            |
| P/P State Reimbursement            | 6,526,528.18  | 6,526,528.18  | -                 |
| Shared Expenses Comm.Atty.         | 181,061.05    | 177,662.56    | 3,398.49          |
| Shared Expenses Sheriff            | 809,717.86    | 759,010.62    | 50,707.24         |
| Shared Expenses Comm.of Rev.       | 72,786.64     | 70,636.05     | 2,150.59          |
| Shared Expenses Treasurer          | 39,267.33     | 52,856.07     | (13,588.74)       |
| Shared Expenses Clerk              | 149,058.50    | 158,509.40    | (9,450.90)        |
| Public Assistance Grants           | 2,210,906.55  | 2,053,970.51  | 156,936.04        |
| Litter Control Grants              | 14,774.00     | 15,152.00     | (378.00)          |
| Four-For-Life Funds                | 85,262.32     | -             | 85,262.32         |
| Emergency Services Fire Program    | 251,441.00    | 219,662.00    | 31,779.00         |
| DMV Grant Funding                  | 7,114.69      | 5,098.06      | 2,016.63          |
| Sheriff State Grants               | -             | 9,927.01      | (9,927.01)        |
| State Grant Emergency Services     | 5,800.00      | -             | 5,800.00          |
| Sheriff State Grants               | 36,207.35     | -             | 36,207.35         |
| JJC Grant Juvenile Justice         | 32,090.00     | 197,980.00    | (165,890.00)      |
| Rent/Lease Payments                | 112,310.65    | 111,841.55    | 469.10            |
| Spay/Neuter Assistance State       | 134.90        | 187.78        | (52.88)           |
| Wireless 911 Grant                 | 23,255.48     | 22,439.15     | 816.33            |
| State Forfeited Asset Funds        | 16,282.67     | 10,012.46     | 6,270.21          |
| Victim Witness-Commonwealth Office | 25,805.00     | -             | 25,805.00         |
| F&R OEMS Reimbursement             | 127.50        | 289.80        | (162.30)          |
| Total                              | 10,864,523.61 | 10,677,283.31 | 187,240.30        |

\*1

\*2

\*3

\*1 Five positions were added . Two of the positions funded from the State (Match rate of 84.50%).

DSS became fiscal agent of Foster Parent Training that was two positions the State gave us and additional \$30,600(match rate of 84.50%) Additionally one position by the county with a 29% State match.

\*2 Timing--FY17 funds received in FY18

\*3 \$133,800 transferred to NRADC after closing 11/16

**County of Frederick**

**General Fund**

November 30, 2017

| <b>(7) Federal Revenue</b>     | FY18            | FY17             | Increase/Decrease  |
|--------------------------------|-----------------|------------------|--------------------|
| Housing Illegal Aliens-Federal | -               | 9,803.00         | (9,803.00)         |
| Federal Forfeited Assets       | 1,549.17        | -                | 1,549.17           |
| Federal Funds Sheriff          | 4,499.82        | 8,536.58         | (4,036.76)         |
| Emergency Services Grant       | 1,822.47        | 6,475.00         | (4,652.53)         |
| <b>Total</b>                   | <b>7,871.46</b> | <b>24,814.58</b> | <b>(16,943.12)</b> |

**(8) Expenditures**

Expenditures increased \$4,306,736.82. **General Administration** increased \$881,868.48 and includes an increase of \$428,491 for the Children’s Services transfer due to increased expenses. **Public Safety** increased \$1,233,168.86 and reflects the year to date increase of \$1,039,817.94 in salaries and fringe benefits for the Sheriff and Fire and Rescue. This increase was impacted by staff turnover, position reclassifications and the addition of seven deputies and sixteen firefighters in November FY2016. The Transfers increased \$5,066,186.96. See chart below:

| <b>(9) Transfers Increased \$5,066,186.96</b> | FY18                | FY17                | Increase/Decrease   |
|-----------------------------------------------|---------------------|---------------------|---------------------|
| Transfer to School Operating                  | 2,314,523.87        | 1,574,432.38        | 740,091.49 *1       |
| Transfer to Debt Service County               | 1,491,777.68        | 1,492,545.86        | (768.18) *2         |
| Operational Transfers                         | (5,898.81)          | (9,142.46)          | 3,243.65 *3         |
| Debt Contingency                              | 4,323,620.00        | -                   | 4,323,620.00 *4     |
| <b>Total</b>                                  | <b>8,124,022.74</b> | <b>3,057,835.78</b> | <b>5,066,186.96</b> |

\*1 Increase in School Operating FY18 includes C/F \$1,032,255.77 for School Encumbrances, \$285,003.55 grant funds received during FY17 for specific purposes, and \$997,264.55 represents unspent FY17 funds to be spent on buses. FY17 includes \$903,813.48 C/F School Encumbrances and \$670,618.90 C/F School Operating.

\*2 Payments include the Bowman Library, Millwood Station, Roundhill, Public Safety Building, the Animal Shelter, and the City of Winchester for Courtroom, Roof, and HVAC Projects.

\*3 Timing of Insurance Charge-Outs

\*4 Board of Supervisors Capital

County of Frederick  
 FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER  
 November 30, 2017

| ASSETS                                 | FY2018<br><u>11/30/17</u>  | FY2017<br><u>11/30/16</u>  | Increase<br><u>(Decrease)</u> |
|----------------------------------------|----------------------------|----------------------------|-------------------------------|
| Cash                                   | 8,113,315.89               | 7,007,843.21               | 1,105,472.68 *1               |
| GL controls(est.rev/est.exp)           | <u>(1,014,750.00)</u>      | <u>(813,734.18)</u>        | <u>(201,015.82)</u>           |
| <b>TOTAL ASSETS</b>                    | <b><u>7,098,565.89</u></b> | <b><u>6,194,109.03</u></b> | <b><u>904,456.86</u></b>      |
| <br>                                   |                            |                            |                               |
| LIABILITIES                            |                            |                            |                               |
| Accrued Operating Reserve Costs        | <u>2,507,247.00</u>        | <u>2,395,005.00</u>        | <u>112,242.00</u>             |
| <b>TOTAL LIABILITIES</b>               | <b><u>2,507,247.00</u></b> | <b><u>2,395,005.00</u></b> | <b><u>112,242.00</u></b>      |
| <br>                                   |                            |                            |                               |
| EQUITY                                 |                            |                            |                               |
| Fund Balance Reserved                  |                            |                            |                               |
| Encumbrances Undesignated Fund Balance | 4,412.10                   | 67,870.24                  | (63,458.14)                   |
|                                        | <u>4,586,906.79</u>        | <u>3,731,233.79</u>        | <u>855,673.00 *2</u>          |
| <b>TOTAL EQUITY</b>                    | <b><u>4,591,318.89</u></b> | <b><u>3,799,104.03</u></b> | <b><u>792,214.86</u></b>      |
| <b>TOTAL LIABILITY &amp; EQUITY</b>    | <b><u>7,098,565.89</u></b> | <b><u>6,194,109.03</u></b> | <b><u>904,456.86</u></b>      |

**NOTES:**

\*1 Cash increased \$1,105,472.68. Refer to the following page for comparative statement of revenues and expenditures and changes in fund balance.

\*2 Fund balance increased \$855,673.00. The beginning balance was \$4,611,633.77 and includes adjusting entries, budget controls for FY18(\$1,008,000) and the year to date revenue less the expenditures of \$983,273.02.

| <b>Current Unrecorded Accounts Receivable-</b> | <u>FY18</u>       |
|------------------------------------------------|-------------------|
| Prisoner Billing:                              | 27,433.40         |
| Compensation Board Reimbursement 11/17         | <u>498,572.50</u> |
| <b>Total</b>                                   | <b>526,005.90</b> |

County of Frederick  
 Comparative Statement of Revenues, Expenditures  
 and Changes in Fund Balance  
 11/30/17

**FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER**

| <b>REVENUES:</b>                                                  | <u>Appropriated</u>  | FY2018<br>11/30/17<br><u>Actual</u> | FY2017<br>11/30/16<br><u>Actual</u> | YTD Actual<br><u>Variance</u> |
|-------------------------------------------------------------------|----------------------|-------------------------------------|-------------------------------------|-------------------------------|
| Credit Card Probation                                             | -                    | 30.14                               | 60.55                               | (30.41)                       |
| Interest                                                          |                      | 20,902.98                           | 7,373.04                            | 13,529.94                     |
| Supervision Fees                                                  | 72,435.00            | 12,803.00                           | 11,529.62                           | 1,273.38                      |
| Drug Testing Fees                                                 | 1,000.00             | 50.00                               | -                                   | 50.00                         |
| Work Release Fees                                                 | 379,828.00           | 116,420.62                          | 125,179.79                          | (8,759.17)                    |
| Federal Bureau Of Prisons                                         | 0.00                 | 110.00                              | 946.00                              | (836.00)                      |
| Local Contributions                                               | 7,730,746.00         | 3,865,373.00                        | 3,494,157.00                        | 371,216.00                    |
| Miscellaneous                                                     | 7,500.00             | 1,393.30                            | 20,281.74                           | (18,888.44)                   |
| Phone Commissions                                                 | 336,000.00           | 60,270.83                           | 71,335.40                           | (11,064.57)                   |
| Food & Staff Reimbursement                                        | 75,000.00            | 20,723.52                           | 14,176.16                           | 6,547.36                      |
| Elec.Monitoring Part.Fees                                         | 110,000.00           | 26,405.63                           | 36,372.05                           | (9,966.42)                    |
| Share of Jail Cost Commonwealth                                   | 1,400,000.00         | 326,160.60                          | 348,291.51                          | (22,130.91)                   |
| Reimb.of Prior Year Deficit                                       |                      | 100.00                              | 0.00                                | 100.00                        |
| Medical & Health Reimb.                                           | 75,000.00            | 22,769.41                           | 24,595.63                           | (1,826.22)                    |
| Shared Expenses CFW Jail                                          | 5,250,000.00         | 1,587,721.88                        | 1,762,143.63                        | (174,421.75)                  |
| State Grants                                                      | 276,233.00           | 64,092.00                           | 14,267.00                           | 49,825.00                     |
| Local Offender Probation                                          | 247,636.00           | 69,832.00                           | 0.00                                | 69,832.00                     |
| Bond Proceeds                                                     | 0.00                 | 0.00                                | 2,197.44                            | (2,197.44)                    |
| Transfer From General Fund                                        | 5,394,459.00         | 2,697,229.50                        | 2,649,956.00                        | 47,273.50                     |
| <b>TOTAL REVENUES</b>                                             | <b>21,355,837.00</b> | <b>8,892,388.41</b>                 | <b>8,582,862.56</b>                 | <b>309,525.85</b>             |
| <b>EXPENDITURES:</b>                                              | <b>22,374,999.10</b> | <b>7,909,115.39</b>                 | <b>7,860,531.80</b>                 | <b>48,583.59</b>              |
| <b>Excess(Deficiency)of revenues over expenditures</b>            |                      | <b>983,273.02</b>                   | <b>722,330.76</b>                   | <b>260,942.26</b>             |
| <b>FUND BALANCE PER GENERAL LEDGER</b>                            |                      | <b><u>3,603,633.77</u></b>          | <b><u>3,008,903.03</u></b>          | <b><u>594,730.74</u></b>      |
| <b>Fund Balance Adjusted To Reflect Income Statement 11/30/17</b> |                      | <b>4,586,906.79</b>                 | <b>3,731,233.79</b>                 | <b>855,673.00</b>             |

