

**AGENDA
REGULAR MEETING
FREDERICK COUNTY BOARD OF SUPERVISORS
WEDNESDAY, SEPTEMBER 10, 2014
7:00 P.M.
BOARD ROOM, COUNTY ADMINISTRATION BUILDING
107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

Call To Order

Invocation

Pledge of Allegiance

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: C, H, I, M, and P)

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

Board of Supervisors Comments

Minutes: (See Attached)----- A

1. Special Meeting, August 12, 2014.
2. Work Session with Planning Commission, August 12, 2014.
3. Regular Meeting, August 13, 2014.
4. Special Meeting, August 19, 2014.
5. Work Session with Economic Development Authority, August 19, 2014.

County Officials:

**AGENDA
REGULAR MEETING
FREDERICK COUNTY BOARD OF SUPERVISORS
WEDNESDAY, SEPTEMBER 10, 2014
PAGE 2**

1. Approval and Ratification of Entry into a Contract with Springsted Incorporated for Consultant Services for Recruitment and Hiring of a County Administrator. **(See Attached)**----- **B**
2. Virginia Association of Counties (VACo) Director of Intergovernmental Affairs Beau Blevins to Present VACo Achievement Award to the Board.
3. Resolution of Appreciation to Joy Shull-Gellner, Mayor and Council Member, Stephens City, Virginia. **(See Attached)** ----- **C**
4. Committee Appointments. **(See Attached)**----- **D**
5. Request from Frederick County Schools to Schedule Public Hearing Date to Participate in the Fall 2014 Virginia Public School Authority (VPSA) Bond Sale. **(See Attached)**----- **E**
6. Request from Round Hill Fire and Rescue Company for Appropriation of Proffer Funds. **(See Attached)** ----- **F**
7. Request from Commissioner of the Revenue for Refund. **(See Attached)** ----- **G**

Committee Reports:

1. Parks and Recreation Commission. **(See Attached)** ----- **H**
2. Human Resources Committee. **(See Attached)** ----- **I**
3. Public Works Committee. **(See Attached)**----- **J**
4. Code and Ordinance Committee. **(See Attached)** ----- **K**
5. Finance Committee. **(See Attached)**----- **L**
6. Transportation Committee. **(See Attached)**----- **M**

Public Hearing:

1. Outdoor Festival Permit Request of Cedar Creek Battlefield Foundation – 150th Anniversary of the Battle of Cedar Creek. Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required;

**AGENDA
REGULAR MEETING
FREDERICK COUNTY BOARD OF SUPERVISORS
WEDNESDAY, SEPTEMBER 10, 2014
PAGE 3**

Application; Issuance or Denial; Fee; for an Outdoor Festival Permit.
Festival to be Held on Saturday and Sunday, October 18 and October 19,
2014, from 9:00 A.M. - 5:00 P.M. Each Day, to be Held on the Grounds of
Cedar Creek Battlefield, 8437 Valley Pike, Middletown, Virginia 22645,
Property Owned by Cedar Creek Battlefield Foundation.

(See Attached) ----- **N**

Planning Commission Business:

Public Hearing:

1. 2030 Comprehensive Plan Amendment, (CPPA); Frederick County Public Schools Sewer and Water Service Area (SWSA) Adjustment – The Request is for Consideration of an Amendment to the Sewer and Water Service Area (SWSA) to Serve the Proposed 4th High School of Approximately 83 Acres. The Property is Located Adjacent to and East of Admiral Richard E. Byrd Middle and Evendale Elementary Schools, and is Identified by Property Identification Number 76-A-96E, in the Shawnee Magisterial District. **(See Attached)**----- **O**

Other Planning Items:

1. Resolutions Re: Road Abandonment of Route 9159 (Old Gainesboro School Road). **(See Attached)**----- **P**
2. Waiver Requests and Master Development Plan Review - Wright Renovations, Inc. **(See Attached)** ----- **Q**
3. Resolution Re: Request to Forward to Public Hearing for Southern Frederick Area Plan - An Amendment to the 2030 Comprehensive Plan; Appendix I – Area Plans. **(See Attached)** ----- **R**
4. Discussion – Revisions to Landscaping Requirements – Business Friendly Recommendations. **(See Attached)**----- **S**
5. Discussion – Zoning District Buffer Waivers. **(See Attached)**----- **T**
6. Discussion – Screening for Outdoor Storage Areas. **(See Attached)**----- **U**

Board Liaison Reports (If Any)

**AGENDA
REGULAR MEETING
FREDERICK COUNTY BOARD OF SUPERVISORS
WEDNESDAY, SEPTEMBER 10, 2014
PAGE 4**

Citizen Comments

Board of Supervisors Comments

Adjourn

A

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

SPECIAL MEETING

August 12, 2014

A Special Meeting of the Frederick County Board of Supervisors was held on Tuesday, August 12, 2014 at 10:00 A.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

PRESENT

Charles S. DeHaven, Jr.; Christopher E. Collins; Gene E. Fisher; Robert A. Hess; Gary A. Lofton; and Robert W. Wells

ABSENT

Chairman Richard C. Shickle (Arrived 10:50 a.m.)

CALL TO ORDER

Vice-Chairman DeHaven called the meeting to order.

CLOSED SESSION

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Frederick County Board of Supervisors convened in closed session pursuant to Virginia Code Section 2.2-3711 A (1) to discuss personnel matters, specifically, the process for filling the upcoming vacancy in the county administrator's position.

The above motion was approved by the following recorded vote:

| | |
|-------------------------|--------|
| Richard C. Shickle | Absent |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

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

The above motion was approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Fisher, the Board certified that to the best of each board member's knowledge the Board discussed only matters involving personnel specifically, the process for filling the upcoming vacancy in the county administrator's position, pursuant to Virginia Code Section 2.2.-3711 A (1).

The above motion was approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

ADJOURN

UPON A MOTION BY VICE-CHAIRMAN DEHAVEN, SECONDED BY SUPERVISOR FISHER, THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS BOARD, THIS MEETING IS HEREBY ADJOURNED. (12:00 P.M.)

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

**WORK SESSION WITH
PLANNING COMMISSION**

August 12, 2014

A work session of Frederick County Board of Supervisors and Planning Commission was held on Tuesday, August 12, 2014 at 12:00 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

PRESENT

Richard C. Shickle; Christopher E. Collins; Charles S. DeHaven, Jr.; Gene E. Fisher; Robert A. Hess; Gary A. Lofton; and Robert W. Wells

OTHERS PRESENT

John R. Riley, Jr., County Administrator; Kris C. Tierney, Assistant County Administrator; Jay E. Tibbs, Deputy County Administrator; Roderick Williams, County Attorney; Eric R. Lawrence, Planning Director; Michael Ruddy, Deputy Planning Director; John Bishop, Deputy Planning Director – Transportation; Candice Perkins, Senior Planner; Planning Commission members: June Wilmot, Roger Thomas, H. Paige Manuel, Gary Oates, Charles Triplett, J. Stanley Crockett, Lawrence Ambrogi, Kevin Kenney, Chris Mohn, and Rhodes Marston..

CALL TO ORDER

Chairman Shickle called the work session to order. He then turned the presentation over the Planning Director Eric Lawrence.

Director Lawrence reviewed the agenda:

1. Comprehensive Policy Plan Amendment request;
2. TNDB Overlay District-Applicant Revision Request; and
3. South Frederick Land Use Study.

BLAIN CPPA

Planning Commissioner Oates recused himself as he was representing the applicant.

Deputy Planning Director Michael Ruddy presented this item. He advised this was a request for a Sewer and Water Service Area (SWSA) adjustment to accommodate a 97.55 acre change to the boundary. The current land use classification for the properties is commercial and industrial. The property is located on the west side of Interstate 81, south of Cedar Hill Road (Route 671) and north of Hopewell Road (Route 672), north of the Exit 321 interchange of Interstate 81 in the Stonewall Magisterial District. He went on to say the Comprehensive Plans and Programs Committee felt this plan warranted more study. He noted that it would be appropriate to include additional properties in the area and to adjust the SWSA boundary to include the commercial and industrial properties in that area. Deputy Director Ruddy advised the Frederick County Sanitation Authority had looked at that area in April and noted some potential concerns regarding pump station capacities.

The Board's consensus was to send this amendment forward for further study.

REVISIONS TO THE TRADITIONAL NEIGHBORHOOD DISTRICT BUSINESS OVERLAY DISTRICT

Senior Planner Candice Perkins presented this item to the Board and Commission. She advised this was a proposed amendment to modify the TNDB Overlay District. In order to be eligible for this overlay, the property must be located in the Urban Development Area and Sewer and Water Service Area. She briefly reviewed the differences between the overlay and the existing B1 and B2 zoning district. She noted the fiscal impacts of such a development should be considered during the rezoning process. She concluded by saying staff was seeking comments from the Board and Planning Commission regarding this proposal.

Supervisor Hess asked what the design of the future commercial use might look like.

Senior Planner Perkin responded staff might have to work in the ordinance because those spaces need to look more commercial than residential.

Vice-Chairman DeHaven noted the market had been very difficult over the last 8 to 10 years and we were seeing a continuing trend of people converting commercial and industrial land to residential. He noted we have to be careful not to use up commercial land for residential uses.

Commissioner Thomas stated that once residences were allowed, it would not be cost effective to convert the space back to commercial use.

Supervisor Collins stated he had a lot of mixed emotions about this proposal, but we need to ensure these areas stay retail.

Ron Mislowsky, Penoni & Associates, appeared on behalf of the applicant. He noted his firm was working with Orrick Commons. He stated it was the intent of this text amendment to ensure that the first floor be built to meet commercial standards. He went on to say it takes a long time for residential over commercial development to work. He advised the building would look like it intended to look and the market would determine when the first floor goes commercial. He noted the development impact model fees would be paid. He went on to say the development would be built to commercial standards. He concluded by saying the conversion from residential to commercial would be easy.

Commissioner Crockett stated when he first read this he like the concept.

Commissioner Mohn stated he was intrigued by the concept; however, the devil was in the details such as how this is implemented and what type of product we might get.

Supervisor Collins stated he did not want his prior comments misconstrued; but he was in favor of this and believed the economy would dictate its success.

Director Lawrence reminded those present that even if the ordinance was amended a rezoning was still required in order for the overlay to be implemented.

Supervisor Fisher stated he would support this proposal; however, there are not enough rooftops to support this type of development. He went on to say the ordinance needs to be changed. He felt if the use was residential then the buildings/facades need to look like residential development. He concluded by saying this was market driven.

Chairman Shickle polled the Planning Commission and the Board to see where the bodies were on this proposal.

Commissioner Crockett supported the proposal.

Commissioner Thomas had concerns about the proposal.

Commissioner Triplett supported but felt more study was needed.

Commissioner Kenney supported the proposal.

Commissioner Oates supported the proposal, but would like to see a trigger involved.

Commissioner Manuel supported the proposal.

Commissioner Ambrogi supported the proposal.

Commissioner Marston supported the proposal.

Commissioner Mohn supported the proposal.

Supervisor Lofton was not supportive. He stated he did not like the idea of residential uses converting, maybe at some point, to commercial.

Supervisor Wells agreed with Supervisor Lofton. He was not comfortable with the idea.

Supervisor Hess was supportive of the proposal.

Supervisor Collins was generally supportive of the proposal.

Supervisor Fisher was supportive of the proposal.

Vice-Chairman DeHaven had concerns about the proposal, especially if the property was zoned B2.

Chairman Shickle did not favor the proposal.

Director Lawrence stated staff would work with the applicant to see if they could come up with something and bring it back for further discussion.

DISCUSSION OF SOUTHERN FREDERICK AREA PLAN

Deputy Planning Director Michael Ruddy presented this item. He provided a brief overview of the history of this process. He stated four working groups were established and tasked with identifying specifics. The works groups were:

1. Urban Areas and Residential Development
2. Business Development
3. Transportation
4. Natural Resources, Historic Resources, and Public Facilities.

The study area encompassed the area generally east of Interstate 81 to the Clarke County line and from the Opequon Creek in the north to Lake Frederick in the south. The study area also included the Route 277 Triangle Study, Tasker Woods, and many of the existing residential communities from Lakeside to Shenandoah and areas in between. The study area includes both the Opequon and Shawnee Magisterial Districts.

Chairman Shickle expressed some concern over the maps because it was unclear what he was being asked to do and what on the maps had changed.

Director Lawrence asked if it would be helpful for staff to provide hard copies of the maps in the future.

The Board's consensus was to support moving this plan through the process.

There being no further business, the work session was adjourned at 1:05 p.m.

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

REGULAR MEETING

August 13, 2014

A Regular Meeting of the Frederick County Board of Supervisors was held on Wednesday, August 13, 2014 at 7:00 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

PRESENT

Chairman Richard C. Shickle; Charles S. DeHaven, Jr.; Christopher E. Collins; Gene E. Fisher; Robert A. Hess; Gary A. Lofton; and Robert W. Wells

CALL TO ORDER

Chairman Shickle called the meeting to order.

INVOCATION

Supervisor Hess delivered the invocation.

PLEDGE OF ALLEGIANCE

Vice-Chairman DeHaven led the Pledge of Allegiance.

ADOPTION OF AGENDA – APPROVED

County Administrator John R. Riley, Jr. advised he had no changes to the agenda.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board approved the agenda by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

CONSENT AGENDA - APPROVED

Administrator Riley offered the following items for the Board's consideration under the consent agenda:

- Human Resources Committee Report; and
- Road Resolution – Shady Elm Farms Subdivision.

