



**AGENDA**  
**BOARD OF SUPERVISORS**  
**WEDNESDAY, SEPTEMBER 9, 2020**  
**7:00 PM**  
**BOARD MEETING ROOM**  
**107 NORTH KENT STREET, WINCHESTER, VIRGINIA 22601**

1. **Call to Order**
2. **Invocation**
3. **Pledge of Allegiance**
4. **Adoption of Agenda**
5. **Citizen Comments – For agenda items that are not the subject of a Public Hearing**
6. **Consent Agenda - *Roll Call Vote Required***
  - 6.A. Minutes of Closed Session & Regular Meeting of August 12, 2020  
[BOS09-09-20MinutesRegularMeeting12August2020.pdf](#)
  - 6.B. Minutes of Planning Commission Joint Work Session of August 12, 2020  
[BOS09-09-20MinutesJointWorkSession12August2020.pdf](#)
  - 6.C. Parks & Recreation Commission Report of August 11, 2020  
[BOS09-09-20ParksAndRecCommissionReport11August2020.pdf](#)
  - 6.D. Human Resources Committee Report of August 14, 2020  
[BOS09-09-20HRCommitteeReport14August2020.pdf](#)
  - 6.E. Finance Committee Report of August 19, 2020  
[BOS09-09-20FinanceCommitteeReport19August2020.pdf](#)
  - 6.F. Public Safety Committee Report of August 20, 2020  
[BOS09-09-20PublicSafetyCommitteeReport20August2020.pdf](#)

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**Consent Agenda**, continued

6.G. Transportation Committee Report of August 24, 2020

[BOS09-09-20TransportationCommitteeReport 24August2020.pdf](#)

6.H. Joint Finance Committee Report of August 26, 2020

[BOS09-09-20JointFinanceCommitteeReport26August2020.pdf](#)

6.I. Road Resolution - Regents Crescent / Regents Crest

[BOS09-09-20RoadResolutionRegentsCrescent.pdf](#)

6.J. Approval of Changes to the Human Resources Policy as Recommended by the Human Resources Committee in Response to Code Revisions Recently Passed by the General Assembly

[BOS09-09-20HRCommitteeReport14August2020.pdf](#)

6.K. Request from the Commissioner of the Revenue for Refund and Supplemental Appropriation

Undisclosed Taxpayer – Disabled Veteran’s Relief - \$5,911.74

[BOS09-09-20RequestForRefund.pdf](#)

7. **Board of Supervisors Comments**

8. **County Officials**

8.A. Committee Appointments

1. Parks and Recreation Commission

Four-year term of At-Large Rep. Amy Cline Strosnider expires 9-14-20  
*Ms. Strosnider is eligible and willing to serve another term*

2. Economic Development Authority

Unexpired four-year terms ending 9-10-22 and 11-10-20  
*See attached applications of Rick Till and Susan Brooks*

3. Regional Jail Authority

Four-year term of Robert W. Wells expires 10-13-20  
*Supervisor Wells is eligible to serve another term*

[BOS09-09-20BoardCommitteeAppts\(0090920Mtg\).pdf](#)

9. **Committee Business - Finance Committee**

9.A. Finance Committee Business

( \* ) Items 1, 2, 5, and 9 were approved on the Committee consent agenda.

1. ( \* ) The Deputy County Administrator requests a General Fund supplemental appropriation in the amount of \$51,281. This amount represents a carry forward of unspent FY20 funds for carpet installation that is currently in process. Approved on Committee Consent Agenda.
2. ( \* ) The F&R Chief requests a General Fund supplemental appropriation in the amount of \$76,000. This amount represents a carry forward of unspent grant funds for the Stephens City Swiftwater Team. The grant and appropriation were originally approved by the BOS on 11/13/19. Approved on Committee Consent Agenda.
3. The P&R Director requests a General Fund supplemental appropriation in the amount of \$55,000. This amount represents proffer funds for an outdoor gym facility at Clearbrook Park. The P&R Commission approved the request on August 11, 2020. The committee recommends approval.
4. The Public Works Director requests a General Fund supplemental appropriation in the amount of \$20,000. This amount represents funds donated and reserved for the spaying and neutering of shelter pets. The Public Works Committee approved the request on July 28, 2020. No local funds required. The committee recommends approval.
5. ( \* ) The Public Works Director requests a General Fund supplemental appropriation in the amount of \$2,495. This amount represents unspent FY20 grant funds for environmental education. The grant appropriation was originally approved by the BOS on 10/23/19. The Public Works Committee approved the request on July 28, 2020. Approved on Committee Consent Agenda.
6. The Public Works Director requests a Landfill Fund supplemental appropriation not to exceed \$1,327,298. This amount represents a carry forward of unspent FY20 funds for various projects. The Public Works Committee approved the request on July 28, 2020. The committee recommends approval.
7. The Sheriff requests General Fund supplemental appropriation in the amount of \$11,492.03. This amount represents 2 auto insurance claims and will go toward auto repair and the purchase of a new vehicle. No local funds required. The committee recommends approval.
8. The EDA Director requested discussion on the tax rate for data centers as follows: \$1.25 per \$100 in assessed property value, subject to declining values for depreciation. The committee recommends approval of the proposed tax rate. See the proposed resolution attached here:

[BOS09-09-20ResolutionSettingDataCenterTaxRate.pdf](#)

9. ( \* ) The Finance/Audit Committee charter adopted by the Board of Supervisors requires an annual review and reassessment. Approved on Committee Consent Agenda.