County of Frederick  
Fund 12 Landfill  
November 30, 2017

| ASSETS                            | FY2018<br>11/30/17   | FY2017<br>11/30/16   | Increase<br>(Decrease) |
|-----------------------------------|----------------------|----------------------|------------------------|
| Cash                              | 36,850,625.52        | 33,956,364.00        | 2,894,261.52           |
| Receivables:                      |                      |                      |                        |
| Accounts Receivable               |                      |                      |                        |
| Fees                              | 639,611.78           | 539,694.23           | 99,917.55 *1           |
| Accounts Receivable Other         | 0.00                 | 1,841.56             | (1,841.56)             |
| Allow.Uncollectible Fees          | (84,000.00)          | (84,000.00)          | 0.00                   |
| Fixed Assets                      | 47,158,186.20        | 45,498,224.85        | 1,659,961.35           |
| Accumulated Depreciation          | (29,232,078.83)      | (27,824,334.18)      | (1,407,744.65)         |
| GL controls(est.rev/est.exp)      | (2,871,762.00)       | (1,693,621.76)       | (1,178,140.24)         |
| <b>TOTAL ASSETS</b>               | <b>52,460,582.67</b> | <b>50,394,168.70</b> | <b>2,066,413.97</b>    |
| <b>LIABILITIES</b>                |                      |                      |                        |
| Accounts Payable                  | -                    | -                    |                        |
| Accrued VAC.Pay and Comp TimePay  | 158,608.75           | 183,021.61           | (24,412.86)            |
| Accrued Remediation Costs         | 12,807,957.65        | 12,516,507.64        | 291,450.01 *2          |
| Retainage Payable                 | 0.00                 | 26,133.20            | (26,133.20)            |
| Deferred Revenue Misc.Charges     | 0.00                 | 1,841.56             | (1,841.56)             |
| <b>TOTAL LIABILITIES</b>          | <b>12,966,566.40</b> | <b>12,727,504.01</b> | <b>239,062.39</b>      |
| <b>EQUITY</b>                     |                      |                      |                        |
| Fund Balance                      |                      |                      |                        |
| Reserved:                         |                      |                      |                        |
| Encumbrances                      | 386,396.00           | 796,582.64           | (410,186.64) *3        |
| Land Acquisition                  | 1,048,000.00         | 1,048,000.00         | 0.00                   |
| New Development Costs             | 3,812,000.00         | 3,812,000.00         | 0.00                   |
| Environmental Project Costs       | 1,948,442.00         | 1,948,442.00         | 0.00                   |
| Equipment                         | 3,050,000.00         | 3,050,000.00         | 0.00                   |
| Undesignated                      |                      |                      |                        |
| Fund Balance                      | 29,249,178.27        | 27,011,640.05        | 2,237,538.22 *4        |
| <b>TOTAL EQUITY</b>               | <b>39,494,016.27</b> | <b>37,666,664.69</b> | <b>1,827,351.58</b>    |
| <b>TOTAL LIABILITY AND EQUITY</b> | <b>52,460,582.67</b> | <b>50,394,168.70</b> | <b>2,066,413.97</b>    |

**NOTES:**

\*1 Landfill receivables increased \$99,917.55. Landfill fees at 11/17 were \$578,767.11 compared to \$507,963.78 at 11/16 for an increase of \$70,803.33. Delinquent fees at 11/17 were \$60,844.67 compared to \$28,492.13 at 11/16 for an increase of \$32,352.54.

\*2 Remediation increased \$291,450.01 and includes \$260,047.00 for post closure and \$31,403.01 interest.

\*3 The encumbrance balance at 11/30/17 was \$386,396.00. Included in this balance is a 2017 CAT 963K Track loader for \$334,679 and a 2017 Ford Super Duty F-450 at a cost of \$51,717.

\*4 Fund balance increased \$2,237,538.22. The beginning balance was \$30,545,628.45 and includes adjusting entries, budget controls for FY18(\$2,997,546), (\$120,000) for trash compactor GPS system,(\$10,000) for generator monitoring equipment, (\$100,000) for surveillance equipment and \$1,931,095.82 for year to date revenue less expenditures.

Note that FY17 budget controls were (\$645,965) compared to FY18(\$2,997,546) for a difference of \$2,351,581 reduction in fund balance.

County of Frederick  
 Comparative Statement of Revenue, Expenditures  
 and Changes in Fund Balance  
 November 30, 2017

| FUND 12 LANDFILL<br>REVENUES                          | Appropriated | FY2018             | FY2017             | YTD                |
|-------------------------------------------------------|--------------|--------------------|--------------------|--------------------|
|                                                       |              | 11/30/17<br>Actual | 11/30/16<br>Actual | Actual<br>Variance |
| Credit Card Charges                                   | 0.00         | 1,140.70           | 1,522.71           | (382.01)           |
| Interest on Bank Deposits                             | 75,000.00    | 69,882.56          | 31,556.15          | 38,326.41          |
| Salvage and Surplus                                   | 0.00         | 68,648.46          | 49,026.55          | 19,621.91          |
| Sanitary Landfill Fees                                | 5,920,000.00 | 2,556,415.81       | 2,322,660.54       | 233,755.27         |
| Charges to County                                     | 0.00         | 229,737.88         | 212,969.79         | 16,768.09          |
| Charges to Winchester                                 | 0.00         | 59,415.54          | 58,370.48          | 1,045.06           |
| Tire Recycling                                        | 110,000.00   | 108,170.49         | 53,969.99          | 54,200.50          |
| Reg. Recycling Electronics                            | 66,000.00    | 21,097.00          | 22,459.00          | (1,362.00)         |
| Greenhouse Gas Credit Sales                           | 10,000.00    | 4,918.95           | 0.00               | 4,918.95           |
| Miscellaneous                                         | 48,000.00    | 178.00             | 169.00             | 9.00               |
| Wheel Recycling                                       | 50,000.00    | 0.00               | 0.00               | 0.00               |
| Charges for RTOP                                      | 0.00         | 0.00               | 0.00               | 0.00               |
| Renewable Energy Credits                              | 168,402.00   | 77,184.36          | 90,346.60          | (13,162.24)        |
| Landfill Gas To Electricity                           | 287,293.00   | 139,166.13         | 151,151.37         | (11,985.24)        |
| Waste Oil Recycling                                   |              | 0.00               | 0.00               | 0.00               |
| <b>TOTAL REVENUES</b>                                 | 6,734,695.00 | 3,335,955.88       | 2,994,202.18       | 341,753.70         |
| Operating Expenditures                                | 4,951,853.00 | 1,307,645.68       | 1,252,328.66       | 55,317.02          |
| Capital Expenditures                                  | 5,041,000.00 | 97,214.38          | 1,547,985.71       | (1,450,771.33)     |
| <b>TOTAL Expenditures</b>                             | 9,992,853.00 | 1,404,860.06       | 2,800,314.37       | (1,395,454.31)     |
| <b>Excess(deficiency)of revenue over expenditures</b> |              | 1,931,095.82       | 193,887.81         | 1,737,208.01       |
| <b>Fund Balance Per General Ledger</b>                |              | 27,318,082.45      | 26,817,752.24      | 500,330.21         |
| <b>FUND BALANCE ADJUSTED</b>                          |              | 29,249,178.27      | 27,011,640.05      | 2,237,538.22       |

**County of Frederick, VA**  
**Report on Unreserved Fund Balance**  
**December 13, 2017**

**Unreserved Fund Balance, Beginning of Year, July 1, 2017** **44,544,519**

**Prior Year Funding & Carryforward Amounts**

|                                              |             |             |
|----------------------------------------------|-------------|-------------|
| C/F forfeited asset funds                    | (209,066)   |             |
| C/F capital contingency                      | (1,144,788) |             |
| C/F Fire Company Capital                     | (219,688)   |             |
| C/F Sheriff vehicle equipment                | (20,130)    |             |
| C/F Sheriff body cameras                     | (128,440)   |             |
| C/F Sheriff eSummons                         | (29,620)    |             |
| C/F Sheriff 21st century grant               | (12,699)    |             |
| C/F Sheriff honor guard donation             | (100)       |             |
| C/F Sheriff auto claim reimbursement         | (15,742)    |             |
| C/F design Stephenson Convenience Center     | (9,000)     |             |
| C/F Middletown & Greenwood site improvements | (60,434)    |             |
| C/F NW Sherando design & Abrams Creek survey | (88,770)    |             |
| C/F NW Sherando construction                 | (272,300)   |             |
| C/F Rose Hill Park playground                | (7,278)     |             |
| C/F E911 radio upgrade                       | (7,580)     |             |
| C/F Stephens City ancillary building         | (214,106)   |             |
| C/F Sherando fire hydrant install            | (20,000)    |             |
| C/F School FY17 grant funds                  | (285,004)   |             |
| C/F Fire & Resuce study                      | (27,900)    |             |
|                                              |             | (2,772,643) |

**Other Funding / Adjustments**

|                                    |             |             |
|------------------------------------|-------------|-------------|
| COR refund - Calibur Collision     | (14,926)    |             |
| COR refund - Valley Proteins       | (16,961)    |             |
| COR refund - Ally Financial        | (3,267)     |             |
| Airport capital                    | (209,674)   |             |
| COR refund - Toyota Lease Trust    | (3,305)     |             |
| COR refund - Gander Mountain       | (7,150)     |             |
| Return unspent FY17 VJCCA funds    | (18,896)    |             |
| Stephenson Convenience Site        | (330,537)   |             |
| (3) Sheriff's Deputies & equipment | (266,507)   |             |
| PT to FT COR position              | (11,466)    |             |
| FY17 School surplus for buses      | (997,265)   |             |
| EDA incentive - NFCU               | (2,000,000) |             |
|                                    |             | (3,879,954) |

**Fund Balance, December 13, 2017** **37,891,922**

G



**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** John A. Bishop, AICP, Assistant Director - Transportation *JB*  
**RE:** Transportation Committee Report for Meeting of December 18, 2017  
**DATE:** December 27, 2017

The Transportation Committee met on Monday, December 18, 2017 at 8:30 a.m.

Members Present

Gary Lofton Chairman (voting)  
Judith McCann-Slaughter (voting)  
Gene Fisher (voting)  
James Racey (voting)  
Barry Schnoor (voting)  
Kevin Kenney (liaison PC)

Members Absent

Mark Davis (liaison Middletown)  
Lewis Boyer (liaison Stephens City)

The Committee submits the following:

**\*\*\*Items Requiring Board Action\*\*\***

**1. Renaissance Drive Phase II – Authorization to Proceed (see attached):**

A brief overview was presented to the Committee for the project that will extend Renaissance Drive from Prosperity Drive to Shady Elm Road with a bridge over the CSX Railroad, this would be approximately .5 miles. A two (2) lane shoulder and a ditch section except the bridge which will be a full future four (4) lane section. This will allow new and existing commercial traffic to access the Route 37 interchange from the South. The cost estimate for this project would be \$5,791,500.00. The funding package which has been put together comes from the following sources:

- \$1,638,764.00-Revenue Sharing VDOT
- \$633,644.00-Artillery Rezoning Proffer
- \$451,791.46-Blackburn Rezoning Proffer
- \$1,080,000.00- Carbaugh Rezoning Proffer (BOS approved December 13, 2017)
- \$1,995,682.00-Transportation Partnership Opportunity Fund

There are no backstop agreements with this project. Staff has recommended to proceed with this project.