Upon a motion by Supervisor Lofton, seconded by Supervisor Hess, the Board approved the consent agenda by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

AMERICAN HEART ASSOCIATION’S FIT-FRIENDLY WORKSITE RECOGNITION PRESENTATION

Gail Mates, American Heart Association, presented the Fit-Friendly Worksite Recognition Award to Administrator Riley. This award was in recognition of the steps taken by Frederick County to improve the health and lives of its employees.

CITIZEN COMMENTS

There were no citizen comments.

BOARD OF SUPERVISORS COMMENTS

There were no Board of Supervisor comments.

MINUTES - APPROVED

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Fisher, the Board approved the minutes from the July 9, 2014 regular meeting. The minutes were approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |

Gary A. Lofton Aye
Robert W. Wells Aye

Upon a motion by Supervisor Lofton, seconded by Supervisor Hess, the Board approved the minutes from the July 16, 2014 budget work session. The minutes were approved by the following recorded vote:

Richard C. Shickle Aye
Charles S. DeHaven, Jr. Aye
Christopher E. Collins Aye
Gene E. Fisher Aye
Robert A. Hess Aye
Gary A. Lofton Aye
Robert W. Wells Aye

COUNTY OFFICIALS

EMPLOYEE OF THE MONTH AWARD – JANE R. ANDERSON APPROVED

Upon a motion by Supervisor Lofton, seconded by Supervisor Hess, the Board approved Jane R. Anderson as Frederick County’s Employee of the Month for July 2014.

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 selects one employee from those nominated, based on the merits of outstanding performance and productivity, positive job attitude and other noteworthy contributions to their department and to the County; and,

WHEREAS, Jane R. Anderson, who serves the Commissioner of the Revenue’s Office was nominated for Employee of the Month; and,

WHEREAS, Jane R. Anderson, Chief Deputy, has saved the county money with providing an in-house reassessment accurately for many years in addition to assisting all the divisions within the Commissioner of the Revenue’s Office in day to day operations. Jane is to be commended for her commitment to the Commissioner of the Revenue’s Office; and,

NOW, THEREFORE, BE IT RESOLVED, by the Frederick County Board of Supervisors this 13th day of August, 2014, that Jane R. Anderson is hereby recognized as the

Frederick County Employee of the Month for July 2014; and,

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

BE IT FURTHER RESOLVED, that Jane R. Anderson is hereby entitled to all of the rights and privileges associated with her award.

The above motion was approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

NATIONAL PARK SERVICE SITE MANAGER AMY BRACEWELL TO ADDRESS THE BOARD RE: UPDATE ON ACTIVITIES AND DEVELOPMENT AT CEDAR CREEK AND BELLE GROVE NATIONAL HISTORIC PARK

Amy Bracewell, National Park Service Site Manager, updated the Board on various park activities, programs, etc. to include:

- National Park Service Brochure;
- Summer Programs;
- Park Trails System;
- Highway Directional Signs; and
- Battle of Cedar Creek 150th Anniversary Planning.

COMMITTEE APPOINTMENTS

APPOINTMENT OF JEFF STEVENS TO THE SHAWNEELAND SANITARY DISTRICT ADVISORY COMMITTEE - APPROVED

Upon a motion by Supervisor Lofton, seconded by Supervisor Wells, the Board appointed Jeff Stevens to the Shawneeland Sanitary District Advisory Committee. This is a two year appointment. Term expires July 23, 2016.

The above motion was approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

**APPOINTMENT OF MARIANNE BIVIANO TO THE SHAWNEELAND
SANITARY DISTRICT ADVISORY COMMITTEE - APPROVED**

Upon a motion by Supervisor Lofton, seconded by Vice-Chairman DeHaven, the Board appointed Marianne Biviano to the Shawneeland Sanitary District Advisory Committee to fill the unexpired term of William Swimley. Term expires November 9, 2015.

The above motion was approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

**REQUEST FROM COMMISSIONER OF THE REVENUE FOR REFUND -
APPROVED**

Administrator Riley advised this was a request to authorize the Treasurer to refund a taxpayer the amount of \$3,816.54 for part of 2011, all of 2012, 2013, and 2014 real estate taxes, based on proper filing of proof of 100% permanent and total disability directly due to military service, as required under the Virginia Code change as a result of the Constitutional amendment that took effect for 2011. The taxpayer's name cannot be made public because of applicable legal requirements as to privacy, but is known to the Commissioner, the Treasurer, and the County Attorney on a confidential basis.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board

approved the refund request and authorized a supplemental appropriation in the same amount.

The above motion was approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

COMMITTEE REPORTS

HUMAN RESOURCES – APPROVED UNDER CONSENT AGENDA

The HR Committee met in the First Floor Conference Room at 107 North Kent Street on Friday, July 11th, 2014 at 8:00 a.m. Committee members present were: Supervisor Robert Hess, Supervisor Chris Collins, Supervisor Robert Wells, Citizen Member Don Butler, Citizen Member Dorrie Greene, and Citizen Member Beth Lewin. Also present were: Assistant County Administrator Kris Tierney, Commissioner of the Revenue Ellen Murphy, and DSS Representative Melody Williams.

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

1. Approval of the Employee of the Month Award.

The Committee recommends approval of Chief Deputy COR Jane Anderson as the Employee of the Month for July 2014.

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

1. Presentation by the Commissioner of the Revenue, Ellen Murphy.

At the request of the Committee, Ms. Murphy presented an overview of the objectives and responsibilities of the Commissioner of the Revenue’s Office. The presentation also provided the Committee an understanding of her department’s role, authority, projects, and topics of importance within her department. Presentation Attached.

There being no further business, the meeting was adjourned.

The next HR Committee meeting is scheduled for Friday, August 1st, 2014.

FINANCE COMMITTEE - APPROVED

The Finance Committee met in the First Floor Conference Room at 107 North Kent Street on

Wednesday, July 16, 2014 at 8:00 a.m. Non-voting liaisons C. William Orndoff and Ellen Murphy were absent. A Finance Committee/Board of Supervisors budget work session followed at 8:30 a.m. in the Board of Supervisors meeting room.

1. The Sheriff requests an FY2014 General Fund supplemental appropriation in the amount of \$2,842.94. This amount represents funds received for the sale of unclaimed cattle. The Sheriff requests to use these funds for the DARE program. No local funds required. See attached memo, p. 4. The committee recommends approval. - **APPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Hess, the Board

approved the above request by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

2. The Sheriff requests an FY2014 General Fund budget transfer in the amount of \$53,520 to cover the cost of gasoline. Policy requires that transfers out of the personnel line items be approved by the Board. See attached memo, p. 5. The committee recommends approval. - **APPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board

approved the above request by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

3. The Sheriff requests an FY2015 General Fund supplemental appropriation in the amount of \$53,693 to cover the annual maintenance contract for the Sungard/OSSI software. Local funds are required. See attached memo, p. 5. The committee recommends approval. - **APPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Fisher, the Board

approved the above request by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

4. The Public Works Director requests an FY2015 Shawneeland Fund supplemental appropriation in the amount of \$80,000. This amount represents a carry forward of funds from FY2014 for services associated with the upgrade of the spillway at Lake Cherokee in Shawneeland. This request has been approved by the Public Works Committee. See attached memo, p. 6. The committee recommends approval. - **APPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board

approved the above request by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

5. The Fire & Rescue Chief requests an FY2015 General Fund supplemental appropriation in the amount of \$27,000. This amount represents year one of the SAFER grant for recruitment and retention. No local funds required. See attached information, p. 7-27. The committee recommends approval. - **APPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Wells, the Board

approved the above request by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

INFORMATION ONLY

1. The Finance Director provides a Fund 10 Transfer Report for FY2014. See attached, p. 28-29.
2. The Finance Director provides a **preliminary** FY2014 Fund Balance Report for the period ending June 30, 2014. See attached, p. 30.
3. The Government Finance Officers Association (GFOA) has awarded the County the Award for Outstanding Achievement for Excellence in Financial Reporting for the June 30, 2013 Comprehensive Annual Financial Report (CAFR). This is the 28th consecutive year that Frederick County has received this achievement. See attached, p. 31-32.

Vice-Chairman DeHaven congratulated staff on receiving the GFOA Award for Outstanding Achievement for Excellence in Financial Reporting for the June 30, 2013 Comprehensive Annual Financial Report (CAFR) for the 28th consecutive year.

4. The Government Finance Officers Association (GFOA) has awarded the County the Award for Outstanding Achievement in Popular Annual Financial Reporting for the June 30, 2013 Popular Annual Financial Report (PAFR). This is the 7th consecutive year that Frederick County has received this award. See attached, p. 33-34.
5. The Sheriff provides information on the Internet Crimes Against Children grant received in the amount of \$73,532. See attached information, p. 35-38.

PUBLIC HEARING

OUTDOOR FESTIVAL PERMIT REQUEST OF CONCERN HOTLINE – 15TH ANNUAL FRIDAY FISH FRY. 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 FRIDAY, SEPTEMBER 5, 2014, FROM 4:00 P.M. TO 9:00 P.M.; ON THE GROUNDS OF GROVE'S WINCHESTER HARLEY-DAVIDSON, 140 INDEPENDENCE DRIVE, WINCHESTER, VIRGINIA. PROPERTY OWNED BY JOBALIE, INC. - APPROVED

Administrator John advised this was a request for an outdoor festival permit by Concern Hotline for their 15th Annual Friday Fish Fry. The event will be held on Friday, September 5, 2014 from 4:00 p.m. to 9:00 p.m. on the grounds of Grove's Winchester Harley-Davidson, 140 Independence Drive, Winchester. Property owned by Jobalie, Inc.

Chairman Shickle convened the public hearing.

There were no public comments.

Chairman Shickle closed the public hearing.

Upon a motion by Supervisor Fisher, seconded by Supervisor Collins, the Board approved the outdoor festival permit request of Concern Hotline.

The above motion was approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

PLANNING COMMISSION BUSINESS

PUBLIC HEARING

2030 COMPREHENSIVE PLAN AMENDMENT – MCCANN-SLAUGHTER PROPERTIES. A PROPOSED AMENDMENT TO THE NORTHEAST FREDERICK LAND USE PLAN (NELUP), CONTAINED WITHIN APPENDIX I OF THE 2030 COMPREHENSIVE PLAN. THE MCCANN-SLAUGHTER PARCELS CONTAIN APPROXIMATELY 160 ACRES, NEAR THE INTERSECTION OF MARTINSBURG PIKE AND OLD CHARLESTOWN ROAD, ON BOTH SIDES OF MCCANN ROAD, AND ADJACENT TO THE CSX RAILROAD. THE PROPERTY IDENTIFICATION NUMBERS ARE 44-A-40 AND 44-A-25B IN THE STONEWALL MAGISTERIAL DISTRICT. THE PROPERTY ARE COLLECTIVELY DESIGNATED IN THE 2030 COMPREHENSIVE PLAN FOR VARIOUS TYPES OF LAND USES, INCLUDING DEVELOPMENTALLY SENSITIVE AREAS (DSA) AND INDUSTRIAL. THE PROPOSAL WOULD ALLOW MIXED USE OFFICE MANUFACTURING LAND USES ON A PORTION OF THE PROPERTY AND MAINTAIN THE DSA ON THE BALANCE OF THE PROPERTY. - APPROVED

Deputy Planning Director Michael T. Ruddy appeared before the Board regarding this item. He advised this was a proposed amendment to the Northeast Frederick Land Use Plan. The applicant requested changes to the land use designation. He noted the Planning Commission

had worked with the applicant and ultimately endorsed this balanced approach to amending the Northeast Land Use Plan. The proposed amendment protects the environmental features on the site, as well as maintains developmentally sensitive areas. The proposed land use is O.M (Mixed Use Office/Industrial). He concluded by saying the Planning Commission recommended approval of this amendment.

Chairman Shickle stated there did not appear to be any changes to this proposal since the Board last saw it.

Deputy Director Ruddy responded correct.

Chairman Shickle convened the public hearing.

There were no public comments.

Chairman Shickle closed the public hearing.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Wells, the Board approved the resolution to adopt an amendment to the 2030 Comprehensive Plan Appendix I – Area Plans the Northeast Frederick Land Use Plan (NELUP).

WHEREAS, the 2030 Comprehensive Plan, the Plan, was adopted by the Board of Supervisors on July 14, 2011; and

WHEREAS, the McCann Slaughter parcels (PINs 44-A-40 and 25B) contain approximately 160 acres near the intersection of Martinsburg Pike and Old Charlestown Road, on both sides of McCann Road and adjacent to the CSX Railroad; and

WHEREAS, this amendment will preserve the integrity of the areas identified with Developmentally Sensitive Area (DSA), preserving historic and environmental areas, while permitting development south and east of the DSA and south of McCann Road; and

WHEREAS, this amendment will now include an OM (Mixed Use Office/Industrial) land use designation; and

WHEREAS, the Frederick County Planning Commission held a public hearing on this proposed amendment on July 16, 2014 and recommended approval; and

WHEREAS, the Frederick County Board of Supervisors held a public hearing on this

proposed amendment on August 13, 2014; and

WHEREAS, the Frederick County Board of Supervisors finds that the adoption of this amendment to the 2030 Comprehensive Plan, Appendix I, to be in the best interest of the public health, safety, welfare, and future of Frederick County, and in good planning practice, and

NOW, THEREFORE, BE IT RESOLVED by the Frederick County Board of Supervisors that **THE AMENDMENT TO THE 2030 COMPREHENSIVE PLAN, APPENDIX I**, is adopted.