[BOS09-09-20FinanceCommitteeReport19August2020.pdf](#)

10. **Public Hearings (Non Planning Issues)**

10.A. ~~Outdoor Festival Permit Request of Cedar Creek Battlefield Foundation – 156<sup>th</sup> – Reenactment Anniversary of the Battle of Cedar Creek.~~

**Withdrawn by the Applicant Because of the Event's Cancellation**

10.B. **Outdoor Festival Permit Request of Rotary Club of Winchester – Annual Shenandoah Valley Apple Harvest Festival.**

*Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee, for an Outdoor Festival Permit. Festival to be Held on Saturday and Sunday, September 19 and 20, 2020, from 10:00 A.M. to 5:00 P.M. Each Day, on the Grounds of Frederick County Fairgrounds, 250 Fairground Road, Clearbrook, Virginia, Stonewall Magisterial District. Property Owned by Frederick County Fair.*

[BOS09-09-20RotaryClubOutdoorFestivalPermitApp.pdf](#)

10.C. **Amendment to the 2020-2021 Fiscal Year Budget**

*Pursuant to Section 15.2-2507 of the Code of Virginia, 1950 as amended, the Board of Supervisors will Hold a Public Hearing to Amend the Fiscal Year 2020- 2021 Budget to Reflect a CARES Act Fund Supplemental Appropriation in the Amount of \$7,792,215. This amount represents the second half of the Coronavirus Aid, Relief and Economic (CARES) Act Coronavirus Relief Funds (CRF) allocated by the Commonwealth of Virginia to assist with the direct impact of the COVID-19 pandemic.*

[BOS09-09-20FY21BudgetAmendmentCARES-SecondHalf.pdf](#)

11. **Planning Commission Business - Public Hearings**

11.A. **Conditional Use Permit #06-20 for Darin Hockman**

*Submitted to Construct an 80-Foot Commercial Telecommunication Facility. The Property is Located at Darkwood Trail in Shawneeland and is Identified with Property Identification Number 49B02-123-136 in the Back Creek Magisterial District.*

[BOS09-09-20CUP06-20DarinHockmanTelecommunicationTower.pdf](#)

**Planning Commission Business - Public Hearings**, continued

**11.B. Conditional Use Permit #07-20 for Darin Hockman**

*Submitted to Construct a 100-Foot Commercial Telecommunication Facility. The Property is Located at 201 Darterjo Road, Middletown and Is Identified with Property Identification Number 84-A-27D in the Back Creek Magisterial District.*

[BOS09-09-20CUP07-20DarinHockmanTelecommunicationTower.pdf](#)

**11.C. Conditional Use Permit #09-20 for Richard and Susan Daugherty**

*Submitted to Construct a 100-Foot Commercial Telecommunication Facility. The Property is Located at 348 Peeper Lane, Winchester, Virginia and is Identified with Property Identification Number 22-A-19G in the Gainesboro Magisterial District.*

[BOS09-09-20CUP09-20RichardSusanDaugherty.pdf](#)

**11.D. Conditional Use Permit #08-20 for Samuel H. Smith Jr.**

*Submitted for Establishment of a Special Event Facility in the RA (Rural Areas) Zoning District. The Property is Located at 1147 North Pifer Road, Star Tannery, Virginia and is Identified with Property Identification Number 69-A-28 in the Back Creek Magisterial District.*

[BOS09-09-20CUP08-20SamuelSmithJrSpecialEventCenter.pdf](#)

**11.E. 2020-2025 Agricultural and Forestal District Update –**

*This Public Hearing is to Consider the Renewal of the Albin, Apple Pie Ridge, Double Church, Green Spring, Red Bud, South Frederick and South Timber Ridge Districts. The Renewal of These Districts will Establish a Total of 10,779.34 Acres. This Public Hearing is to Also Consider the Establishment of Two (2) Additional Districts. The Back Mountain District with a Total of 489.91 Acres and Reliance District with a Total of 203 Acres. The Total 11,472.25 Acreage within the Agricultural and Forestal District Program is for the Ensuing Five-Year Period. Properties that are Incorporated into an Agricultural and Forestal District are Guaranteed Certain Protection as Specified in Section 15.2-4300 of the Code of Virginia.*

[BOS09-09-20Ag\\_ForestalDistrict.pdf](#)

12. **Planning Commission Business - Other Planning Business**

13. **Board Liaison Reports**

14. **Citizen Comments**

15. **Board of Supervisors Comments**

16. **Adjourn**