**Upon a motion by Mr. Fisher, seconded by Mr. Racey, the Committee recommended approval to proceed with one Committee member voting against.**

**3. Springdale Road Truck Restriction (see attached):**

A brief overview was presented to the Committee regarding citizens' concerns with truck traffic on Springdale Road between Route 11 and the intersection of Shady Elem Road. The road has significant horizontal and vertical curvature issues. The roadway is approximately 20 feet wide at the widest point. It is generally narrower. There is a reasonable alternative route. The Staff is seeking a recommendation to the Board of Supervisors on whether to hold a public hearing on the Springdale Road restriction. Staff recommends that this be forwarded to a public hearing.

**Upon a motion by Mrs. McCann-Slaughter, seconded by Mr. Racey the Committee forwarded this proposal for the Springdale Road restriction to the Board of Supervisors for public hearing with recommendation for approval. The motion was unanimously approved.**

**\*\*\*Items Not Requiring Board Action\*\*\***

**2. Green Spring Road Speed Limit:**

The residents of Green Spring Road have raised concerns regarding the speed limit. Staff has been coordinating with the VDOT Traffic Engineering Department to consider this issue. The VDOT Staff has determined that a lower speed limit is likely. Staff is seeking the Committee is in concurrence for VDOT to move forward with conducting a speed study if required.

**By consensus, the Committee chose to concur with VDOT's decision if further study is needed.**

**4. County Project Updates**

**Tevis Street Extension/Airport Road/I-81 Bridge:**

Full Bridge plans are undergoing review for final comment. Airport Road and the Roundabout are expected to be at 60% within 2 weeks. Environmental surveys are complete. On site test boring for signal pole design is expected shortly.

**Renaissance Drive:**

Covered under Item 1

**Valley Mill Road Realignment:**

No activity at this time.

**Coverstone Drive:**

No activity at this time.

**Jubal Early Drive Extension and Interchange with Route 37:**

Communication was sent to the Applicant and noted that the County could make no further moves forward on the project until a revenue sharing agreement is in place. Following, a meeting was held at which the agreement was discussed, and Staff is awaiting feedback from the Applicant. No new action as of this agenda. Staff has reached out to the Applicant's engineer and no update was provided.

**4. Upcoming Agenda Items:**

**November/December**

MPO Route 11 South Stars Study

**December/January**

Oakdale Crossing Traffic Calming Study

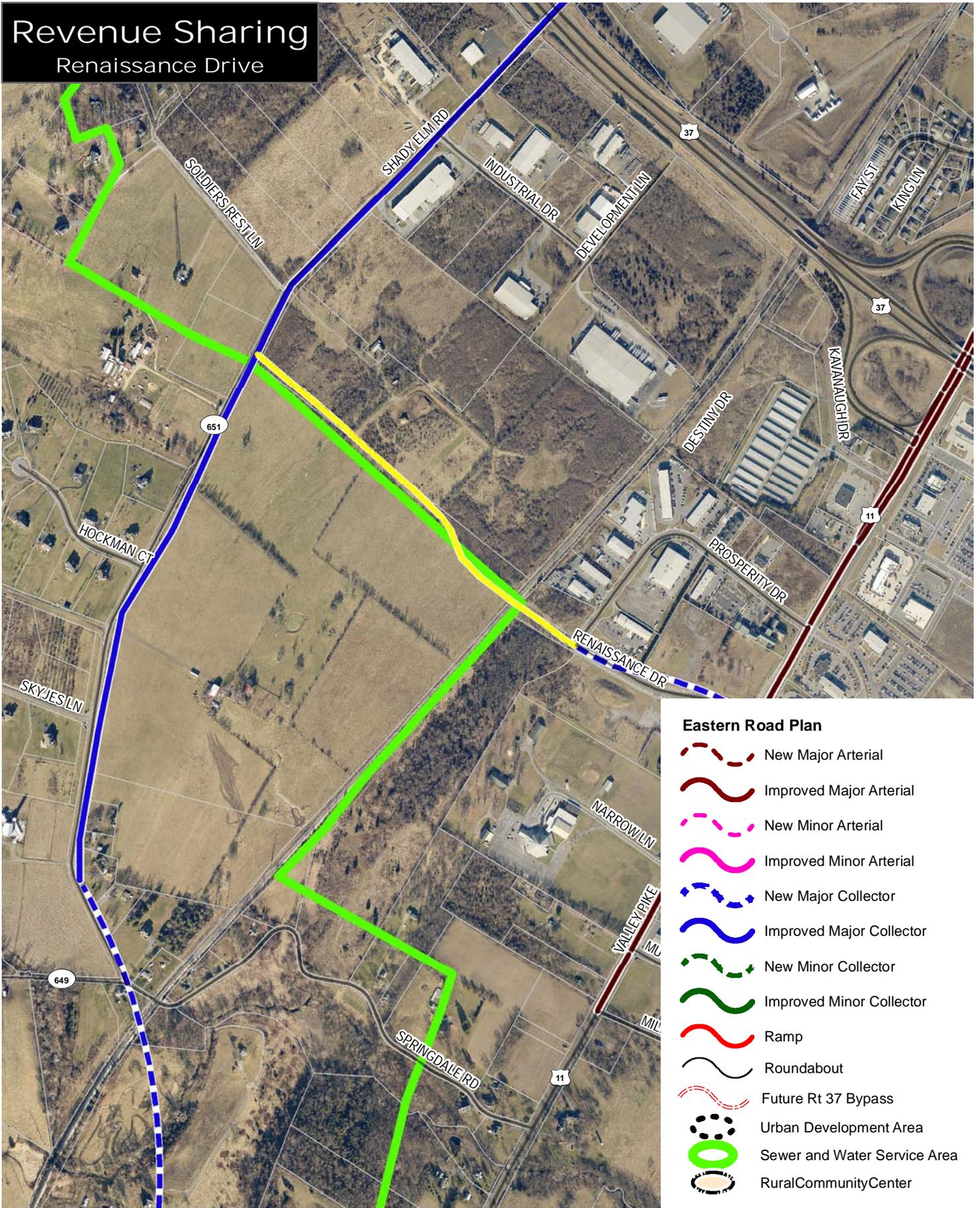
SmartScale Applications Discussion

Old Charlestown Road Bridge

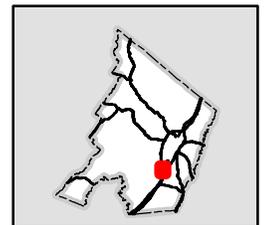
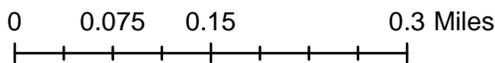
**5. Other Business:**

JAB/ks

# Revenue Sharing Renaissance Drive

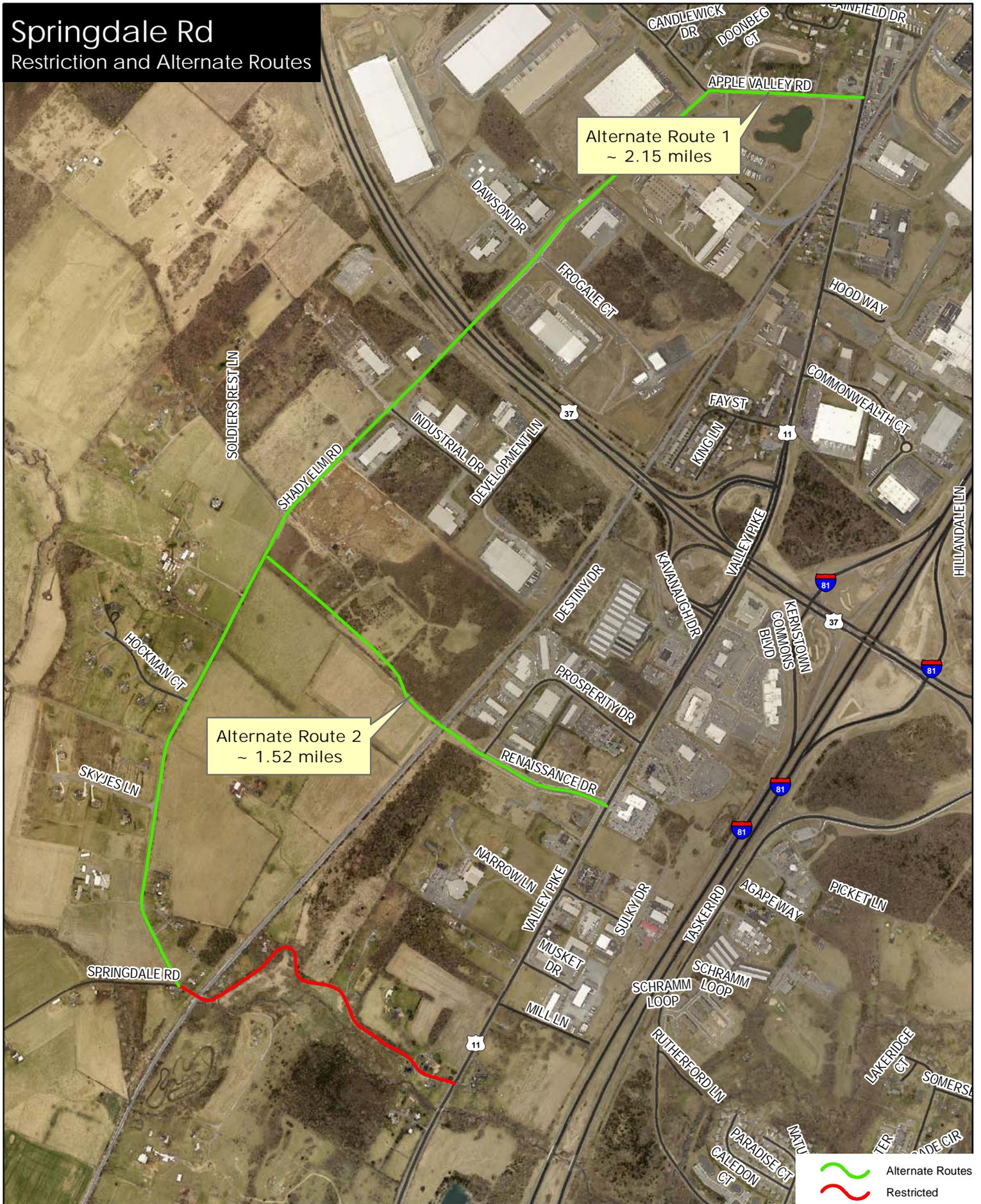


Note:  
 Frederick County Dept of  
 Planning & Development  
 107 N Kent St  
 Suite 202  
 Winchester, VA 22601  
 540 - 665 - 5651  
 Map Created: October 20, 2015  
 Staff: jbishop



# Springdale Rd

## Restriction and Alternate Routes



Alternate Route 1  
~ 2.15 miles

Alternate Route 2  
~ 1.52 miles

 Alternate Routes  
 Restricted



## Frequently Asked Questions -Through Truck Restriction Program



### What is a through truck?

For the purposes of through truck restrictions enacted under § [46.2-809](#) of the Code of Virginia, A *through truck* is defined as any truck or truck and trailer or semitrailer combination, except a pickup or panel truck, that travels from one point to another and having no origin or destination along the route(s) traveled.