This amendment will reduce the Developmentally Sensitive Area (DSA) with development limited to those areas to the south of the DSA and South of McCann Road; and will include an OM (Mixed Use Office/Industrial) land use designation.

Passed this 13th day of August by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

2030 COMPREHENSIVE PLAN AMENDMENT, CPPA; LFCC/MIDDLETOWN SWSA, FUTURE EXPANSION AREA – FOLLOWING ON FROM THE RECENTLY APPROVED LFCC/MIDDLETOWN SWSA WHICH CREATED A 138-ACRE SWSA IN THE AREA SURROUNDING AND INCLUDING THE LORD FAIRFAX COMMUNITY COLLEGE, THE PROPOSED FUTURE EXPANSION AREA, PREVIOUSLY IDENTIFIED AS PHASE 2, INCLUDES ADDITIONAL 100 ACRES OF BUSINESS DEVELOPMENT LAND USES IN SUPPORT OF THE COLLEGE, AND AN EXPANSION OF THE MIDDLETOWN/LORD FAIRFAX SWSA TO BE SERVED BY FREDERICK COUNTY SANITATION AUTHORITY (FCSA). THE PROPERTY IDENTIFICATION NUMBER IS 84-A-78 IN THE BACK CREEK MAGISTERIAL DISTRICT. - APPROVED

Deputy Director Ruddy appeared before the Board regarding this item. He advised this was a proposed amendment to the Comprehensive Plan for the Middletown/LFCC SWSA expansion. He noted the original expansion was approved several years ago. This particular proposal encompassed approximately 100 acres with a proposed OM designation for business development land uses. The property is adjacent to Middletown Elementary School and north of

Lord Fairfax Community College. Deputy Director Ruddy advised that part of the Board's discussions centered on who would be responsible to provide water and services service to this area. It was the Board's desire that the Frederick County Sanitation Authority provide services to those properties located within the Sewer and Water Service Area.

Chairman Shickle convened the public hearing.

David Griffin, Town Attorney for the Town of Middletown, requested the Board not expand the Frederick County Sanitation Authority's water and sewer area. He thought this was bad planning to do that. He went on to say the Town had built and expanded their existing wastewater treatment plant and part of that additional capacity was built with the understanding that the Town would serve this area. He concluded by saying this proposed change was not a good plan.

Charles Harbaugh, IV, Mayor of Middletown, read the following letter on behalf of Mr. Robbie and Amy Molden, who could not attend the meeting due to prior vacation plans. The letter cited the 250 acres of developable land in the Reliance Road area plan and the creation of local construction and long term jobs should these properties be allowed to develop. The proposal to have the Frederick County Sanitation Authority provide water and sewer to these properties is costly and pushes the development timeline further out. The Town of Middletown has extra capacity and could benefit from this customer base. They asked that the County and the Town work together to reach an agreement where the Town could benefit from the new customers and the County would benefit from the additional tax revenue. Mayor Harbaugh went on to say the Town wanted to be a partner with this project, as it benefits both the Town and the County.

Donald Riffey, Director of Public Works for the Town of Middletown, advised the Town

was already providing water and sewer service in that area, specifically to Middletown Elementary School, Lord Fairfax Community College, and the Exxon station.

There being no further public comments, Chairman Shickle closed the public hearing.

Supervisor Lofton stated he thought the sanitation authority would partner with the town to provide water and sewer service. He encouraged FSCA to work towards this partnership with the town.

Upon a motion by Supervisor Lofton, seconded by Supervisor Wells, the Board approved the resolution to adopt an amendment to Appendix I of the 2030 Comprehensive Plan Middletown/Lord Fairfax Sewer and Water Service Area.

WHEREAS, the 2030 Comprehensive Plan, The Plan, was adopted by the Board of Supervisors on July 14, 2011; and

WHEREAS, this amendment would result in the expansion of the Middletown/Lord Fairfax Sewer and Water Service Area (SWSA) by approximately 100 acres and the application of an OM (mixed use industrial/office) business development land use designation; and

WHEREAS, the properties within this SWSA would be served by the Frederick County Sanitation Authority (FCSA); and

WHEREAS, the Frederick County Planning Commission held a public hearing on this proposed amendment on July 16, 2014 and recommended approval; and

WHEREAS, the Frederick County Board of Supervisors held a public hearing on this proposed amendment on August 13, 2014; and

WHEREAS, the Frederick County Board of Supervisors finds that the adoption of this amendment to the 2030 Comprehensive Plan, Appendix I, to be in the best interest of the public health, safety, welfare, and future of Frederick County, and in good planning practice; and

NOW, THEREFORE, BE IT RESOLVED by the Frederick County Board of Supervisors that **THE AMENDMENT TO THE 2030 COMPREHENSIVE PLAN, APPENDIX I**, is adopted.

This amendment expands the Middletown/Lord Fairfax Sewer and Water Service Area (SWSA) by approximately 100 acres and the application of an OM (mixed use industrial/office) business development land use designation.

Passed this 13th day of August.

Supervisor Wells stated he wanted to see this area developed and he would like to see the sanitation authority and the Town work together.

Supervisor Hess asked if it would be appropriate for the Board to pass a resolution of support for the sanitation authority to work with the town.

Administrator Riley advised the Board could add wording to the resolution or draft a letter directing the authority to work with the Town.

Supervisor Fisher stated that was his intent also.

There being no further discussion, the above motion was approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

2030 COMPREHENSIVE PLAN AMENDMENT (CPPA); RELIANCE ROAD SEWER AND WATER SERVICE AREA (SWSA) DESIGNATION – MIDDLETOWN LLC PROPERTIES AND MOLDEN PROPERTIES. MIDDLETOWN PROPERTIES LLC OWNS APPROXIMATELY 41 ACRES AT MIDDLETOWN EXIT OFF INTERSTATE 81, EAST OF THE INTERCHANGE AND IS IDENTIFIED WITH PROPERTY IDENTIFICATION NUMBERS 91-A-56, 91-A-57, AND 91-A-59 IN THE OPEQUON MAGISTERIAL DISTRICT. MOLDEN PROPERTIES HAS 90 ACRES TO THE EAST AND IS IDENTIFIED WITH PROPERTY IDENTIFICATION NUMBERS 91-A-47, 91-A-47A, AND 91-A-67 IN THE OPEQUON MAGISTERIAL DISTRICT. ADDITIONAL PROPERTIES WITHIN THE RELIANCE ROAD STUDY AREA MAY BE ADDED TO ENSURE A CONTIGUOUS SWSA. - APPROVED

Deputy Planning Director Michael Ruddy appeared before the Board regarding this item. He advised this was a request to amend the sewer and water service area. The requested amendment followed prior discussions. The Board received letters from Middletown Properties,

LLC and Molden expressing interest in being served by water and sewer. The proposed area followed the Reliance Road Land Use Study. He noted the proposed text supports the expansion of the sewer and water service area. He noted the Board might want to determine the area of expansion and stated the area could be reduced, if desired. The Planning Commission recommended approval of this request. He concluded by saying the sanitation authority has the responsibility for providing water and sewer service to the properties in the SWSA either by agreement or with infrastructure development. He concluded by saying the Planning Commission recommended approval, but recognized the need for the dialogue between the Board of Supervisors and the Town of Middletown to continue.

Chairman Shickle convened the public hearing.

David Griffin, Town Attorney for the Town of Middletown, stated the Town strongly opposed this proposed amendment to the Comprehensive Plan. He went on to say this was a bad amendment and a bad policy and it did not promote public health or welfare. He stated the Frederick County Sanitation Authority does not have plans or the infrastructure to provide service to these properties. He advised the Town of Middletown has the infrastructure and capacity to service this area. He stated this proposal undermines years of work with this board. He went on to say the Town was led to believe they would be working with the Board on a boundary line adjustment. He concluded by urging the Board not to approve this proposed amendment.

Tom Simon, Middletown town council member, stated his opposition to the proposed amendment based on the current wording.

John Copeland, Middletown Vice Mayor, urged the Board to continue working with Middletown regarding the future of this area.

There being no further comments, Chairman Shickle closed the public hearing.

Supervisor Wells stated he had been consternating with this for the last couple of months. He hoped there would be a mutual agreement between the County and the Town. He went on to say he would like to have the Town agree to serve this property for 10 to 15 years with the Sanitation Authority to take over the provision of service at that time. He concluded by saying he would like to see this land developed for the tax bases of both Middletown and Frederick County.

Upon a motion by Supervisor Wells, seconded by Supervisor Lofton, the Board approved the amendment to Appendix I of the 2030 Comprehensive Plan Reliance Road Area Land Use Plan Sewer and Water Service Area, as presented.

WHEREAS, the 2030 Comprehensive Plan, The Plan, was adopted by the Board of Supervisors on July 14, 2011; and

WHEREAS, the Board of Supervisors adopted the Reliance Road Area Land Use Plan as a part of the 2030 Comprehensive Plan on December 14, 2011; and

WHEREAS, this amendment would result in the creation of a sewer and water service area around the properties contained within the Reliance Road Land Use Study, totaling approximately 311 acres; and

WHEREAS, the properties within the SWSA would be served by the Frederick County Sanitation Authority (FCSA) modifying the text of the Reliance Road Land Use Plan to reflect this direction; and

WHEREAS, the Frederick County Planning Commission held a public hearing on this proposed amendment on July 16, 2014 and recommended approval; and

WHEREAS, the Frederick County Board of Supervisors held a public hearing on this proposed amendment on August 13, 2014; and

WHEREAS, the Frederick County Board of Supervisors finds that the adoption of this amendment to the 2030 Comprehensive Plan Appendix I, to be in the best interest of the public health, safety, welfare, and future of Frederick County, and in good zoning practice; and

NOW, THEREFORE, BE IT RESOLVED by the Frederick County Board of Supervisors that **THE AMENDMENT TO THE 2030 COMPREHENSIVE PLAN**,

APPENDIX I, is adopted.

This amendment results in the creation of a Sewer and Water Service Area (SWSA) around the properties contained with the Reliance Road Land Use Study of approximately 311 acres, being served by the Frederick County Sanitation Authority (FCSA), modifying the text of the land use plan to reflect this direction.

Passed this 13th day of August, 2014.

Supervisor Hess stated it seemed the County and the Town have the same objective. He suggested the Frederick County Sanitation Authority become a customer of Middletown and sell service to the County.

Supervisor Lofton stated it was his desire to have the Sanitation Authority work with the Town. He hated to see the Town cut out of revenue. He concluded by saying he would like to see the Sanitation Authority be the provider to all entities in the county.

Vice-Chairman DeHaven stated the Board needed to back up and look at the bigger picture. He went on to say if it does not work the way we want them to then we can revisit it.

Supervisor Wells stated he wanted to see this happen.

Supervisor Collins stated tonight was the first time he had heard anyone say anything negative about this project. He went on to say it had been around for five year and he was in favor of it moving forward. He believed this the direction we should go.

Chairman Shickle stated there was a part of this plan that was a “twist” to what Middletown thought was going to happen. He stated this plan opens the property up for a rezoning and the approval authority for any rezoning currently lies with the County. He went on to say the Town could not have expressed what was said tonight any sooner because a direction had not yet been set.

There being no further discussion, the above motion was approved by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

REZONING #01-14 COWPERWOOD/FEMA, SUBMITTED BY GREENWAY ENGINEERING, INC. TO REZONE 1.24 +/- ACRES OF A 18.34-ACRE PROPERTY FROM RA (RURAL AREA) DISTRICT TO B2 (BUSINESS GENERAL) DISTRICT WITH PROFFERS. THE BALANCE OF THE PROPERTY IS TO REMAIN 16.53 +/- M1 (INDUSTRIAL LIGHT) DISTRICT, AND 0.57 +/- RA (RURAL AREA) DISTRICT. THE PROPERTY IS LOCATED ON THE WEST SIDE OF MARTINSBURG PIKE (ROUTE 11 NORTH) AND IS LOCATED APPROXIMATELY 0.6 MILES NORTH OF INTERSTATE 81 EXIT 317 AND IS IDENTIFIED BY PROPERTY IDENTIFICATION NUMBER 43-A-111 IN THE STONEWALL MAGISTERIAL DISTRICT. - APPROVED

Vice-Chairman DeHaven abstained from this item due to a conflict of interest, as he was an adjoining property owner.

Deputy Planning Director Michael Ruddy appeared before the Board regarding this item. He advised this was a minor rezoning. This was a request to rezone 1.24 acres from RA (Rural Area) to B2 (Business General). This was a portion of an 18.34 acre parcel. It was noted the remaining balance of the property would remain M1 (16.53 acres) and RA (0.57 acre). The Planning Commission recommended approval of this rezoning proposal. Deputy Director Ruddy noted the commercial land uses were consistent with the Northeast Land Use Plan and there were no impacts associated with this rezoning. He went on to say the proffers were very restrictive and allowed only a single family dwelling on the property. The parcel would be accessed via Route 11.

Evan Wyatt, Greenway Engineering, appeared before the Board on behalf of this application. He advised this was the first step in a two step process. This rezoning would allow the 1.24 acre parcel to be subdivided off of the larger property.

Chairman Shickle convened the public hearing.

There were no public comments.

Chairman Shickle closed the public hearing.

Upon a motion by Supervisor Fisher, seconded by Supervisor Hess, the Board approved Rezoning #01-14 Cowperwood FEMA.

WHEREAS, Rezoning #01-14 of Cowperwood FEMA, submitted by Greenway Engineering to rezone 1.24 acres from RA (Rural Areas) District to B2 (Business General) District with proffers dated February 14, 2014, last revised on June 17, 2014, was considered. The property is located on Martinsburg Pike (Rt. 11) and is located approximately 0.6 miles north of Interstate 81 and Exit 317. The property is further identified with P.I.N. 43-A-111 in the Stonewall Magisterial District.