### How does the program work?

The Through Truck Restriction Program allows a local governing body to request that VDOT restrict the use of through trucks on any part of a primary or secondary highway that is under the jurisdiction of VDOT if a reasonable alternate route is provided. The program is governed by § [46.2-809](#) of the Code of Virginia.

### How is a request for a restriction evaluated?

The local governing body must hold a public hearing and make a formal request, including the submittal of a resolution, to VDOT. VDOT evaluates requests in accordance with the [Through Truck Restriction Guidelines](#) which lays out the requirements that must be met in making the request as well as criteria for evaluating the appropriateness of the proposed restriction. The criteria consider the reasonableness of the alternate routing and the compatibility of truck traffic with the type of roadway and the character of the affected area. VDOT also solicits and considers public comments on the proposed restriction.

### What is the process to request a through truck restriction?

Requests for through truck restrictions are made to the local governing body, generally the Board of Supervisors (BOS). The BOS holds a public hearing for any proposed restriction it desires to consider. Following the public hearing, the BOS must make a formal request to VDOT for any restriction it has determined to move forward. The request to VDOT is generally through the Residence Administrator (In Fairfax, Prince William, and Loudoun Counties the request is made to the VDOT Regional Traffic Engineer) in accordance with various requirements. From this point VDOT has 9 months to respond to the formal request. VDOT evaluates and considers the request, conducts a study, and solicits public comments on the proposed restriction. For primary routes, the Commonwealth Transportation Board approves or denies the request. For secondary routes, the Commissioner of Highways (VDOT) approves or denies the request. VDOT then notifies the local governing body of the decision.

### How is a through-truck restriction funded?

VDOT incurs all installation and maintenance costs out of its operating budgets.

### Which routes are currently restricted?

Click [here](#) for a map of restricted routes.

H



**CONDITIONAL USE PERMIT #08-17**  
**Paul C. and Mary A. Valentino - Special Event Facility**  
**Staff Report for the Board of Supervisors**  
**Prepared: January 3, 2018**  
Staff Contact: M. Tyler Klein, AICP, Planner

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*This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this request. It may also be useful to others interested in this zoning matter.*

|                       | <u>Reviewed</u> | <u>Action</u>        |
|-----------------------|-----------------|----------------------|
| Planning Commission:  | 11/15/17        | Recommended Approval |
| Board of Supervisors: | 01/10/18        | Pending              |

**EXECUTIVE SUMMARY & PLANNING COMMISSION RECOMMENDATION FOR THE 01/10/18 BOARD OF SUPERVISORS MEETING:**

This is a request for a Conditional Use Permit (CUP) for a special event facility in the RA (Rural Areas) Zoning District. Should the Planning Commission find this application for a special event facility to be appropriate, Staff recommends that the following conditions be attached to the CUP:

1. All review agency comments shall be complied with at all times.
2. An illustrative sketch plan, in accordance with the requirements of Article VIII of the Fredrick County Zoning Ordinance, shall be submitted to and approved by Frederick County prior to the establishment of the use.
3. Events shall start no earlier than 10 a.m. and all events and related activities shall conclude by midnight.
4. All outside music shall conclude by 9 p.m. Music may continue indoors until the conclusion of the event.
5. All lighting shall be downcast to avoid glare onto adjacent properties and residences.
6. Events may accommodate up to and not to exceed 290 persons.
7. One (1) monument style sign with a maximum sign area not to exceed 50 square feet (SF) and not to exceed 10 feet (FT) in height is permitted.
8. Any expansion or modification of this use will require the approval of a new CUP.

*Following this public hearing, a decision regarding this Conditional Use Permit application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.*

**LOCATION:** This approximately 146.2-acre properties are located at 4212 Apple Pie Ridge Road, Winchester, Virginia, approximately a half-mile south of the Frederick County/West Virginia Line and approximately two (2) miles north of White Hall Road.

**MAGISTERIAL DISTRICT:** Stonewall

**PROPERTY ID NUMBER:** 22-A-89 and 22-A-94

**PROPERTY ZONING & PRESENT USE:** Zoned: RA (Rural Areas)  
Land Use: Agricultural

**ADJOINING PROPERTY ZONING & PRESENT USE:**

|                         |                                    |
|-------------------------|------------------------------------|
| North: RA (Rural Areas) | Use: Vacant/Open Space             |
| South: RA (Rural Areas) | Use: Vacant/Open Space             |
| East: RA (Rural Areas)  | Use: Vacant/Open Space             |
| West: RA (Rural Areas)  | Use: Residential/Vacant/Open Space |

**PROPOSED USE:**

This is a request for a Conditional Use Permit (CUP) to enable the establishment of a special event center for weddings and other similar type events in the RA (Rural Areas) Zoning District to accommodate up to 290 persons.

**REVIEW EVALUATIONS:**

**Virginia Department of Transportation:** The application for the Conditional Use Permit for this property appears to have a measurable impact on Route 739, the VDOT facility which would provide access to the property. Prior to operation of the business a Low Volume commercial entrance must be constructed to our standards to allow for the safe egress and ingress of the property. Based on the updated location of the proposed new entrance dated 7 August 2017, the required sight distance requirements appear to have been met. Any work performed on the State's right-of-way must be covered under a land use permit. The permit is issued by this office and require an inspection fee and surety coverage.

**Frederick County Inspections:** The existing buildings have been deemed exempt from the building code as they are for "farm use." *See attached determination made by the County Building Official on September 8, 2017.*

**Winchester-Frederick County Health Department:** This Health Department has reviewed the request for comments for the Conditional Use Permit for a farm barn to be used as an event venue (wedding, etc.); located at 4212 Apple Pie Ridge Rd., Winchester, VA; Tax Map# 22-A-

94. Based upon information provided by the Applicant, the sewage disposal needs of the guests at the venue will be accommodated by a restroom trailer. However, pursuant to 12VAC5-610-980 C.3. of the Sewage Disposal & Handling Regulations, C., which states. “Portable privies are normally used in association with mass gatherings, construction sites, etc. where temporary facilities are required.” As the use of the barn denotes a permanent, or non-temporary venue, the use of a portable privy (restroom trailer) cannot be permitted for the proposed venue. It is recommendation that a permanent restroom facility be utilized that makes use of the existing permitted sewage disposal system serving the guest house and the main house; or, locate another sewage disposal system for the dedicate purpose of the barn venue. Applicant(s) can feel free to contact me at (540) 722-3480.

**Frederick County Fire Marshall:** Approved

**Planning and Zoning:** This application for a Conditional Use Permit (CUP) to permit the establishment of a special event facility for private events such as weddings. A special event facility is a permitted use in the RA (Rural Areas) Zoning District with an approved CUP. The Zoning Ordinance defines “special event facility” as *a facility or site utilized for events that are typically conducted on a single day but which may be conducted for up to three consecutive days, for which attendance is permitted only by invitation or reservation; special events include, but are not limited to, meetings, conferences, banquets, dinners, weddings and private parties.*

The proposed use will take place on a 146.2-acre property, which includes existing buildings and is currently being used for agricultural purposes (raising of cattle). The special event facility will be accessed via a new private event-only entrance from Apple Pie Ridge Road (State Route 739). The Applicant intends to use a portion of the site for the proposed special event facility, while maintaining the remainder of the site as productive agricultural land (6 Pastures Farm is a working cattle farm). The Applicant states they will utilize the existing two-story 3,784 square foot (SF) barn and the 1-bedroom guesthouse for weddings and other special events. The Applicant intends to host events for up to 290 persons, and will provide a gravel parking area to support up to 150 vehicles. Permanent restroom facilities will be installed, including a new septic system and drainfield. Any food preparation will be via catering companies, and no permanent cooking facilities will be provided indoors.

The properties are surrounded by RA (Rural Areas) zoned property, which includes open space, agricultural uses, and single-family detached residences. The 2035 Comprehensive Policy Plan of Frederick County (Comprehensive Plan) identifies this area of the County as “rural” and is to remain agricultural in nature and is not part of any land use study. The Board of Supervisors added “special event facilities” to the conditional use list for the County’s Rural Areas Zoning District in May 2017 to support additional opportunities for agribusiness and agritourism. The proposed use is consistent with the goals and strategies expressed in the 2035 Comprehensive Plan and the surrounding properties.

**PLANNING COMMISSION SUMMARY AND ACTION OF THE 11/15/17 MEETING:**

The Planning Commission held a public hearing on the proposed CUP on November 15, 2017. Planning Staff provided an overview of the proposed use, noting the Applicant had satisfied all County requirements and comments from review agencies. The Applicant, Mr. Paul Valentino also spoke, noting his desire to open a special event facility for weddings at 4212 Apple Pie Ridge Road, to maintain the rural character of the property, and continue his agricultural operations as well.

During the public hearing portion, several members of the public spoke regarding the proposed special event facility. Neighboring property owners expressed their support for the improvements the Valentino's had made to the property, the quality of the buildings and the compatibility to the community; three (3) speakers also cited concerns regarding noise and traffic safety along Apple Pie Ridge Road.

The Planning Commission continued to discuss the merits of the application, and concerns raised by members of the public. Specifically, the Planning Commission addressed comments regarding noise and noted the conditions of approval included with the staff recommendation, which limited the hours of operation and restricted outdoor music after 9 p.m. The Planning Commission voted 11-0-2 (Commissioner Cline & Unger absent) to forward the item to the Board of Supervisors with a recommendation of approval.

**EXECUTIVE SUMMARY & PLANNING COMMISSION RECOMMENDATION FOR THE 01/10/18 BOARD OF SUPERVISORS MEETING:**

In conclusion, this is a request for a Conditional Use Permit (CUP) for a special event facility in the RA (Rural Areas) Zoning District. Should the Board of Supervisors find this application for a special event facility to be appropriate, the Planning Commission recommends that the following conditions be attached to the CUP:

1. All review agency comments shall be complied with at all times.
2. An illustrative sketch plan, in accordance with the requirements of Article VIII of the Fredrick County Zoning Ordinance, shall be submitted to and approved by Frederick County prior to the establishment of the use.
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8. Any expansion or modification of this use will require the approval of a new CUP.

***Following this public hearing, a decision regarding this Conditional Use Permit application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.***

# CUP # 08 - 17

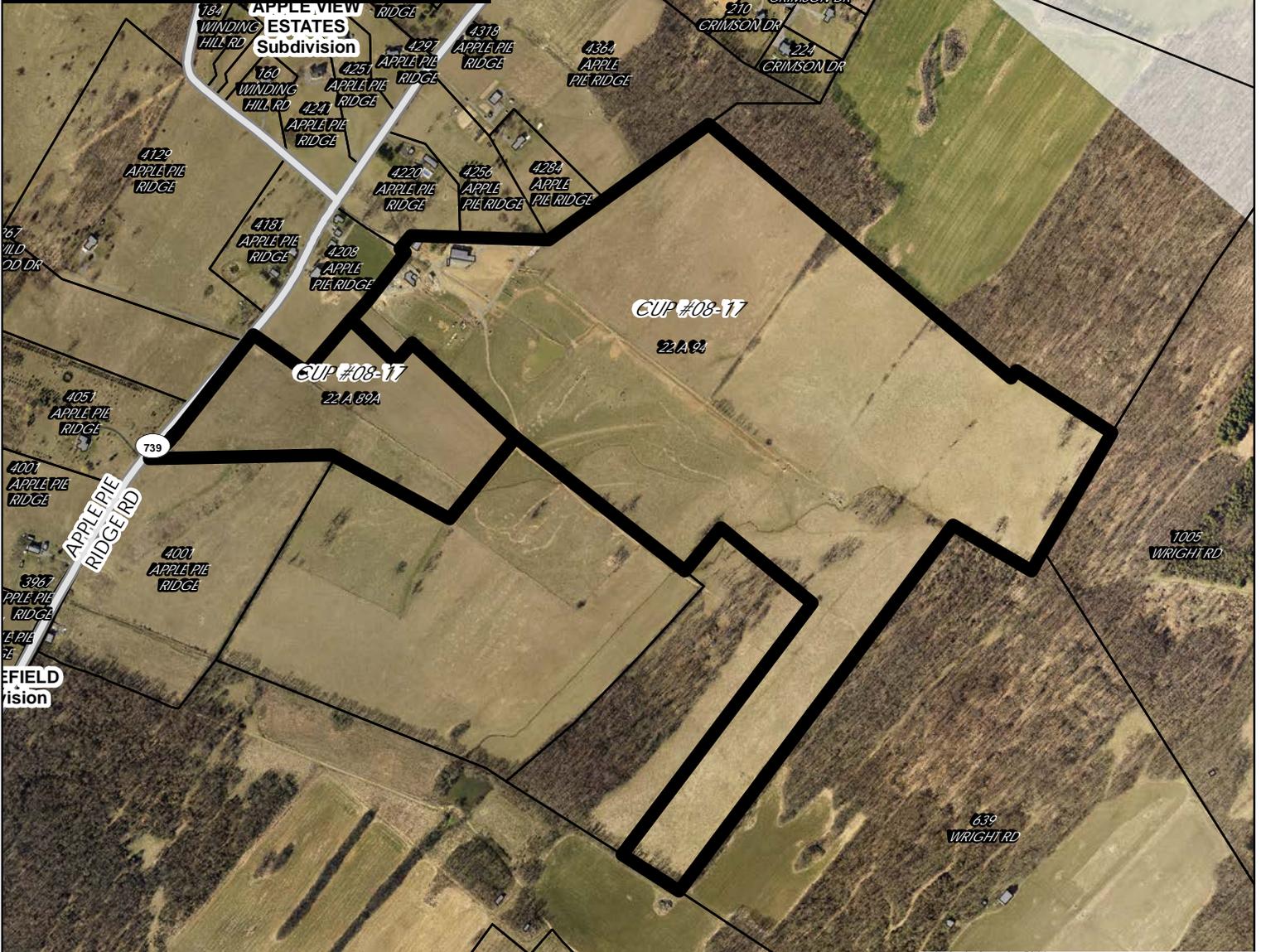
## Paul and Mary Valentino

PINs:

22 - A - 89A, 22 - A - 94

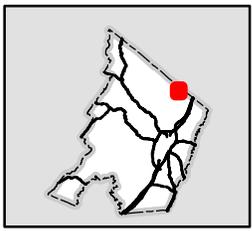
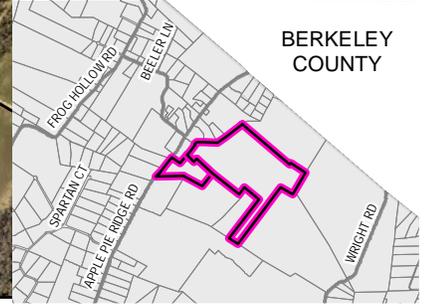
Special Event Facility

Zoning Map



BERKELEY COUNTY  
WEST VIRGINIA

- Applications
- Parcels
- Building Footprints
- B1 (Neighborhood Business District)
- B2 (General Business District)
- B3 (Industrial Transition District)
- EM (Extractive Manufacturing District)
- HE (Higher Education District)
- M1 (Light Industrial District)
- M2 (Industrial General District)
- MH1 (Mobile Home Community District)
- MS (Medical Support District)
- OM (Office - Manufacturing Park)
- R4 (Residential Planned Community District)
- R5 (Residential Recreational Community District)
- RA (Rural Areas District)
- RP (Residential Performance District)



CUP # 08 - 17  
Paul and Mary Valentino  
PINs:  
22 - A - 89A, 22 - A - 94  
Special Event Facility  
Zoning Map

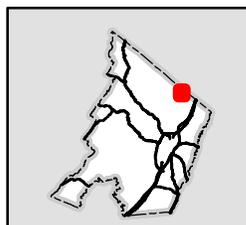
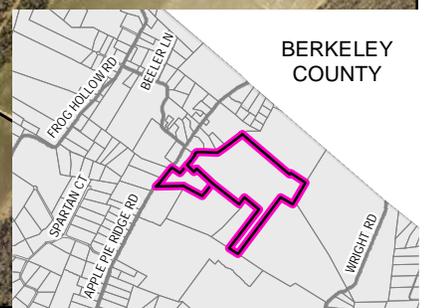
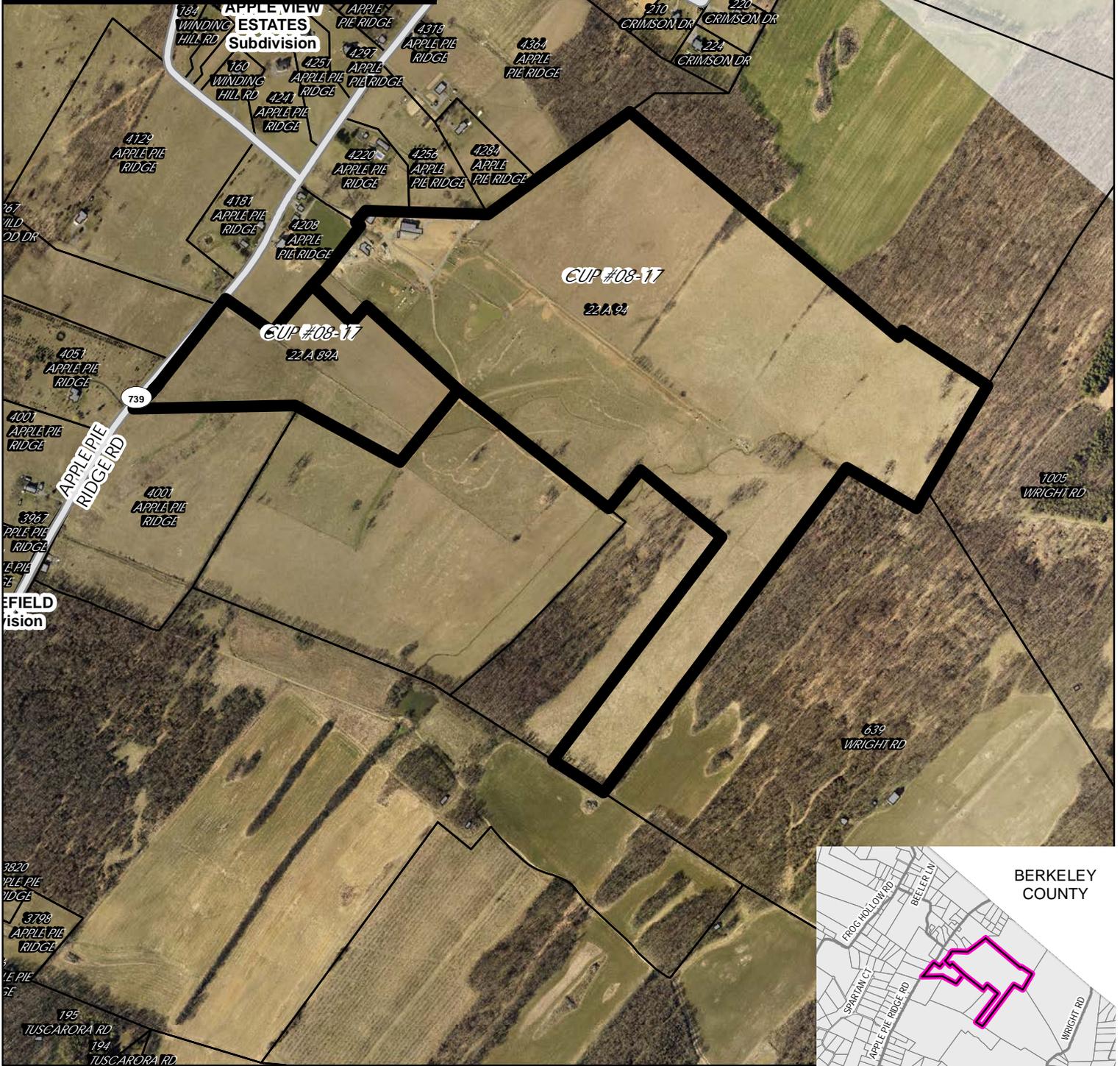
Note:  
Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651  
Map Created: September 28, 2017  
Staff: tklein



# CUP # 08 - 17

## Paul and Mary Valentino

PINs:  
 22 - A - 89A, 22 - A - 94  
 Special Event Facility  
 Location Map

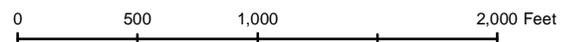


CUP # 08 - 17  
 Paul and Mary Valentino  
 PINs:  
 22 - A - 89A, 22 - A - 94  
 Special Event Facility  
 Location Map

Note:  
 Frederick County Dept of  
 Planning & Development  
 107 N Kent St  
 Suite 202  
 Winchester, VA 22601  
 540 - 665 - 5651  
 Map Created: September 28, 2017  
 Staff: tklein



-  Applications
-  Parcels
-  Building Footprints





|                    |          |
|--------------------|----------|
| Submittal Deadline | 9/28/17  |
| P/C Meeting        | 11/15/17 |
| BOS Meeting        | 12/13/17 |