WHEREAS, the Planning Commission held a public hearing on this rezoning on July 16, 2014 and recommended approval of this request; and

WHEREAS, the Board of Supervisors held a public hearing on this rezoning on August 13, 2014; 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 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 District Map to rezone 1.24 acres from RA (Rural Areas) District to B2 (Business General) District with proffers. The conditions voluntarily proffered in writing by the applicant and the property owner are attached.

This ordinance shall be in effect on the date of adoption.

Passed this 13th day of August, 2014 by the following recorded vote:

| | |
|-------------------------|---------|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Abstain |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

OTHER PLANNING ITEMS

**MASTER DEVELOPMENT PLAN#06-14 – LAKE FREDERICK, REVISION 1 –
WAIVER APPROVED**

Senior Planner Candice Perkins appeared before the Board regarding this item. She advised this was a revised master development plan for the Lake Frederick community. The changes include removal of the commercial pod located in Phase 1B, removal of a road connection and addition of lots in Phase 11A, and addition of a model court in Phase 1A. These changes do not impact the overall approved lot numbers within the development. She went on to say that as part of this master development plan, the applicant is requesting a waiver of the public street requirements within the Lake Frederick Development. The applicant is requesting that the public streets be waived to allow the development to be constructed with a complete network of private streets with gated access. She advised the applicant has provided a letter stating the homeowners association would be responsible for the maintenance of the private streets in perpetuity and a licensed professional engineer would oversee construction. The design plans would need to meet the specified VDOT standards and would be verified by staff and the applicant's engineer. The Planning Commission recommended approval of this waiver request at their July 16, 2014 meeting. She concluded by saying the master development plan was being presented to the Board for information, but Board action was being sought on the waiver request.

Chairman Shickle stated it was not abundantly clear from the agenda or advertisement that a waiver was being sought. He asked staff to make sure the wording clearly stated what action was being sought by the Board.

Upon a motion by Supervisor Wells, seconded by Supervisor Hess, the Board approved the waiver request for private streets in Lake Frederick.

WHEREAS, the Lansdowne Development Group has requested a waiver of the public street requirement in the Lake Frederick Development as allowed by §165-502.05K(1) of the Zoning Ordinance. This waiver would permit the Lake Frederick Development to be developed

with a complete network of private streets; and

WHEREAS, the Planning Commission held a public meeting on this waiver request on July 16, 2014; and

WHEREAS, the Board of Supervisor held a public meeting on this waiver request on August 13, 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Frederick County Board of Supervisors that **a waiver of §165-502.05K(1) of the Frederick County Zoning Ordinance is approved to waive the public road requirement within the Lake Frederick Development.**

Passed this 13th day of August, 2014 by the following recorded vote:

| | |
|-------------------------|-----|
| Richard C. Shickle | Nay |
| Charles S. DeHaven, Jr. | Nay |
| Christopher E. Collins | Aye |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

ROAD RESOLUTION – SHADY ELM FARMS SUBDIVISION – APPROVED UNDER CONSENT AGENDA

WHEREAS, the streets described on the attached Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk’s Office of the Circuit Court of Frederick County; and

WHEREAS, the Resident Engineer of the Virginia Department of Transportation has advised this Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on June 9, 1993, for comprehensive stormwater detention which applies to this request for addition; and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the streets described in the attached Form AM-4.3 to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia, and the Department’s Subdivision Street Requirements; and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, 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 REPORT

Supervisor Lofton informed the Board of an open house at the Alson H. Smith Center, which will take place on August 16, 2014. He also congratulated Marsha Wright on being named 2014 Virginia Tech College of Agriculture and Life Sciences 2014 Employee of the Year.

CITIZEN COMMENTS

There were no citizen comments.

BOARD OF SUPERVISORS COMMENTS

Supervisor Fisher reported on his attendance at the Frederick County Public Schools' convocation that morning, He stated everyone came out of there uplifted and enthused. He went on to say we have a lot to be proud of and they are doing a lot of things well.

Supervisor Wells asked the Board to consider a resolution for former Stephens City Mayor Joy Shull honoring her 36 years on the town council and recognizing her service.

The Board's consensus was to prepare a resolution.

ADJOURN

UPON A MOTION BY VICE-CHAIRMAN DEHAVEN, SECONDED BY SUPERVISOR FISHER, THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS BOARD, THIS MEETING IS HEREBY ADJOURNED. (8:26 P.M.)

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

SPECIAL MEETING

August 19, 2014

A Special Meeting of the Frederick County Board of Supervisors was held on Tuesday, August 19, 2014 at 9:00 A.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

PRESENT

Richard C. Shickle, Charles S. DeHaven, Jr.; Gene E. Fisher; Robert A. Hess; Gary A. Lofton; and Robert W. Wells

ABSENT

Christopher E. Collins

CALL TO ORDER

Chairman Shickle called the meeting to order.

CLOSED SESSION

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Frederick County Board of Supervisors convened in closed session pursuant to Virginia Code Section 2.2-3711 A (1) to discuss personnel matters, specifically, the process for filling the upcoming vacancy in the county administrator's position.

The above motion was approved by the following recorded vote:

| | |
|-------------------------|--------|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Absent |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board came out of closed session and reconvened in open session.

The above motion was approved by the following recorded vote:

| | |
|-------------------------|--------|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Absent |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board certified that to the best of each board member's knowledge the Board discussed only matters involving personnel specifically, the process for filling the upcoming vacancy in the county administrator's position, pursuant to Virginia Code Section 2.2.-3711 A (1).

The above motion was approved by the following recorded vote:

| | |
|-------------------------|--------|
| Richard C. Shickle | Aye |
| Charles S. DeHaven, Jr. | Aye |
| Christopher E. Collins | Absent |
| Gene E. Fisher | Aye |
| Robert A. Hess | Aye |
| Gary A. Lofton | Aye |
| Robert W. Wells | Aye |

ADJOURN

UPON A MOTION BY VICE-CHAIRMAN DEHAVEN, SECONDED BY SUPERVISOR FISHER, THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS BOARD, THIS MEETING IS HEREBY ADJOURNED. (12:00 P.M.)

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

**WORK SESSION WITH
ECONOMIC DEVELOPMENT AUTHORITY**

August 19, 2014

A work session of Frederick County Board of Supervisors and Economic Development Authority was held on Tuesday, August 19, 2014 at 12:00 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

PRESENT

Richard C. Shickle; Christopher E. Collins; Charles S. DeHaven, Jr.; Gene E. Fisher; Robert A. Hess; Gary A. Lofton; and Robert W. Wells

OTHERS PRESENT

John R. Riley, Jr., County Administrator; Kris C. Tierney, Assistant County Administrator; Jay E. Tibbs, Deputy County Administrator; Roderick Williams, Patrick Barker, Executive Director of the Frederick County EDA; Wendy May, EDA Marketing Manager; Brandie Place, EDA Business Development Specialist; Sally Michaels, EDA Existing Business Coordinator; Eric R. Lawrence, Planning Director; Economic Development Authority members: Richard G. Dick, Beverley Shoemaker, J. Stanley Crockett, John McKenzie, and Jim Lockard.

CALL TO ORDER

Chairman Shickle called the work session to order.

ADOPTION OF AGENDA

The agenda for the meeting was approved.

SIGNAGE PLACMENT ALONG MAJOR ROUTES ENTERING FREDERICK COUNTY

Administrator Riley advised the Frederick County Economic Development Authority proposed to install signage along the major routes entering Frederick County, those being Routes 7, 11, 50, and 522, as a way of establishing Frederick County's identity and promoting the county as a business destination. This initiative was one of the Phase I recommendations taken from the County's business friendly initiative. The signage would be placed the shoulders of the

respective routes. This proposal was sent to the Transportation Committee for review and recommendation. The Committee recommended the Board direct the EDA to proceed with signage on the primary routes noted above. He went on to say at the Authority's June 3, 2014 meeting, the members approved the following:

1. Placement of signs at the border of the county at Route 7, 50 (east/west), 11 (north/south), and 522 (north/south).
2. The attached sign design/message.
3. The use of urethane and brick masonry sign materials, depending on the signs location.

Administrator Riley showed some sample signage showing metal signs, medium density overlay panel, and high density urethane foam and a masonry sign.

He concluded by saying staff was seeking Board action regarding the design, materials, and placement of signage.

Vice-Chairman DeHaven stated one of the two designs was far more readable than the other. He went on to say the fonts used need to be bold. As for the masonry sign, he noted the Frederick Block sign was effective, but that style would be difficult to read on a dual lane road.

Supervisor Fisher asked if a private easement would be an option for signage placement versus placement in the VDOT right-of-way.

Administrator Riley responded a private easement might be a possibility.

The Board's consensus was to move forward with the signage placement.

Administrator Riley reminded everyone that the EDA would pay for this initiative.

**DISCUSSION OF PROPOSED MEMORANDUM OF UNDERSTANDING
BETWEEN FREDERICK COUNTY BOARD OF SUPERVISORS AND
FREDERICK COUNTY ECONOMIC DEVELOPMENT AUTHORITY**

Chairman Shickle advised he and Administrator Riley had been working on a simplified version of a memorandum of understanding between the Board and the EDA. He went on to say, if it was okay with the Board he would like to make the EDA member appointments chairman's

appointments and he intended to have six names for the EDA at the Board's September meeting. It would be his intent to have the new EDA board in place and then have the EDA and the Board of Supervisor pass and sign this MOU.

Mr. Crockett stated he was comfortable with that as a first step.

The EDA and Board discussed the last paragraph of the proposed MOU, which read:

"Annual discussions and review of Board of Supervisors' vision for economic development."

It was the consensus to change vision to expectations.

Supervisor Lofton stated he would like to have the EDA and Board of Supervisors meet semi-annually.

Chairman Shickle was okay with that change.

Supervisor Hess suggested the last paragraph read "the Board of Supervisors shall discuss and review expectation for economic development at least annually."

Chairman Shickle stated he planned to make the EDA appointment chairman's appointments with the Board's consensus.

The Board and EDA discussed the member replacement process.

Chairman Shickle thanked the EDA members for their service to the County and cooperation in this process.

EDA Chairman Richard Dick thanked the Board for their support over the years as well.

Chairman Shickle concluded by saying he appreciated the EDA staff's efforts and cooperation through this transition.

PRESENTATION FROM EDA EXECUTIVE DIRECTOR RE:

A. PROGRESS OF TRANSTION FROM EDC TO EDA

EDA Executive Director Patrick Barker provided brief overview of the Winchester – Frederick County EDC’s transition to the Frederick County EDA. To date, a new logo was developed and deployed, stationery and website presence have also been updated, as has the VEDP Community Profile and the sites/building database. He noted there were still a number of projects in progress, but staff was working through the transition.

B. DISCUSSION OF EDA STRATEGY TO EMPLOY CONSULTANT TO TARGET RETAIL AND COMMERCIAL CLIENTS

Director Barker briefly discussed the possibility of hiring a consultant to undertake a study to determine ways to proactively market retail business in Frederick County. The three goals of this study are:

- Increase sales tax revenue;
- Retain dollars being spent outside of the community; and
- Retain and attract millennial talent.

He advised that staff was seeking the services of Buxton, who is an industry leader in customer analytics and site analysis. This engagement would result in a customized community identification product that takes into account the special attributes of Frederick County, which could be attractive to retailers. The deliverables from this engagement would include:

- Drive Time Trade Area Map;
- Retail Site Assessment (retail potential of up to three selected sites);
- Retail Match List; and
- Retailer Specific Marketing Packages.

Some of the benefits of this product included:

- Identifying sites that offer retail potential;

- Profiling the shopping and dining habits of residents, tourists, and workday population;
- Targeting retailers uniquely suited for the community and that complement existing retail; and
- Prevention of retail leakage and lost tax revenue.

Chairman Shickle stated he was somewhat familiar with data used by franchisers when selecting sites. He advised Director Barker that he needed to make sure Frederick County looks better in the demographic data. He asked if there was anything that could be done to change that data picture.

Vice-Chairman DeHaven asked about the terms of the Buxton engagement.

Director Barker responded that Buxton recommended at least a two year engagement. If in year two, the EDA/Board were not happy then the contract could be terminated. He went on to say the proposed contract would cost about \$50,000 per year for three years.

Vice-Chairman DeHaven asked how this study would enhance existing retail and how would those retailer be treated.

Director Barker responded that staff was awaiting more details. He advised that Buxton was told it had to have a positive cash flow.

Vice-Chairman DeHaven stated it was in the County's best interest to be proactive.

Mrs. Shoemaker stated she would feel better about this if the information were more specific. She noted the Buxton website was very vague.

C. EDA STRATEGY

Director Barker provided a very brief overview of the EDA's strategy. This overview included:

- Economic Development Activities;

- Current County EDA Activities;
- EDA Powers;
- Top Accomplishments by other EDAs;
- Frederick County's Strengths;
 - o Highway accessibility/location;
 - o Best state along the East Coast;
 - o Consistent top performing economy;
 - o Heralded commitment to business; and
 - o Workforce assistance pathy.
- Barriers for Frederick County; and
 - o Product delivery concerns;
 - o Cost factors within Virginia (e.g. tax structure, business site pricing, utility pricing, cost of living); and
 - o Global and national economy.
- Next steps.

Chairman Shickle stated he would like to have direction or recommendations from the EDA and staff to help formulate the economic development discussions and strategy.

Supervisor Fisher stated he would like to know the impediments to job growth and revenue in Frederick County.