**APPLICATION FOR CONDITIONAL USE PERMIT  
FREDERICK COUNTY, VIRGINIA**

1. Applicant (check one): Property Owner  Other

NAME: PAUL C VALENTINO AND MARY A VALENTINO

ADDRESS: (HOME) 11411 PURPLE BEECH DRIVE RESTON, VA 20191

TELEPHONE: 703-868-1331

2. Please list all owners, occupants, or parties in interest of the property:

PAUL C VALENTINO REVOCABLE TRUST

MARY A VALENTINO REVOCABLE TRUST

V HOLDINGS, INC. dba 6 PASTURES FARM

3. The property is located at: (please give exact directions and include the route number of your road or street)

4212 APPLE PIE RIDGE ROAD (RTE. 739)

WINCHESTER, VA 22603

4. The property has a road frontage of ± 825 feet and a depth of ± 3531 feet and consists of ~~146.12~~ acres. (Please be exact)

5. The property is owned by MARY A VALENTINO REVOCABLE TRUST AND THE PAUL C VALENTINO REVOCABLE TRUST as evidenced by deed from BELEFORD ET AL (previous owner) recorded in deed book no. \_\_\_\_\_ on page \_\_\_\_\_, as recorded in the records of the Clerk of the Circuit Court, County of Frederick. COPY ATTACHED

6. Property Identification Number (P.I.N.) 22-A-~~89~~A ± 22-A-94  
Magisterial District STONEWALL  
Current Zoning RA (RURAL ACRES)

7. Adjoining Property:

|       | USE                             | ZONING |
|-------|---------------------------------|--------|
| North | AGRICULTURAL/VACANT/RESIDENTIAL | RA     |
| East  | AGRICULTURAL/RESIDENTIAL        | RA     |
| South | AGRICULTURAL/VACANT             | RA     |
| West  | AGRICULTURAL/VACANT             | RA     |

8. The type of use proposed is (consult with the Planning Dept. before completing):  
SPECIAL EVENT FACILITY

9. It is proposed that the following buildings will be constructed:  
ALREADY BUILT/EXISTING

10. The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear and in front of (across street from) the property where the requested use will be conducted. (Continue on back if necessary.)  
 These people will be notified by mail of this application:

| Name and Property Identification Number                           | Address                                                 |
|-------------------------------------------------------------------|---------------------------------------------------------|
| Name <del>YETI</del> ROBERT & KAREN BELFORD<br>Property # 8004655 | 4208 APPLE PIE RIDGE RD<br>WINCHESTER, VA 22603         |
| Name EDWARD T & JANET SHoup<br>Property # 8039000                 | 4218 APPLE PIE RIDGE RD<br>4220<br>WINCHESTER, VA 22603 |
| Name ROBERT L & MARILYN V CUNNINGHAM, TTEE<br>Property # 8039190  | 3734 SARAH BROOKE CT.<br>JACKSONVILLE, FL 32277         |
| Name MICHELE M. HART<br>Property # 8004656                        | 4284 APPLE PIE RIDGE RD.<br>WINCHESTER, VA 22603        |
| Name JOHN PAUL NETHERS<br>Property # 8004657                      | 4364 APPLE PIE RIDGE RD.<br>WINCHESTER, VA 22603        |
| Name LILLIAN V BOWLES & BEVERLY CLOUSER<br>Property # 8004650     | 396T APPLE PIE RIDGE RD<br>WINCHESTER, VA 22603         |
| Name <del>PAUL &amp; MARY VALENTINO</del><br>Property # _____     |                                                         |

| Name and Property Identification Number | Address                  |
|-----------------------------------------|--------------------------|
| Name Edward Shoup                       | 4218 Apple Pie Ridge Rd. |
| Property # 22-A-98A                     | Winchester, VA 22603     |
| Name Robert Cunningham                  | 3734 Sara Brooke Ct.     |
| Property # 22-A-98B                     | Jacksonville, FL 32277   |
| Name Michele Hart                       | 4284 Apple Pie Ridge Rd. |
| Property # 22-A-97                      | Winchester, VA 22603     |
| Name John Paul Nethers                  | 4364 Apple Pie Ridge Rd. |
| Property # 22-A-98                      | Winchester, VA 22603     |
| Name Runney Meade Farm                  | P.O. Box 1               |
| Property # 23-A-1                       | Gerradstown, WV 25420    |
| Name Robert Belford                     | 4208 Apple Pie Ridge Rd. |
| Property # 22-A-96                      | Winchester, VA 22602     |
| Name Lillian Boyles                     | 3967 Apple Pie Ridge Rd. |
| Property # 22-A-91                      | Winchester, VA 22603     |
| Name DTS Properties, LLC                | P.O. 2368                |
| Property # 22-A-6S                      | Winchester, VA 22604     |
| Name DTS LC                             | P.O. Box 2368            |
| Property # 23-A-3                       | Winchester, VA 22604     |
| Name William Henkle                     | 1005 Wright Rd.          |
| Property # 23-A-6                       | Clearbrook, VA 22624     |
| Name John Blair Pritchard               | 4181 Apple Pie Ridge Rd. |
| Property # 22-A-89                      | Winchester, VA 22603     |
| Name Jerrod Hughes                      | 4241 Apple Pie Ridge Rd. |
| Property # 22-A-88D                     | Winchester, VA 22603     |
| Name Michael Nelson                     | 4129 Apple Pie Ridge Rd. |
| Property # 22-A-89B                     | Winchester, VA 22603     |
| Name Gaines McMartin                    | 4051 Apple Pie Ridge Rd. |
| Property # 22-A-90A                     | Winchester, VA 22603     |

12. Additional comments, if any: \_\_\_\_\_

SEE OVERVIEW COMMENT SHEET ENCLOSED

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I (we), the undersigned, do hereby respectfully make application and petition the governing body of Frederick County, Virginia to allow the use described in this application. I understand that the sign issued to me when this application is submitted must be placed at the front property line at least seven (7) days prior to the first public hearing and maintained so as to be visible until after the Board of Supervisors' public hearing. Your application for a Conditional Use Permit authorizes any member of the Frederick County Planning Commission, Board of Supervisors or Planning and Development Department to inspect your property where the proposed use will be conducted.

Signature of Applicant Paul Valentino

Signature of Owner Paul Valentino

Owners' Mailing Address 11411 PURPLE BEECH DR. RESTON, VA 20191

Owners' Telephone No. 703-868-1331

|                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>TO BE COMPLETED BY THE ZONING ADMINISTRATOR:</u></b></p> <p><b>USE CODE:</b> _____</p> <p><b>RENEWAL DATE:</b> _____</p> |
|-----------------------------------------------------------------------------------------------------------------------------------|

## **6 Pastures Farm Event Venue**

**Apple Pie Ridge Road Winchester, VA 22603**

### **Conditional Use Permit General Overview**

The proposed use of the barn and guest house (photos enclosed) is for use as an event venue to host weddings, etc. The barn has been rebuilt and is essentially a new structure.

The guest house is a new 1 bedroom building for which the building permit has been issued.

Completion date for both structures is projected to be the end of October, 2017.

Events will begin in the spring of 2018.

The barn is approximately 44' X 86' (3784 sq. ft.) on two floors – each with its own entrance and a connecting stair between.

There will be permanent bathroom facilities installed to meet Health Department requirements along with a new septic system and drain field per County specifications.

A new low volume commercial entrance will be built ( shown on the plat of the property) according to VDOT specifications per email provided from Lloyd Ingram, VDOT transportation engineer. A new gravel farm road will connect the new entrance to the venue area.

290 attendees is the MAX number of people at any event.

Gravel parking areas are provided and will support parking for more than 150 vehicles.

There will be no permanent cooking facilities inside the barn. Any food preparation will be via catering trucks or cookout style and will be outside buildings. Food serving may take place inside.

There will be no alcoholic beverage sales on site. Any alcoholic beverages will be provided (not sold to attendees).

There are no identified historic or archaeological resources on this or the adjacent sites.

6 Pastures Farm is a working cattle farm. It is hoped enough revenue will be generated through hosting events to help retain the farm's approximately 220 acres of land in agricultural use.

NOTES:

1. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE MAY NOT NECESSARILY SHOW ALL ENCUMBRANCES ON THE PROPERTY.
2. EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
3. ACCORDING TO COMMUNITY-PANEL NO. 150906 025 D OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR FREDERICK COUNTY, VIRGINIA, DATED 30PT. 2, 2004, THE PROPERTY SHOWN HEREON APPEARS TO BE WITHIN ZONE "X".
4. TOPOGRAPHIC INFORMATION SHOWN HEREON WAS PROVIDED BY THE FREDERICK COUNTY DEPARTMENT OF GIS AND DOES NOT REFLECT A TOPOGRAPHIC SURVEY BY THIS FIRM.
5. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A FIELD RUN SURVEY BY THIS FIRM.
6. **RF** = IRON ROD FOUND  
**ST** = STONE FOUND  
**MP** = MOUND POST  
**RS** = IRON ROD SET
7. TOTAL AREA = 222,8009 ACRES



RUNNYMEADE FARM  
 23-A-1  
 INST. NO. 02-18025

JOHN PAUL NETHERS  
 22-A-98  
 D.B. 877, PG. 309

JEFFREY S. &  
 SANDRA K. HYRE  
 22-A-97  
 INST. NO. 05-24218

ROBERT L. &  
 MARILYN V. CUNNINGHAM  
 22-A-98B  
 D.B. 965, PG. 992

EDWARD T. &  
 JANET SHOUP  
 22-A-98A  
 INST. NO. 01-20991

ROBERT E. &  
 KAREN R. DELFORD  
 22-A-98  
 INST. NO. 11-5627

TAX MAP 22-A-89A  
 (D.B. 832, PG. 855 ~ PARCEL THREE)  
 (24 ACRES BY DEED)  
 24.0628 ACRES (ACTUAL)

TAX MAP 22-A-93  
 (D.B. 832, PG. 855 ~ PART OF PARCEL TWO)  
 (84.125 ACRES BY DEED)  
 55.3913 ACRES (ACTUAL)

TAX MAP 22-A-94  
 (D.B. 832, PG. 855 ~ PARCEL ONE)  
 (123.4375 ACRES BY DEED)  
 122.0618 ACRES (ACTUAL)

TAX MAP 22-A-92  
 (D.B. 832, PG. 855 ~ PART OF PARCEL TWO)  
 (21.85 ACRES BY DEED)  
 21.0859 ACRES (ACTUAL)

LILLIAN V. BOYLES  
 22-A-91  
 INST. NO. 04-0188

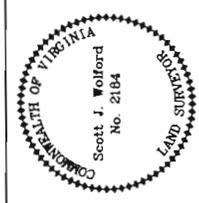
DTS PROPERTIES, LLC  
 22-A-65  
 INST. NO. 05-5141

**PROPOSED  
 LOW VOLUME COMMERCIAL  
 ENTRANCE**

**PROPOSED NEW  
 FARM ROAD**

| NO. | DATE | REVISIONS DESCRIPTION | BY |
|-----|------|-----------------------|----|
|     |      |                       |    |
|     |      |                       |    |
|     |      |                       |    |
|     |      |                       |    |

BOUNDARY SURVEY  
 PROPERTIES TO BE CONNECTED TO  
**PAUL & MARY VALENTINO**  
 STONEWALL MAGISTERIAL DISTRICT  
 FREDERICK COUNTY, VIRGINIA  
 SCALE: 1" = 250' DATE: JULY 24, 2015



**WOLFORD LAND SURVEYING, LLC**  
 P.O. BOX 1105 ~ PURCELLVILLE, VA 20134  
 PHONE (540) 534-8400 wolford@wolford.com  
 WLS JOB NO. 2308  
 SHEET 1 OF 1

CURVE TABLE

| NUMBER | RADIUS  | ARC    | DELTA ANGLE | TANGENT | CHORD  | CHORD BEARING |
|--------|---------|--------|-------------|---------|--------|---------------|
| C1     | 1025.00 | 230.34 | 12°32'32"   | 115.66  | 229.86 | N 34°34'44" E |

Apple Pie Ridge Road

South Entrance  
Private Drive

North Entrance  
Event Entrance



Machine Shed  
(Private)

Additional  
Parking

Event Barn

Cooking  
Area

Outdoor  
Wedding  
Space

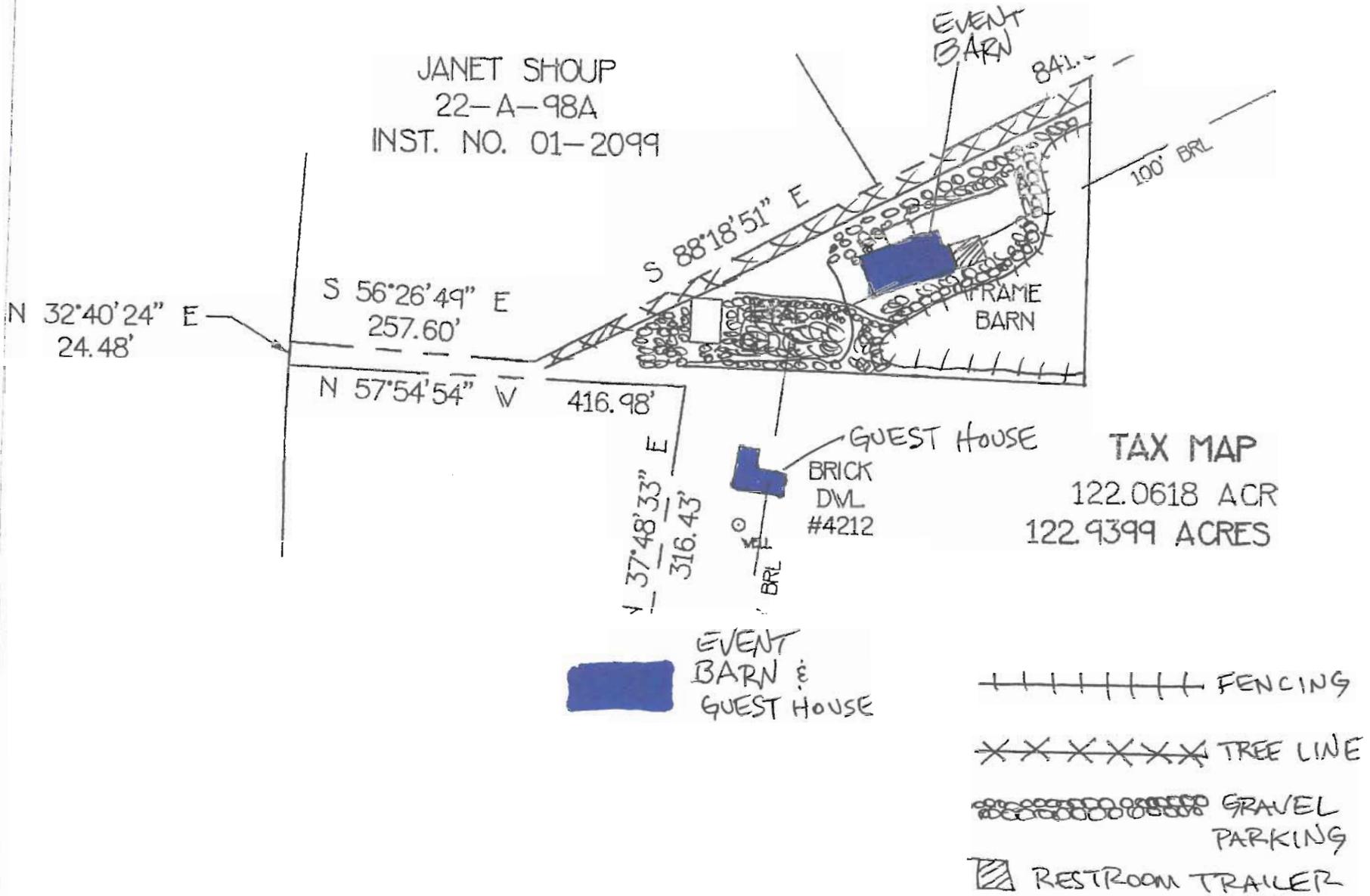
Additional  
Parking

Parking Lot  
100-150 cars

Fire Pit  
Guest House  
Putting Greens



11. Please use this page for your sketch of the property. Show proposed and/or existing structures on the property, including measurements to all property lines.







FARM USE EXEMPTIC  
(Definitions on reverse side)

**COPY**

DATE OF REQUEST: 9/8/17

OWNER'S NAME: PAUL VALENTINO

DAYTIME PHONE NUMBER: 703-868-1331

LOCATION OF PROPERTY REQUESTING EXEMPTION: 4212 APPLE PIE  
RIDGE ROAD

ZONING OF PROPERTY: RA NUMBER OF ACRES: 220

TYPE & NUMBER OF LIVESTOCK OR FARM USE REQUESTING POWER:  
80

BUILDING SIZE & USE OF BUILDING (IF BUILDING IS BEING CONSTRUCTED):  
5000 sq ft

POWER COMPANY WORK REQUEST NUMBER: \_\_\_\_\_

- Shenandoah Co-op
- Rappahannock Co-op

I am aware of the minimum setbacks on my property per the Frederick County Code.

I am NOT aware of the minimum setbacks on my property per the Frederick County Code, but I will verify minimum setbacks with the Frederick County Planning Department.

Paul Valentino  
Owner's Signature

9/8/17  
Date

PAUL VALENTINO  
Please Print

|                                                |                                 |
|------------------------------------------------|---------------------------------|
| <input checked="" type="checkbox"/> APPROVED   | <input type="checkbox"/> DENIED |
| <u>Mark E. Faust</u><br>Building Code Official | Date: <u>9/8/17</u>             |

**2009 Virginia Construction Code (Part I of the Virginia Uniform Statewide Building Code) – Effective March 1, 2011.**

**Section 102 Purpose and Scope**

**Section 102.3 Exemptions.** The following are exempt from this code:

6. Farm buildings and structures, except for a building or portion of a building located on a farm that is operated as a restaurant as defined in Section 35.1-1 of the Code of Virginia and licensed as such by the Virginia Board of Health pursuant to Chapter 2 (Section 35.1-11 et. seq.) of Title 35.1 of the Code of Virginia. However, farm buildings and structures lying within a flood plain or in a mudslide-prone area shall be subject to flood-proofing regulations or mudslide regulations, as applicable.

**Chapter 2 Definitions**

**FARM USE BUILDING OR STRUCTURE.** A building or structure not used for residential purposes, located on property where farming operations take place, and used primarily for any of the following uses or combination thereof:

1. Storage, handling, production, display, sampling or sale of agricultural, horticultural, floricultural or silvicultural products produced in the farm.
2. Sheltering, raising, handling, processing or sale of agricultural animals or agricultural animal products.
3. Business or office uses relating to the farm operations.
4. Use of farm machinery or equipment or maintenance or storage of vehicles, machinery or equipment on the farm.
5. Storage or use of supplies and materials used on the farm.
6. Implementation of best management practices associated with farm operations.

***Please circle the above numbers 1 thru 6 that pertains to your farm exemption.***

MAILING ADDRESS:

11411 PURPLE BEECH DR  
RESTON, VA 20191

The application for a conditional use permit for this property appears to have a measureable impact on Route 739, the VDOT facility which would provide access to the property. Prior to operation of the business a Low Volume commercial entrance must be constructed to our standards to allow for the safe egress and ingress of the property. Based on the updated location of the proposed new entrance dated 7 August 2017, the required sight distance requirements appear to have been met. Any work performed on the State's right-of-way must be covered under a land use permit. The permit is issued by this office and required an inspection fee and surety coverage.

If you require additional information, please contact me.

Regards

*Lloyd A. Ingram, Transportation Engineer  
Virginia Department of Transportation  
Edinburg Residency ~ Land Development  
14031 Old Valley Pike  
Edinburg, Virginia 22824  
Phone #(540) 984-5611  
Fax #(540) 984-5607*

REQUEST FOR CONDITIONAL USE PERMIT COMMENTS



Frederick County Fire Marshal

Mail to:

Frederick County Fire Marshal  
1800 Coverstone Drive  
Winchester, Virginia 22602  
(540) 665-6350

Hand deliver to:

Frederick County Fire & Rescue Dept.  
Attn: Fire Marshal  
Public Safety Building  
1800 Coverstone Drive  
Winchester, Virginia

**Applicant:** It is your responsibility to complete this form as accurately as possible in order to assist the agency with their review. Also, please attach two (2) copies of your application form, location map and all other pertinent information.

Applicant's Name: PAUL CAROL MARY A VALENTI Telephone: 703-828-1331

Mailing Address: 11411 PURPLE BEECH DRIVE  
BOSTON VA 22019  
jevalenti@comcast.net

Name of development and/or description of the request: 6 PASTURES FARM  
CONDITIONAL USE PERMIT FOR FARM BARN  
- TO BE USED AS EVENT VENUE (WEDDINGS, ETC.)

Location of Property:  
4212 APPLE PIE LODGE ROAD  
WINCHESTER, VA 22603

Fire Marshal's Comments:

See Attachment

RECEIVED JUN 27 2017

Fire Marshal's Signature & Date: \_\_\_\_\_

Notice to Fire Marshal - Please Return This Form to the Applicant



**Frederick County**  
**Department of Fire and Rescue**  
**Office of the Fire Marshal**  
1080 Coverstone Drive Winchester, VA 22602

(540) 665-6350 Fax: (540) 678-4739 Email: fmo@fcva.us

## Plan Review & Comments

Date Received  
9/13/2017

Date Reviewed  
9/19/2017

Plan/Permit Type CUP Rev. #1 09-13-17

Name Paul C. and Mary A. Valentino

Address 4212 Apple Pie Ridge RD Winchester VA 22603

Project Name Event Venue

Applicant Name & Number Paul C. and Mary A. Valentino

RE#

Permit Number

Emergency Vehicle Access: Adequate Inadequate ~~N/A~~

Hydrant Location: Adequate Inadequate ~~N/A~~

Siamese Location: Adequate Inadequate ~~N/A~~

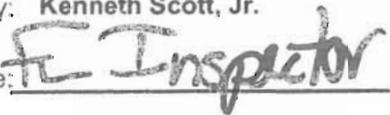
Fire Lanes Required: Yes No ~~N/A~~

Plan Approval Status **Approve**

Comments

Signature: 

Reviewed By: Kenneth Scott, Jr.