There being no further discussion, the work session adjourned at 1:10 p.m.

B



BOARD OF SUPERVISORS

RESOLUTION APPROVING CONTRACT WITH SPRINGSTED INCORPORATED

BE IT RESOLVED, that the Board of Supervisors for the County of Frederick, Virginia, hereby approves and ratifies entry into a contract with Springsted Incorporated for consultant services for recruitment and hiring of a County Administrator.

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

ADOPTED, this 10th September 2014.

Upon motion duly made by _____, seconded by _____, and on the votes hereafter recorded:

Richard C. Shickle _____

Robert A. Hess _____

Charles S. Dehaven, Jr. _____

Gary A. Lofton _____

Gene E. Fisher _____

Robert W. Wells _____

Christopher E. Collins _____

A COPY TESTE:

John R. Riley, Jr.
Clerk, Board of Supervisors

AGREEMENT

THIS AGREEMENT made and entered into this 10th day of September, 2014, by and between FREDERICK COUNTY, VIRGINIA hereinafter referred to as the "County", party of the first part, and SPRINGSTED INCORPORATED, hereinafter referred to as "Consultants", party of the second part,

WITNESSETH

WHEREAS, and in consideration of the mutual benefits accruing to the parties hereto, the Consultants hereby agree to perform all necessary professional management consultant services for completion of an Executive Search for a County Administrator described in the amended Scope of Services, dated August 21, 2014, as attached, and upon the terms and conditions hereinafter provided:

1. That certain written proposal and amended scope of services for preparation of Executive Search Services for Frederick County, Virginia, submitted by Consultants becomes a part of this contract and is hereinafter referred to as "Scope of Service", a copy of which is attached hereto and made a part hereof. This includes the commitment to perform another executive search at no charge other than reimbursement of direct expenses if the new County Administrator voluntarily resigns, or is dismissed for cause, during the first two (2) years of employment.
2. Consultants' compensation for the services as outlined in the Scope of Services, shall be made upon certified billing and progress reports to be made monthly to the County by Consultants for work performed during the preceding month, with payment to be made by the County within thirty (30) days from receipt of such billing. The cost to the County under this contract of said proposal will not exceed the sum of \$15,500.00, plus direct out-of-pocket expenses not to exceed \$4,600.00.
3. Consultants shall make available all data, notes and memoranda completed during the study and upon completion of the study will forward such materials to the County for its use.
4. This Agreement may be terminated by either party upon seven (7) days' written notice should the other party fail substantially to perform in accordance with its terms, through no fault of the other.
5. All claims, disputes and other matters arising out of or relating to this Agreement or the breach hereof shall be governed by the laws of the Commonwealth of Virginia. Venue shall be in the City of Winchester, Virginia.

6.
 - (a) During the performance of this contract, the Consultants agree not to discriminate against any employee or applicant for employment because of race, religion, color, sex or national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment except where there bona fide occupational qualification reasonably necessary to the normal operation of the contractor. Notices setting forth the above language shall be posted in conspicuous places, available to employees and applicants for employment.
 - (b) The Consultants, in all solicitations or advertisements for employees placed by or on their behalf, will state that they are an equal opportunity employer.
 - (c) Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the above requirements.
 - (d) The Consultants will include the provisions of paragraphs (a), (b) and (c) in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.
7. Consultant's federal identification number is **41-1754318**.
8. Contractual claims, whether for money or other relief, shall be submitted by the Consultants in writing no later than sixty (60) days after final payment; however, written notice of the Consultant's intention to file such claim shall have been given at the time of the occurrence or beginning of the work upon which the claim is based. The County shall consider the claim, and shall make a written determination as to the claim within forty-five (45) days after receipt of the claim. Such decision shall be final and conclusive unless the Consultants appeal within six (6) months of the date of the final decision by instituting legal action as provided in the Virginia Public Procurement Act.
9. During the performance of this contract, Consultants agrees to (i) provide a drug-free workplace for their employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees that they maintain a drug-free workplace; and (iv) include the provisions of the foregoing clauses in

every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

- 10. The Consultants do not, and shall not, during the performance of this contract knowingly employ an unauthorized alien as defined in the Federal Immigration Reform and Control Act of 1986.

FREDERICK COUNTY, VIRGINIA

By: _____

Approved as to form:

SPRINGSTED INCORPORATED

By: _____

C

**RESOLUTION OF APPRECIATION
JOY SHULL-GELLNER,
MAYOR AND COUNCIL MEMBER,
STEPHENS CITY, VIRGINIA**

WHEREAS, Joy Shull-Gellner served the citizens of Stephens City and Frederick County, Virginia, for 30 years as mayor and town council member for the Town of Stephens City; and

WHEREAS, Joy Shull-Gellner was the first female mayor in Stephens City's 250-year history; and

WHEREAS, during her tenure she oversaw the creation of the Newtown Heritage Festival, the annexing of property to increase the town's size, and, most significantly, acquiring the water rights to the quarries located inside of the town limits ; and

WHEREAS, she was very involved in the town's Finance Committee and Water and Sewer Committee; and

WHEREAS, Joy Shull-Gellner was a tireless worker for all of the residents of Stephens City; and

WHEREAS, this Board will always consider Joy Shull-Gellner a colleague and friend.

NOW, THEREFORE BE IT RESOLVED, that the Frederick County Board of Supervisors extends its sincerest thanks to Joy Shull-Gellner and wishes her all of the best in her future endeavors.

BE IT FURTHER RESOLVED, that this resolution be spread across the minutes of the Frederick County Board of Supervisors for all citizens to reflect upon the accomplishments of this citizen legislator.

ADOPTED this 10th day of September, 2014.

Richard C. Shickle
Chairman

Gene E. Fisher
Shawnee District Supervisor

Robert A. Hess
Gainesboro District Supervisor

Christopher E. Collins
Red Bud District Supervisor

Robert W. Wells
Opequon District Supervisor

Charles S. DeHaven, Jr.
Stonewall District Supervisor

Gary A. Lofton
Back Creek District Supervisor

John R. Riley, Jr.
Clerk

D



John R. Riley, Jr.
County Administrator

540/665-5666

Fax 540/667-0370

E-mail:

jriley@co.frederick.va.us

MEMORANDUM

TO: Board of Supervisors
FROM: John R. Riley, Jr., County Administrator
DATE: September 3, 2014
RE: Committee Appointments

Listed below are the vacancies/appointments due through October, 2014. 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

Extension Leadership Council

William H. Grim – Opequon District Representative
913 Salem Church Road
Stephens City, VA 22655
Home: (540)869-2765
Term Expires: 01/24/16
Four year term.

(Mr. Grim has resigned per Extension Agent Mark Sutphin.)

FEBRUARY 2014

Historic Resources Advisory Board

Claus Bader – Red Bud District Representative
102 Whipp Drive
Winchester, VA 22602
Home: (540)722-6578
Term Expires: 02/22/14
Four year term

JUNE 2014

Development Impact Model Committee

Brian Madagan – EDC Representative – **Resigned - Vacancy**

(Per Board Direction at May 14, 2014 meeting, to be assigned once EDC/EDA transition and appointments completed.)

Economic Development Authority (EDA)

Beverley B. Shoemaker – Opequon District Representative
P. O. Box 480
Stephens City, VA 22655
Home: (540)869-4828
Term Expires: 06/30/14
Four Year Term

(Per Board Direction at May 14, 2014 meeting, appointments made once EDC/EDA transition completed.)

SEPTEMBER 2014

Board of Building Appeals

Scott D. Simpson – County Representative
180 Rome Drive
Clearbrook, VA 22624
Home: (540)974-6038
Term Expires: 09/09/14
Five year term

(See Attached Application of Robert Rhodes. Staff has been advised Mr. Rhodes is willing to serve. Staff has been unable to reach Mr. Simpson and has been advised he may have moved.) *(FYI - There are seven members on the Board of Building Appeals. One member serves as an alternate. Members serve a five year term. Members should, to the extent possible, represent different occupational or professional fields of the building industry. At least one member should be an experienced builder and one other member should be a licensed professional engineer or architect).*

Historic Resources Advisory Board

Mary M. Turner – Back Creek District Representative
2344 Jones Road
Winchester, VA 22602
Office: (540)665-9692
Term Expires: 09/14/14
Four year term

OCTOBER 2014

Shawneeland Sanitary District Advisory Board

Michelle Landon
226 Graywolf Trail
Winchester, VA 22602
Home: (540)877-1838
Term Expires: 10/08/14
Two year term

(The Advisory Committee is comprised of five members made up of resident property owners and serve a two year term.)

JRR/tjp

Attachment

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

_____, _____ District Supervisor, would like to nominate you to serve on the Board of Building Appeals. 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: Robert M. Rhodes Home Phone: 540-722-6323

Address: 1107 Cedar Creek Grade Office Phone: _____

Klinchester, VA 22602 Fax: _____

Employer: _____ Email: _____

Occupation: _____

Civic/Community Activities: _____

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):

Applicant's Signature: _____ Date: _____

Nominating Supervisor's Comments: _____

E



Frederick County Public Schools

... to ensure all students an excellent education

Executive Director of Finance

fryel@frederick.k12.va.us

DATE: August 22, 2014
TO: Jay Tibbs, Deputy County Administrator
FROM: Lisa K. Frye, Executive Director of Finance
SUBJECT: Fall 2014 VPSA Bond Sale

On August 14, 2014, the School Board approved a resolution authorizing the application to participate in the Virginia Public School Authority (VPSA) Fall 2014 bond sale and requests Board of Supervisor approval of the county's participation in the sale.

It is requested that a public hearing for the bond sale be set for October 8, 2014, after which action by the supervisors can be taken. A preliminary copy of the Board's resolution is attached for information only at this point.

Proceeds from the spring bond sale will satisfy the projected cash needs until the next bond sale in the fall. The funds are for the replacement middle school project and the amount of the bond application is \$15,000,000.

Thank you.

Attachment: Preliminary Board of Supervisors Resolution

cc: David T. Sovine, Ed.D., Superintendent
John R. Riley, County Administrator
Cheryl Shiffler, Frederick County Finance Director
Bond Counsel

Draft - For Information Only

Resolution No. _____

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$15,000,000 GENERAL OBLIGATION SCHOOL BOND OF THE COUNTY OF FREDERICK, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF.

WHEREAS, the Board of Supervisors (the "Board") of the County of Frederick, Virginia (the "County"), has determined that it is necessary and expedient to borrow an amount not to exceed \$15,000,000 and to issue its general obligation school bond (as more specifically defined below, the "Local School Bond") for the purpose of financing certain capital projects for public school purposes, consisting primarily of the construction of a replacement middle school (collectively, the "Project");

WHEREAS, the County held a public hearing, duly noticed, on October 8, 2014, on the issuance of the Local School Bond in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "Virginia Code");

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Local School Bond and consented to the issuance of the Local School Bond;

WHEREAS, Virginia Public School Authority ("VPSA") has offered to purchase the Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the fall of 2014 (the "VPSA Bonds");

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$15,000,000 is the amount of proceeds requested (the "Proceeds Requested") from VPSA in connection with the sale of the Local School Bond;

WHEREAS, VPSA's objective is to pay the County a purchase price for the Local School Bond which, in VPSA's judgment, reflects the Local School Bond's market value (the "VPSA Purchase Price Objective"), taking into consideration of such factors as the amortization schedule the County has requested for the Local School Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in requiring the County to accept a discount, given the VPSA Purchase Price Objective and market conditions, under which circumstances the proceeds from the sale of the Local School Bond received by the County will be less than the Proceeds Requested since the maximum authorized principal amount of the Local School Bond set forth in section 1 below does not exceed the Proceeds Requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FREDERICK, VIRGINIA:

1. **Authorization of Local School Bond and Use of Proceeds.** The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an aggregate principal amount not to exceed \$15,000,000 (the "Local School Bond") for the purpose of financing the Project. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

2. **Sale of the Local School Bond.** The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount on the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them (each a "Delegate") and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (the "Bond Sale Agreement"). The Bond Sale Agreement shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved.

3. **Details of the Local School Bond.** The Local School Bond shall be dated 16 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated "General Obligation School Bond, Series 2014B"; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 beginning July 15, 2015 (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts acceptable to a Delegate (the "Principal Installments"), subject to the provisions of paragraph 4 of this Resolution.

4. **Interest Rates and Principal Installments.** Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bond; provided, however, that the principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not exceed 21 years from the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

5. **Form of the Local School Bond.** The Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6. **Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to the Local School Bond:

(a) For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

(c) U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond.

7. **Prepayment or Redemption.** The Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2024, and the definitive bond for which the Local School Bond held by VPSA may be exchanged that mature on or before July 15, 2024, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local School Bond held by VPSA coming due on or after July 15, 2025, and the definitive bond(s) for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2025, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2024, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

| <u>Dates</u> | <u>Prices</u> |
|-------------------------------------|----------------------|
| July 15, 2024 through July 14, 2025 | 101% |
| July 15, 2025 through July 14, 2026 | 100½ |
| July 15, 2026 and thereafter | 100 |

Provided, however, that the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond

will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

8. **Execution of the Local School Bond.** The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

9. **Pledge of Full Faith and Credit.** For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. **Use of Proceeds Certificate and Tax Compliance Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County or the School Board as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

11. **State Non-Arbitrage Program; Proceeds Agreement.** The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Local School Bond. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Local School Bond by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

12. **Continuing Disclosure Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and

containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

13. Refunding. The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each of the Delegates is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board of Supervisors is authorized to affix the County's seal on any such documents and attest or countersign the same.

14. Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

15. Election to Proceed under Public Finance Act. In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

16. Further Actions. The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

17. Effective Date. This Resolution shall take effect immediately.

* * *

The undersigned Clerk of the Board of Supervisors of the County of Frederick, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on October 8, 2014, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: _____.
Members absent from the meeting were: _____. Members voting in favor of the foregoing resolution were: _____. Members voting against the foregoing resolution were: _____. Members abstaining from voting on the foregoing resolution were: _____.

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Frederick, Virginia, this 8th day of October, 2014.

Clerk, Board of Supervisors of the County of
Frederick, Virginia

[SEAL

F

**ROUND HILL COMMUNITY FIRE & RESCUE
COMPANY, INC.**

P. O. Box 1368
WINCHESTER, VIRGINIA 22604
540-667-6855

August 25, 2014



Frederick County Board of Supervisors
107 North Kent St.
Winchester, Virginia 22601

Dear Board Members:

The Round Hill Community Fire and Rescue Company requests the Board of Supervisors appropriate \$146,790.00 from the current proffer funds allocated to Round Hill Community Fire & Rescue Company. The funds will be used pay the company's share of design costs for the new Fire Station and Event Center.

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

Your assistance in this matter is greatly appreciated.

Sincerely,

Elwood Patterson
President

G



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: John R. Riley, Jr., County Administrator

FROM: Roderick B. Williams, County Attorney

DATE: August 26, 2014

RE: Refund – New World Pasta Company, Inc.

I am in receipt of the Commissioner's request, dated August 25, 2014, to authorize the Treasurer to refund New World Pasta Company, Inc. the amount of \$35,674.50, for adjustment to personal property taxes for tax year 2013, and the amount of \$8,782.54, for adjustment to personal property taxes for tax year 2014. This refund is a result of the company's appeal of misfiled machinery and tools as taxable when the property was in fact deemed intangible under applicable law and therefore not subject to personal property taxation.

The total refund amount is \$44,457.04 and New World Pasta Company, Inc. is willing to have the refund applied to other balances due. The Commissioner indicates that documentation and details for this refund meets 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



August 25, 2014

TO: Rod Williams, County Attorney
Cheryl Shiffler, Finance Director
Frederick County Board of Supervisors
Jay Tibbs, Secretary to the Board

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Exoneration New World Pasta Company, Inc.

A handwritten signature in cursive script, reading "E. Murphy".

Please approve a refund to New World Pasta Company, Inc. of \$ 35,674.50 for machinery and tools taxes for 2013 and \$8,782.54 for 2014 based on their appeal of misfiled machinery and tools as taxable when they were actually intangible. The request is for the total refund amount of \$44,457.04. Taxpayer is willing to have refund applied to other balances due.

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

Documentation and details for this refund have been reviewed by the Commissioner's staff and meet all requirements. Detailed information is retained in the Commissioner of the Revenue office because the data must be kept secure.

Exoneration is \$44,457.04.

8/19/2014

Abatement Register
COUNTY OF FREDERICK

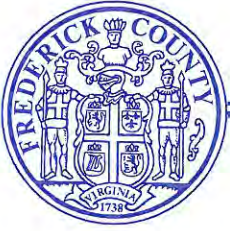
-UPDATE-

TX306ABP

FOR DATE - 8/19/2014 ACCOUNTING PERIOD - 2014/08

| Type | Dept | Ticket# | Date | Amt. Charged | Customer | Tran# |
|---------------------|--------|-------------------|-----------|--------------|-----------------------------|-------|
| ABA | PP2013 | 00384990001 | 8/19/2014 | \$17,837.25- | NEW WORLD PASTA COMPANY LLC | 41786 |
| ABA | PP2013 | 00384990002 | 8/19/2014 | \$17,837.25- | NEW WORLD PASTA COMPANY LLC | 41787 |
| Total for Dept. | | | | \$35,674.50- | | |
| ABA | PP2014 | 00396360001 | 8/19/2014 | \$4,391.27- | NEW WORLD PASTA COMPANY LLC | 41788 |
| ABA | PP2014 | 00396360002 | 8/19/2014 | \$4,391.27- | NEW WORLD PASTA COMPANY LLC | 41789 |
| Total for Dept. | | | | \$8,782.54- | | |
| Total for Tran Type | | | | \$44,457.04- | | |
| Abatement count = | 4 | Total for Company | | \$44,457.04- | | |

Н



MEMO

To: John R. Riley, Jr., County Administrator
From: Jason L. Robertson, Director, Parks & Recreation Dept.
Subject: Parks and Recreation Commission Action
Date: August 18, 2014

The Parks and Recreation Commission met on August 12, 2014. Members present were: Kevin Anderson, Greg Brondos, Jr., Randy Carter, Christopher Collins, Ronald Madagan and Charles Sandy, Jr.. Members absent were: Patrick Anderson, Marty Cybulski and Gary Longerbeam

Items Requiring Board of Supervisors Action:

None

Submitted for Board Information Only:

1. Policy Changes and New Policy Recommendations - Mr. Madagan moved to accept the Soccer Goal, Youth Sport Concussion, Work Schedule and Employee Discount policies as submitted, second by Mr. Kevin Anderson, motion carried unanimously (5-0). Please find attached copies of the approved policies.
2. Policy Discussion – Tree Removal Policy – Mr. Madagan moved to postpone the action on the tree removal policy until next month's meeting, second by Mr. Carter, motion carried unanimously (5-0).

cc: Charles R. Sandy, Jr., Chairman
Christopher Collins, Board Liaison

SOCCER GOAL POLICY

100.27

PURPOSE:

To enhance the safety of individuals playing on soccer fields by standardizing the procedures for the use and storage of moveable soccer goals

GOAL:

To provide a procedure regarding the use and storage of moveable soccer goals meeting Virginia code 32.1-370.

POLICY:

FCPRD has adopted the guidelines listed in the Consumer Product Safety Commission document #326 (Guidelines for Moveable Soccer Goal Safety) and adheres to the following procedure:

Only Frederick County Parks and Recreation (FCPRD) personnel are permitted to move soccer goals.

Soccer fields are available for scheduled and drop in use while fields are open for play. Goals are inspected daily for the following during this time:

1. The four rebar "anchors" are recessed and flush to the top of the goal structure
2. The goal is pushed forward and backward to check for stability. No movement of goal is required. If a rebar anchor is loose, it is pulled up and driven into the ground at a different angle to secure.
3. The net is inspected for tears, holes, sagging and to see if net clips need to be replaced.
4. The connecting parts/hardware is inspected for loose bolts, weld cracks, or separations.

FCPRD stores soccer goals as follows when soccer fields are closed for the season:

1. Goals are locked together face to face or to a tree with nets removed
2. Goals are disassembled and stored in the maintenance area over the winter months.

FCPRD will provide a copy of the Soccer Goal Policy to all groups reserving fields.

Approved: August 12, 2014

YOUTH SPORTS CONCUSSION POLICY

100.28

PURPOSE:

To enhance the safety of youth participating in sport activities by providing procedures regarding the identification and handling of suspected concussions

GOAL:

To provide a procedure regarding the handling of suspected concussions in compliance of the Code of Virginia 22.1-271.5. Each non-interscholastic youth sports program utilizing public school property shall establish standards regarding the handling of suspected concussions consistent with the local school division's policies and procedures or the Virginia Board of Education's Guidelines for Policies on Concussion in Student-Athletes according to the Code of Virginia.

POLICY:

Frederick County will annually review the Youth Sports Concussion Policy. This Policy will be reviewed by the Concussion Policy Management Team (CPMT) made up of a Program Supervisor in youth sports, Superintendent of Recreation, Director of Parks and Recreation, and an appropriate licensed health care provider as defined by the Virginia Board of Education's guidelines for policies on concussions in student-athletes. For this policy a youth is defined as anyone under eighteen years of age.

Each Frederick County Parks and Recreation youth sport coach will complete prior to coaching the Center for Disease Control's (CDC) training program, "Heads Up, Concussion in Youth Sports", the National Federation of State High School Associations' (NFSH) education course "Concussion in Sport – What You Need to Know", or a course instructed by a qualified health care provider as defined by the Virginia Board of Education's guidelines for policies on concussions in student-athletes. These programs will be completed annually by all coaches. A coach will provide a certificate indicating completion of a course if not attending a Frederick County Parks and Recreation sponsored training on concussions.

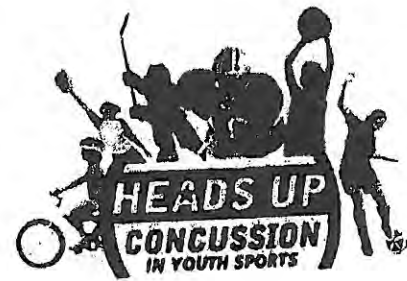
The following is the procedure should a youth be suspected of suffering a concussion by a Frederick County youth sports coach or staff member in an athletic program:

1. All parents or authorized adults registering a child will receive a concussion fact sheet (Appendix A) and a copy of the Youth Sports Concussion Policy at registration or first practice.
2. The athlete will be removed from activity by the coach or staff if there is a suspected concussion.
3. The coach or staff will contact parent immediately and complete an incident report documenting suspected concussion. The coach will call 911 if needed.
4. The coach or staff will release the athlete to the parent or authorized adult and

provide the incident report indicating suspected concussion and a concussion fact sheet (Appendix A). The coach or staff will inform the parent or authorized adult the athlete is not eligible to return to play until a licensed health care provider approves their return.

5. The athlete must have a written release from an authorized licensed health care provider as defined by the Virginia Board of Education before the athlete may return to play. Approved Health Care providers are defined as a physician, physician's assistant, osteopath or athletic trainer licensed by the Virginia Board of Medicine, a neuropsychologist licensed by the Board of Psychology, or a nurse practitioner licensed by the Virginia State Board of Nursing.
6. The written release must be received by the Program Supervisor responsible for the program, the Superintendent of Recreation, or the Director.
7. The Program Supervisor, Superintendent of Recreation, or Director will contact the coach or staff authorizing the athlete may return to the activity.
8. Frederick County Parks and Recreation will maintain a database of all return to play forms.

Approved: August 12, 2014



Parent/Athlete Concussion Information Sheet

A concussion is a type of traumatic brain injury that changes the way the brain normally works. A concussion is caused by bump, blow, or jolt to the head or body that causes the head and brain to move rapidly back and forth. Even a "ding," "getting your bell rung," or what seems to be a mild bump or blow to the head can be serious.

WHAT ARE THE SIGNS AND SYMPTOMS OF CONCUSSION?

Signs and symptoms of concussion can show up right after the injury or may not appear or be noticed until days or weeks after the injury.

If an athlete reports **one or more** symptoms of concussion listed below after a bump, blow, or jolt to

Did You Know?

- Most concussions occur *without* loss of consciousness.
- Athletes who have, at any point in their lives, had a concussion have an increased risk for another concussion.
- Young children and teens are more likely to get a concussion and take longer to recover than adults.

the head or body, s/he should be kept out of play the day of the injury and until a health care professional, experienced in evaluating for concussion, says s/he is symptom-free and it's OK to return to play.

SIGNS OBSERVED BY COACHING STAFF

- Appears dazed or stunned
- Is confused about assignment or position
- Forgets an instruction
- Is unsure of game, score, or opponent
- Moves clumsily
- Answers questions slowly
- Loses consciousness (*even briefly*)
- Shows mood, behavior, or personality changes
- Can't recall events *prior* to hit or fall
- Can't recall events *after* hit or fall

SYMPTOMS REPORTED BY ATHLETES

- Headache or "pressure" in head
- Nausea or vomiting
- Balance problems or dizziness
- Double or blurry vision
- Sensitivity to light
- Sensitivity to noise
- Feeling sluggish, hazy, foggy, or groggy
- Concentration or memory problems
- Confusion
- Just not "feeling right" or "feeling down"

CONCUSSION DANGER SIGNS

In rare cases, a dangerous blood clot may form on the brain in a person with a concussion and crowd the brain against the skull. An athlete should receive immediate medical attention if after a bump, blow, or jolt to the head or body s/he exhibits any of the following danger signs:

- One pupil larger than the other
- Is drowsy or cannot be awakened
- A headache that not only does not diminish, but gets worse
- Weakness, numbness, or decreased coordination
- Repeated vomiting or nausea
- Slurred speech
- Convulsions or seizures
- Cannot recognize people or places
- Becomes increasingly confused, restless, or agitated
- Has unusual behavior
- Loses consciousness (even a brief loss of consciousness should be taken seriously)

WHY SHOULD AN ATHLETE REPORT THEIR SYMPTOMS?

If an athlete has a concussion, his/her brain needs time to heal. While an athlete's brain is still healing, s/he is much more likely to have another concussion. Repeat concussions can increase the time it takes to recover. In rare cases, repeat concussions in young athletes can result in brain swelling or permanent damage to their brain. *They can even be fatal.*

Remember

Concussions affect people differently. While most athletes with a concussion recover quickly and fully, some will have symptoms that last for days, or even weeks. A more serious concussion can last for months or longer.

WHAT SHOULD YOU DO IF YOU THINK YOUR ATHLETE HAS A CONCUSSION?

If you suspect that an athlete has a concussion, remove the athlete from play and seek medical attention. Do not try to judge the severity of the injury yourself. Keep the athlete out of play the day of the injury and until a health care professional, experienced in evaluating for concussion, says s/he is symptom-free and it's OK to return to play.

Rest is key to helping an athlete recover from a concussion. Exercising or activities that involve a lot of concentration, such as studying, working on the computer, or playing video games, may cause concussion symptoms to reappear or get worse. After a concussion, returning to sports and school is a gradual process that should be carefully managed and monitored by a health care professional.