Title: 



## Lord Fairfax Health District

Frederick / Winchester Environmental Health

107 North Kent Street - Suite # 201

Winchester, Virginia 22601

Tel. (540) 722-3480 ~ Fax (540) 722-3479

[www.vdh.virginia.gov](http://www.vdh.virginia.gov)



July 14, 2017

### Agency Comments:

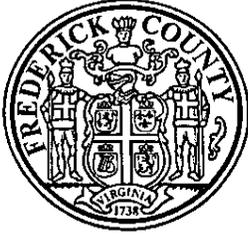
This Health Department has reviewed the request for comments for the Conditional Use Permit for a farm barn to be used as an event venue (weddings, etc.); located at 4212 Apple Pie Ridge Rd., Winchester, VA 20191; Tax Map #: 22-A-94. Based upon information provided by the applicant, the sewage disposal needs of the guests at the venue will be accommodated by a restroom trailer. However, pursuant to 12VAC5-610-980 C.3. of the Sewage Disposal & Handling Regulations, c., which states, "Portable privies are normally used in association with mass gatherings, construction sites, etc. where temporary facilities are required." As the use of the barn denotes a permanent, or non-temporary venue, the use of a portable privy (restroom trailer) cannot be permitted for the proposed venue.

Page 2

It is the recommendation that a permanent restroom facility be utilized that makes use of the existing permitted sewage disposal system serving the guest house and the main house; or, locate another sewage disposal system for the dedicated purpose of the barn venue. Applicant(s) can feel free to contact me at (540) 722-3480. I will be happy to answer any questions he/she may have.

Agency Signature: M. Robert Quinn Date: 7-14-17  
Title: EH Supervisor

(NOTICE TO AGENCY—PLEASE RETURN THIS FORM TO THE APPLICANT)



# ORDINANCE

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**Action:**

PLANNING COMMISSION: November 15, 2017 Recommended Approval

BOARD OF SUPERVISORS: January 10, 2018  APPROVED  DENIED

---

## ORDINANCE

### **CONDITIONAL USE PERMIT #08-17 PAUL C. AND MARY A. VALENTINO SPECIAL EVENT FACILITY**

**WHEREAS, Conditional Use Permit #08-17 for a Special Event Facility**, submitted by Paul C. and Mary A. Valentino was considered. The properties are located at 4212 Apple Pie Ridge Road, Winchester, Virginia, approximately a half-mile south of the Frederick County/West Virginia Line and approximately two (2) miles north of White Hall Road, and is further identified with Property Identification Numbers 22-A-89 and 22-A-94, in the Stonewall Magisterial District; and

**WHEREAS**, the Frederick County Planning Commission held a public hearing on the Conditional Use Permit on November 15, 2017 and recommended approval of the Conditional Use Permit with conditions; and,

**WHEREAS**, the Frederick County Board of Supervisors held a public hearing on this Conditional Use Permit during their regular meeting on January 10, 2018; and,

**WHEREAS**, the Frederick County Board of Supervisors finds the approval of this Conditional Use Permit to be in the best interest of the public health, safety, welfare, and in conformance with the Comprehensive Policy Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the zoning map to reflect that Conditional Use Permit Application #08-17 for a Special Events Facility on the parcels identified by Property Identification Numbers 22-A-89 and 22-A-94 with the following conditions:

1. All review agency comments shall be complied with at all times.

2. An illustrative sketch plan, in accordance with the requirements of Article VIII of the Fredrick County Zoning Ordinance, shall be submitted to and approved by Frederick County prior to the establishment of the use.
3. Events shall start no earlier than 10 a.m. and all events and related activities shall conclude by midnight.
4. All outside music shall conclude by 9 p.m. Music may continue indoors until the conclusion of the event.
5. All lighting shall be downcast to avoid glare onto adjacent properties and residences.
6. Events may accommodate up to and not to exceed 290 persons.
7. One (1) monument style sign with a maximum sign area not to exceed 50 square feet (SF) and not to exceed 10 feet (FT) in height is permitted.
8. Any expansion or modification of this use will require the approval of a new CUP.

Passed this 10th day of January 2018 by the following recorded vote:

|                                   |       |                         |       |
|-----------------------------------|-------|-------------------------|-------|
| Charles S. DeHaven, Jr., Chairman | _____ | Gary A. Lofton          | _____ |
| J. Douglas McCarthy               | _____ | Judith McCann-Slaughter | _____ |
| Shannon G. Trout                  | _____ | Blaine P. Dunn          | _____ |
| Robert W. Wells                   | _____ |                         |       |

**A COPY ATTEST**

\_\_\_\_\_  
 Kris C. Tierney  
 Frederick County Administrator

**I**



## MEMORANDUM

**TO:** Frederick County Board of Supervisors  
**FROM:** M. Tyler Klein, AICP, Planner *MTK*  
**SUBJECT:** Ordinance Amendment – Solar (Photovoltaic) Energy Facility – Discussion  
**DATE:** January 3, 2018

---

This is a proposed amendment to Chapter 165 – Zoning Ordinance to add solar (photovoltaic) power generating facilities (i.e. solar farms) to the permitted use list for the RA (Rural Areas) Zoning District. Currently, public utility generating facilities are allowed as a “public utility.” Solar generating energy facilities are typically privately-owned and thus do not fall under the definition of a “public utility.”

Staff has drafted a revision to the Zoning Ordinance to include a definition for a “solar (photovoltaic) energy facility,” provided supplementary use regulations, and revised the permitted uses use list for the RA Zoning District to allow solar energy facilities. Solar energy facilities are defined as *an energy conversion system consisting of photovoltaic panels, support structures, and associated, control, conversion, and transmission hardware on property consisting of six (6) or more acres. Also, may be termed a “solar farm.”* The intent of this modification is to provide additional opportunities for uses in the County’s Rural Areas, that preserve the rural and agricultural integrity of these areas and are consistent with the goals and strategies outlined in the 2035 Comprehensive Policy Plan.

This item was proposed through a request from a private developer and discussed by the Development Review and Regulations Committee (DRRC) at their July 27, August 24, and September 28, 2017 regular meetings. The DRRC agreed with the proposed changes. The Planning Commission discussed this item on November 15, 2017 and agreed with the proposed changes.

The attached document shows the existing ordinance with the proposed changes supported by the DRRC (with bold italic for text added). **Staff is seeking direction from the Board of Supervisors on this Zoning Ordinance text amendment.** Attached is a resolution directing the item to a public hearing should the Board of Supervisors deem it to be appropriate.

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**Attachment: 1. Revised ordinance with additions shown in bold underlined italics.  
2. Resolution**

MTK/pd

ARTICLE I  
GENERAL PROVISIONS; AMENDMENTS; AND CONDITIONAL USE PERMITS

Part 101 – General Provisions

§ 165-101.02 Definitions and word usage.

**Solar (Photovoltaic) Energy Facility**

**An energy conversion system consisting of photovoltaic panels, support structures, and associated, control, conversion, and transmission hardware on property consisting of six (6) or more acres. Also, may be termed a “solar farm.”**

ARTICLE II  
SUPPLEMENTARY USE REGULATIONS, PARKING, BUFFERS, AND REGULATIONS FOR SPECIFIC USES

Part 204 – Additional Regulations for Specific Uses

§ 165-204.32. Solar (Photovoltaic) Energy Facility

**Solar (Photovoltaic) Energy Systems in the RA (Rural Areas) District shall be subject to the following requirements:**

- A. **An engineered site plan, in accordance with the requirements of Article VIII, shall be submitted to and approved by Frederick County.**
- B. **The facility shall, at a minimum, meet the setback requirement for primary structures in the RA District.**
- C. **All wiring not on the solar arrays shall be underground except where necessary to connect to the public utility.**
- D. **Buffers and screening (including distance, opaque elements, and landscaping) shall be determined by the Zoning Administrator at time of site plan.**
- E. **Within 365 days of the date of abandonment or discontinuation, the owner of the system shall physically remove all components of the solar energy system. If not removed within the allotted time, the County may have it removed at the expense of the owner.**

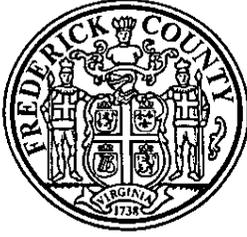
ARTICLE IV  
AGRICULTURAL AND RESIDENTIAL DISTRICTS

Part 401 – RA Rural Areas District

§ 165-401.02 Permitted Uses.

Structures and land shall be used for one of the following uses:

- Q.** Public utility generating **(including solar (photo voltaic) energy facilities regardless of whether owned or operated by a public utility)**, booster or relay stations, transformer substations, transmission lines and towers, pipes, meters and other facilities, railroad facilities and sewer and water facilities and lines owned by public utilities, railroad companies or public agencies.



---

**Action:**

BOARD OF SUPERVISORS: January 10, 2018    APPROVED    DENIED

---

**RESOLUTION**

**DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING  
REGARDING CHAPTER 165, ZONING**

**ARTICLE I**

**GENERAL PROVISIONS; AMENDMENTS; AND CONDITIONAL USE  
PERMITS**

**PART 101 – GENERAL PROVISIONS**

**§165-101.02 DEFINITIONS AND WORD USAGE**

**ARTICLE II**

**SUPPLEMENTARY USE REGULATIONS; PARKING; BUFFERS; AND  
REGULATIONS FOR SPECIFIC USES**

**PART 204 – ADDITIONAL REGULATIONS FOR SPECIFIC USES**

**§165-204.32. SOLAR (PHOTOVOLTAIC) ENERGY FACILITY**

**ARTICLE IV**

**AGRICULTURAL AND RESIDENTIAL DISTRICTS**

**PART 401 – RA RURAL AREAS DISTRICT**

**§165-401.02 PERMITTED USES**

**WHEREAS**, an ordinance to amend Chapter 165, Zoning to allow Solar Energy Facilities in the RA (Rural Areas) Zoning District was considered; and

**WHEREAS**, The Development Review and Regulations Committee (DRRC) reviewed the change at their July 27, August 24 and September 28, 2017, regular meetings to allow Solar Energy Facilities in the RA (Rural Areas) Zoning District; and

**WHEREAS**, the Planning Commission discussed the proposed change at their regularly scheduled meeting on November 15, 2017 and agreed with the proposed change; and

**WHEREAS**, the Board of Supervisors discussed the proposed change at their regularly scheduled meeting on January 10, 2018; and

**WHEREAS**, the Frederick County Board of Supervisors finds that in the public necessity, convenience, general welfare, and good zoning practice, directs the Frederick County Planning Commission hold a public hearing regarding an amendment to Chapter 165; and

**NOW, THEREFORE, BE IT REQUESTED** by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to allow Solar Energy Facilities in the RA (Rural Areas) Zoning District

Passed this 10th day of January 2018 by the following recorded vote:

|                                   |       |                 |       |
|-----------------------------------|-------|-----------------|-------|
| Charles S. DeHaven, Jr., Chairman | _____ | Gary A. Lofton  | _____ |
| J. Douglas McCarthy               | _____ | Blaine P. Dunn  | _____ |
| Shannon G. Trout                  | _____ | Robert W. Wells | _____ |
| Judith McCann-Slaughter           | _____ |                 |       |

**A COPY ATTEST**

\_\_\_\_\_  
Kris C. Tiereny  
Frederick County Administrator