WORK SCHEDULE

100.06

PURPOSE:

To define work schedules for all full time employees.

GOAL:

To schedule full time employees that will efficiently enable them to provide quality parks, facilities and recreational programs.

POLICY:

All full time personnel will acquire paid time off (PTO) according to the Frederick County Personnel Policy Section VIII. All full time personnel are also provided holiday hours. These dates will be provided annually by the Frederick County Human Resources Department. All leave must be approved by an immediate supervisor and Director. Requests for leave must be submitted according to the Frederick County Personnel Policy.

All non-exempt employees (except the Administrative Assistants and Registration Specialists) and Park Managers are required to work forty hours a week. If an employee does not work forty hours a week, the employee will utilize approved leave in addition to hours worked to equal forty hours.

All exempt employees (except Park Managers), Administrative Assistants, and Registration Specialists are required to work thirty-seven and a half hours a week. If an employee does not work thirty-seven and a half hours in a week, the employee will utilize approved leave in addition to hours worked to equal an eight hour day or a forty hour week.

All non-exempt employees will receive compensatory time for hours worked over forty at time and a half. This time will be recorded on the timesheet as comp time.

All non-exempt employees who work on a holiday will receive their hourly rate for hours worked not exceeding eight. Additional hours exceeding eight on a holiday will be classified as compensatory time if the total hours for the week worked, including holiday hours, exceeds forty.

All exempt employees will receive straight flex time for all hours worked over forty in a week. Exempt employees during holiday weeks will earn flex time for hours worked when the sum of the hours worked and holiday observed are greater than forty for that week. Flex time will be administered by the Parks and Recreation Department and maintained by the immediate supervisor. Flex balances shall not exceed twenty-four hours. If an employee will have thirty days to use the flex time exceeding twenty-four or it will be lost. Flex time will not be paid out by the County upon separation or retirement.

All PTO, IDA and compensatory leave balances are subject to regulations described in the Frederick County Personnel Handbook Sections IV and VIII.

Telephone calls and checking/answering work e-mails while not on duty will be recorded as follows: under 15 minutes=0 hours; 16 to 44 minutes=.5 hours; 45-60 minutes=1 hour. Non-exempt employees should only be contacted for emergency situations. Non-exempt employees will receive .5 hours for all telephone calls received, up to 30 minutes, while not on duty from work. All employees will need to notify their supervisor the next business day of such occurrences.

Approved: August 12, 2014

EMPLOYEE DISCOUNT POLICY

100.05

PURPOSE:

To enhance the ability of FCPRD to recruit employees by providing a means for these individuals to obtain high quality recreational programs and provide additional staff program observations.

GOAL:

To allow a fee reduction for the employees scheduled to work twenty or more hours per week.

POLICY:

The Frederick County Parks and Recreation Department will make the basicREC, Camp basicREC, and other recreational programs available at a reduced rate to those individuals employed by the department.

All seasonal, part time, and full time employees scheduled to work twenty (20) or more hours per week for the department will receive a discount for the basicREC or CAMP basicREC programs for their dependents. The fee for children of eligible employees, who enroll for the entire length of the program, will be fifty percent of the advertised fee.

In addition to the outlined fees above, eligible part time and seasonal employees will receive a ten (10) percent discount on all programs for themselves or their dependents, while full time employees and their dependents will receive a twenty (20) percent discount. All seasonal, part time, and full time employees scheduled to work twenty (20) or more hours per week for the department may utilize the FCPRD fitness rooms, receive a pool pass and participate in facility based programs (ie open gyms) at no charge. Employees must sign in and show ID at the facility as required. This reduction does not include facility reservations, admissions, or trips.

To receive a program discount, the employee must register for each program and request the appropriate discount. The discounted rate will expire following termination. If fees are paid in advance at the discounted rate, the individual will be assessed the balance due beginning the Monday following termination.

To receive a pool pass, the full time supervisor for their employees who consistently are scheduled 20 or more hours a week will request a pool pass from the appropriate Superintendent. The Superintendent will request pool passes be made by the Public Information Officer. Pool passes will be signed by the Director.

Program Supervisors will receive a list of employees receiving this discount for their program. Employees receiving this discount should provide program feedback.

Discounted registrations will not be counted towards the required minimum registration for each program. All other rules and regulations regarding registration, refunds, etc.,

will apply as stated in the policy manual.

Approved: August 12, 2014

I



County of Frederick

Paula A. Nofsinger
Director of Human Resources

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

TO: Board of Supervisors
FROM: Paula Nofsinger, Director of Human Resources
DATE: September 2, 2014
SUBJECT: Human Resources Committee Report

The HR Committee met in the First Floor Conference Room at 107 North Kent Street on Friday, August 1st, 2014, at 8:00am. Committee members present were: Supervisor Robert Hess, Supervisor Chris Collins, Supervisor Robert Wells, Citizen Member Don Butler, and Citizen Member Dorrie Greene. Also present were: Assistant County Administrator Kris Tierney, Public Safety Communication Director LeeAnna Pyles, NRADC Superintendent Jim Whitley, and DSS Representatives Melody Williams and Delsie Butts. Citizen Member Beth Lewin was absent.

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

1. None

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

1. Presentation by the Director of Public Safety Communications, LeeAnna Pyles.

At the request of the Committee, Ms. Pyles presented an overview of the objectives and responsibilities of the Department of Public Safety Communications. The presentation also provided the Committee an understanding of her department's role, authority, projects, and topics of importance within her department. Presentation Attached.

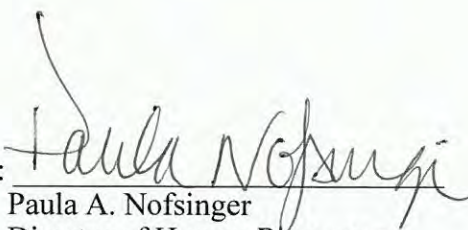
There being no further business, the meeting was adjourned.

The next HR Committee meeting is scheduled for Friday, September 12th, 2014.

Respectfully Submitted,

Human Resources Committee

Robert Hess, Chairman
Robert Wells
Chris Collins
Don Butler
Dorrie Greene
Beth Lewin

By: 
Paula A. Nofsinger
Director of Human Resources

The logo features a dark background with a light, abstract, curved shape on the right side. The text is centered in the upper half of the image.

*Frederick County Department of
Public Safety Communications*

Mission Statement

The mission of the Frederick County Public Safety Communications Center is to efficiently and professionally receive and dispatch emergency services requests for fire, emergency medical service and law assistance to the citizens of Frederick County.

We realize that our one and only product is service and we strive to provide this to our citizens at the most superior level possible.

We will provide this service in a prompt, courteous, professional manner, striving for efficiency.

Public Safety Communications is a successful combination of teamwork and excellence.

History of the Emergency Communications Center

Frederick County only dispatched the Frederick County Sheriffs Department for many years. Winchester dispatched Winchester Police Dept. as well as Winchester/Frederick County fire and rescue. All 911 calls were answered by Winchester and any Frederick County calls for the Sheriffs Dept. were transferred. In 1998 Frederick County began dispatching Frederick County fire/rescue calls and answering their own 911 calls.

Unlike some other jurisdictions the Communications Department is it's own department, not under Fire/Rescue or the Sheriffs' Department.

Current Employees

Currently have 20 employees in the department. This consists of the following:

- 1- Director
- 1- Operations Supervisor
- 1- Shift Supervisor
- 8- Communications Officer III
- 1- Communications Officer II
- 4- Communications Officer I
- 2- Probationary Communications Officer
- 1- Part-time Communications Officer, also is the Training Coordinator for the Department
- 1- Secretary

Starting salary for a Communications Officer is \$31,505.84

Training needed for the Telecommunications Officer

2-3 Months in the Center in classroom environment

3 weeks of mandatory certifications conducted outside the center

- * Criminal Justice Academy

- * Emergency Medical Dispatch

- * CPR

- * VCIN/NCIC operator (Virginia Criminal Information Network/National Criminal Information Center)

- * 3 ride-alongs each with Fire/Rescue and Sheriffs' personnel

2-3 Months on the job training at the console

Dispatchers must work with a trainer on all three primary shifts

This equals to approximately 6-7 months of training before a dispatcher is usually competent to handle the job with little to no supervision.

Communications Department Responsibilities

Answer all incoming phone lines, both emergency and non-emergency

| | |
|-------------------------------------|----|
| Sheriffs Office non-emergency | 6 |
| Fire Office non-emergency | 2 |
| Emergency Operations Center | 3 |
| Mutual Aid | 1 |
| Outlines | 3 |
| Direct dial lines (WMC ,City, Jail) | 3 |
| 9-1-1 | 12 |

In 2013 there were 33, 375 9-1-1 calls answered. Of these 25, 871 were wireless callers. There were over 230,000 non-emergency phone calls answered in 2013. That is 731 daily or 30 calls an hour.

Answer Sheriffs' Office admin lines after hours.

Answer after hours request for Frederick County Social Services, Frederick County Sanitation, Northwestern Health and Probation/Parole

Monitor security cameras at the Public Safety Building and in near future at NM tower site

Monitor ESP- electronic satellite system (GPS bait money at a couple local banks)

Monitor alarms for County owned buildings, including all schools and the County Admin Building

Law Enforcement

Receive, process and dispatch all calls for service for the following:

- Frederick County Sheriffs' Office
- Middletown Police Department
- Stephens City Police Department
- Frederick County Parks
- Fire Marshalls (law enforcement calls)

Although Middletown and Stephens City are separate towns within Frederick County, they do not have their own dispatch center. All calls for service and dispatching go through the Frederick County Communications Center.

Law Enforcement Personnel:

| | |
|-----------------------------------|-----|
| Frederick County Sheriffs' Office | 127 |
| Middletown Police Department | 6 |
| Stephens City Police Department | 4 |
| Park Rangers | 2 |
| Fire Marshalls | 4 |

This includes Command Staff, Civil, Investigators, Road Deputies, School Resource Officers, Traffic Division, Animal Control, Drug Task Force and Town Police Officers.

In 2013 there were 75,933 Calls for service dispatched.

Fire/EMS

Receive, process and dispatch all calls for service for the Frederick County Fire/Rescue Department

Broadcast General Announcements to fire personnel (daily and also special events)

Log all controlled/open air burnings

| | |
|------------------------|-----------|
| Fire/Rescue Companies | 11 |
| Apparatus | 97 pieces |
| Paid Fire/Rescue | 72 FT/PT |
| Operational Volunteers | over 200 |

Frederick County provides mutual aid to 8 surrounding counties, 3 in Virginia and 5 in West Virginia

There were 9472 Calls for service dispatched for Fire/Rescue in 2013.

EMD (Emergency Medical Dispatch)

Every call requiring an EMS (Emergency Medical Services) response must be processed through the Medical Priority Dispatch System (MDPS). This requires the dispatcher to question the caller for signs/symptoms to prioritize the call for either ALS (Advanced Life Support) or BLS (Basic Life Support). From the onset of the call, it takes approximately two minutes to complete the questioning.

After dispatching the appropriate response for the call, the dispatcher then gives every caller pre-arrival instructions. This includes CPR, choking, bleeding control, childbirth, securing airway, etc. Or basic as gather all medication, unlock the door, put pets away. On certain call types, or if the patient is not stable, the dispatcher will remain on the phone with the caller until an EMS unit arrives on the scene.

VCIN/NCIC

The Communications Department is responsible for all entries into the VCIN/NCIC for the Frederick County Sheriffs Office as well as Middletown Police Department, Stephens City Police Department and Lord Fairfax Community College Police. (Virginia Criminal Information Network, National Crime Information Center)

All warrants, indictments, PB-15s (probation violation) Emergency Protective orders, etc. must be entered in the VCIN/NCIC system.

All wanted persons, missing persons, stolen items (vehicles, tags, parts, guns, securities) must be entered into the system.

All modifications or clearing of entries are also the responsibility of communications.

Criminal history, driver information, vehicle information and wanted information are obtained for Law Enforcement by the dispatchers.

All of this is performed while the dispatcher is answering phones and dispatching calls.

AlertFrederickCounty

AlertFrederickCounty is a community emergency notification system. Citizens can sign-up to receive weather warnings and also to receive their notifications via cell phone.

It is the responsibility of the Communications Department personnel to notify homes and businesses in a targeted area when there is a threat to the health and safety of the residents of Frederick County.

Messages can be sent to the entire county or defined areas, down to a couple houses on a street. Messages are sent using the 9-1-1 database provided by the local telephone company. It is able to contact landline telephones, whether listed or unlisted, or if the citizen has registered a cell phone for an address.

Message types that have been sent include missing person, suicidal person, hazmat incidents, shelter in place, evacuate, suspect of robbery in the area and so on.

Messages can be sent using voice, email, text and TTY/TDD.

This system is also being utilized for notification of all Frederick County employees.

Emergency Management

The Communications Center and its' personnel work in conjunction with the Office of Emergency Management during disasters and other emergency situations. The Emergency Operations Center is manned by Communications Personnel once the center has been opened.

- ❖ Assist with developing emergency plans and drills that are held in the area.
- ❖ Participate in the emergency drills.
- ❖ Maintain and update resource material.
- ❖ Notify public about openings of public shelters.
- ❖ Collaborate with other departments to apprise of damage reports in the county.
- ❖ Notify NWS of significant damage due to weather.
- ❖ Notify predetermined groups of any dam breaches.

Public Education

Communications Department personnel participate in public education functions in the area.

- ❖ Valley Health Public Safety Fair held in September of each year
- ❖ Frederick County Fair in conjunction with the Chest Pain Center and Valley Health Coach
- ❖ Scouts and other group tours of the dispatch center
- ❖ Instructors teach basic communications at the Criminal Justice Academy in Middletown

Frederick County is unique in its geographical area and terrain, along with the major roads and interstates that run through the county.

When there is an accident on I 81, whether minor or major the dispatch center becomes inundated with 9-1-1 calls. One accident can tie up one dispatcher answering the calls, while the other dispatcher sends the fire/rescue resources needed.

Frederick County has several waterways which can sometimes cause major problems with flooding and water rescues.

There are quarries, camps, caves, colleges, remote mountain subdivisions, large lakes, dams, large industrial parks, all of these present dispatchers with different situations that need dispatched on a daily basis.

Turnover in the 9-1-1 World

Due to the stressful environment that the 9-1-1 Telecommunications Officer works in, turnover in the field is extremely high and has been considered close to that of the air traffic controllers.

Dispatchers work shift work, nights, weekends, holidays and are subject to call-back at a moments notice. Unlike the field first responders the dispatchers seldom have closure on calls that are involved in. EMS-Fire-Law Enforcement personnel more then likely know the outcome of an incident. Dispatchers take the 9-1-1 calls, relate to the caller, dispatch the Units and have to go on to the next call.

While this turnover may be due to other reasons like employment elsewhere, termination or even retirement, by and large the inability to cope with the sustained daily stress of the job plays the greatest role. Compound this with other factors native to the position such as lack of appropriate rest, improper diet, family problems caused by working odd hours, etc., and you have a very stressful atmosphere in which to work.

Public Safety dispatching takes a unique person.

The person must be compassionate and persistent to assist callers who are quite possibly experiencing the worst moment in their lives.

They have to be polite and understanding no matter how badly they are being treated by a stranger on the other end of the phone.

They constantly listen to callers trapped by the emotion of the situation, fright, confusion, anger and pain, all the while they try to break through and ask questions and when necessary provide lifesaving instructions.

They are the second party to horrific situations that if not for the sake of their profession, they might never experience in their lifetime. Sometimes these situations singularly or over a period of time, take their toll on dispatchers.

When their neighbors are taking cover from inclement weather, they are driving to the center. Sometimes having to stay around the clock.

They are required to multi-task and adapt to the never ending technology brought on by the Next Generation 9-1-1.

The ones that stay, claim that the good overrides the bad.

They give comfort to the man who woke up and found that his wife of 50 years had passed away during the night.

They talk the disgruntled teenager out of ending her life.

They obtain as much information as possible to ensure the scene is safe for the responding units.

The people in the center become their extended family. They watch the children of co-workers grow into adulthood. They grieve at each other's tragedies and rejoice at each other's successes.

They do the best they can do every day to hold together the world of their callers and their team.

They are truly the first responder and the unsung heroes of the public safety emergency services.



11:33:38

Office notices and documents pinned to the wall.



Monitor displaying a dashboard with multiple data panels and a clock showing 11:33:37 AM.

Monitor displaying a software interface with a blue header and red/yellow data sections.

Monitor displaying a software interface with a blue header and a list of items.

Monitor displaying a software interface with a blue header and a table of data.

Monitor displaying a software interface with a blue header and a table of data.

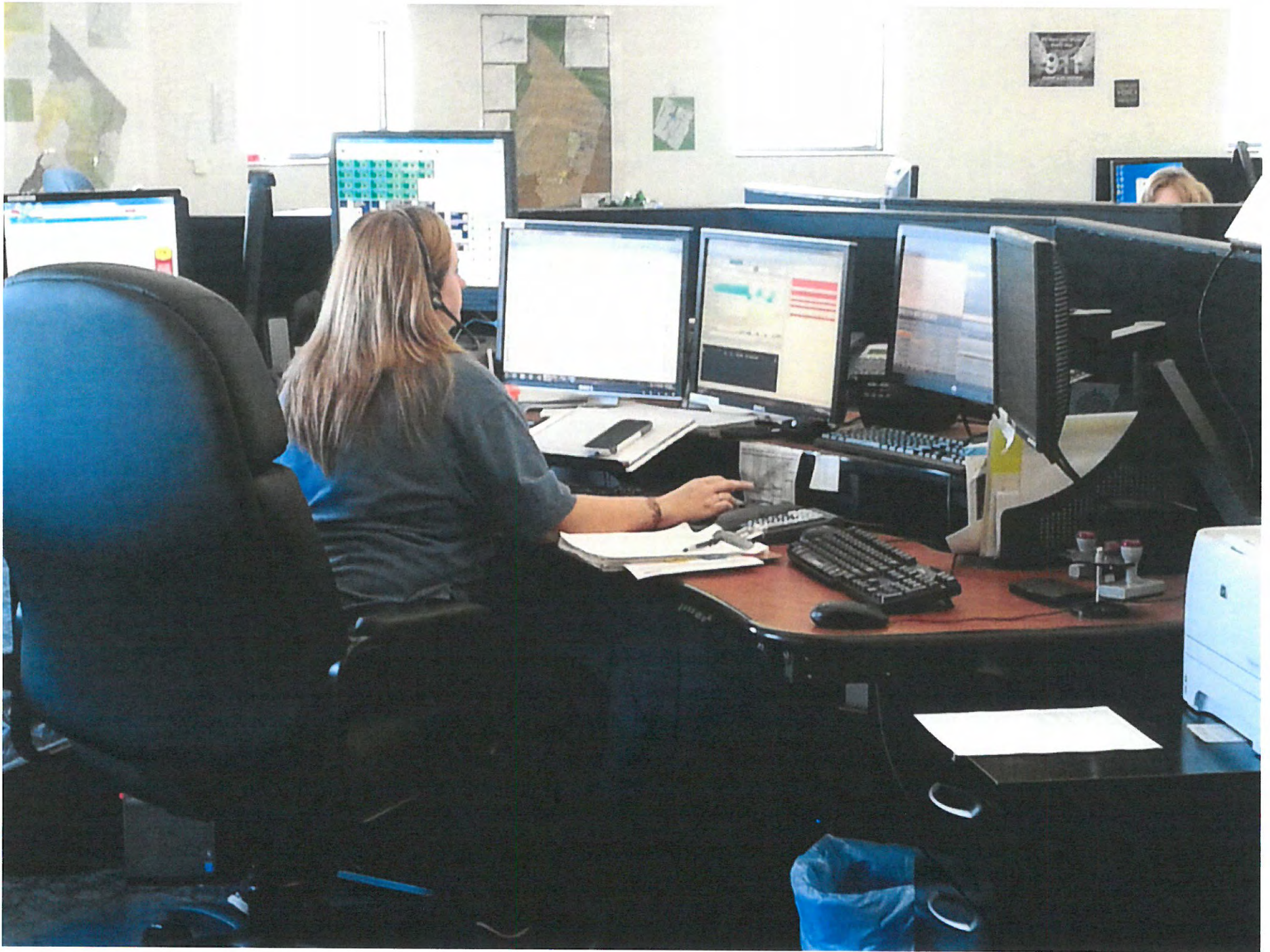
Monitor displaying a map of a geographical area.

Stack of yellow and white spiral-bound notebooks.

Open book or manual on the desk.

White spiral-bound notebook on the desk.

Sign on the desk that reads "BANK OF CLATSOP COUNTY WA" with a small car model.



**We Earn Our Wings
Every Day**

911

DISPATCHERS

Questions??

J



MEMORANDUM

TO: Board of Supervisors

FROM: Harvey E. Strawsnyder, Jr., P.E., Director of Public Works

SUBJECT: Public Works Committee Report for Meeting of August 26, 2014

DATE: August 28, 2014

HEL
110

The Public Works Committee met on Tuesday, August 26, 2014, at 8:00 a.m. All members were present except Jim Wilson. The following items were discussed:

*****Item Requiring Action*****

1. Carry Forward Request for Newspaper Recycling Services

The contractor, S.P. Fibers, that had provided newspaper recycling services for Frederick County for the past 16 years, has gone out of business. During that time, S.P. Fibers provided the collection cans and hauling at no cost and paid Frederick County at a per ton rate which varied depending on the recycling market. Yearly revenue generated from recycled newspapers ranged from a low of approximately \$15,000 to a high of approximately \$50,000.

To avoid an interruption in our newspaper recycling program, we have entered into a contract with Southern Scrap who also takes our plastics, glass and metal can products. This contract would expire in approximately 16 months. Unfortunately, the contract does not include containers and hauling services. The latter service can be coordinated through Allied Waste which currently provides our refuse hauling services. Allied Waste can also provide containers at a rental rate of \$726 per month for approximately 33 cans.

The company that has purchased some of the assets of S. P. Fibers has offered to sell us the existing newspaper containers at a cost of \$14,850 for 33 cans. After reviewing these options, the committee unanimously recommended that we purchase the containers using carry forward funds outlined in the attached memorandum from the solid waste manager dated August 4, 2014. **(Attachment 1)**

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

1. Discussion of Fire Marshal's Proposed Fee Schedule

The Fire Marshal, Jay Bauserman, presented a proposed permit fee schedule related to the current Life Safety/Fire Prevention Code. A copy of the proposed permit fees is attached along with a memorandum from the fire marshal dated August 20, 2014. After discussing the proposed fee schedule, the committee recommended that the fire marshal provide additional information related to the implementation of the permit process and the establishment of a database. Mr. Lofton also requested that

Public Works Committee Report

Page 2

August 28, 2014

samples of inspections be evaluated to determine actual costs versus the proposed fees. It is anticipated that the requested information will be presented at the next public works meeting. **(Attachment 2)**

2. Request from Building Official for Receptionist Position

The committee reviewed and unanimously endorsed a request from the Building Official, Mr. John Trenary, to convert a part-time receptionist position to a full time clerical receptionist position. The attached memorandum provides justification for this request which will be forwarded to the human resources committee for their review. **(Attachment 3)**

3. Miscellaneous Reports

- a) Tonnage Report
(Attachment 4)
- b) Recycling Report
(Attachment 5)
- c) Animal Shelter Dog Report
(Attachment 6)
- d) Animal Shelter Cat Report
(Attachment 7)

Respectfully submitted,

Public Works Committee

Gene E. Fisher, Chairman

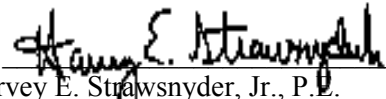
David W. Ganse

Gary Lofton

Whit L. Wagner

Robert W. Wells

James Wilson

By 
Harvey E. Strawsnyder, Jr., P.E.
Public Works Director

HES/rls

Attachments: as stated

cc: file


COUNTY of FREDERICK
Department of Public Works

540/665-5643

FAX: 540/678-0682

MEMORANDUM

TO: Harvey E. Strawsnyder, Jr., P.E. *HEE*
 Director of Public Works *add*

FROM: Gloria M. Puffinburger *-gmp*
 Solid Waste Manager

RE: Carryforward Request; FY 14/15

DATE: August 4, 2014

The purpose of this memo is to request that a total of \$17,400 be carried forward from Refuse Collection line items in the FY 13/14 listed below into FY 14/15 budget line item 10-4203-3010-00 (Contractual Services). Funds will used to offset the costs associated with increased hauling and can rental for the county's mixed paper recycling program.

If you have any questions, please do not hesitate to contact me at Extension 8219.

- 10-4203-3002-00 -- \$1,000
- 10-4203-3004-02 -- \$1,300
- 10-4203-3007-00 -- \$1,200
- 10-4203-5401-00 -- \$1,100
- 10-4203-5408-00 -- \$6,900
- 10-4203-5506-00 -- \$1,000
- 10-4203-8900-00 -- \$4,000
- 10-4203-9001-00 -- \$ 900

/gmp

cc: file



FIRE AND RESCUE DEPARTMENT


FIRE MARSHAL'S OFFICE

John J. Bauserman
Deputy Chief/Fire Marshal
Life Safety Division

MEMORANDUM

1080 Coverstone Drive
Winchester, VA 22602

TO: Harvey E. Strawsnyder Jr., PE, Director of Public Works

FROM: John J. Bauserman, Deputy Chief/Fire Marshal, Life Safety Division 

SUBJECT: Proposed Fire Prevention Code Permit Requirements and Fee Schedule

DATE: August 20, 2014

The Frederick County Board of Supervisors adopted the Statewide Fire Prevention Code as the Frederick County Fire Prevention Ordinance on June 2012. This ordinance allows the Frederick County Fire Marshal's Office to adopt a life safety/fire prevention fee schedule for the purpose of assisting with inspection costs.

Per the Statewide Fire Prevention Code Section 107.15 Fee Schedule, the local governing body may establish a fee schedule. The schedule shall incorporate unit rates, which may be based on square footage, cubic footage, estimated cost of inspection or other appropriate criteria.

The primary focus of inspections that the Fire Marshal's Office currently conducts are concentrated towards businesses that are required to have an annual fire inspection to maintain compliance with state or federal agencies. Examples would be nursing homes, daycares, and public/private schools. We also do inspections on large life hazard occupancies, to include hotels, motels, and restaurants. While all of these inspections are important, there is a need to expand our inspection services to hazard manufacturing, hazardous materials usage and storage, in order for the Fire Marshal's Office to be aware of and track what is in the county. We feel by expanding our inspection services to include life safety/fire prevention operational permits that many area jurisdictions already require, we will improve the overall fire and life safety to our county citizens, visitors, firefighters and provide additional education to the business owners.

The Life Safety/Fire Prevention Code Permit in most cases will have a fee of \$50.00 which would cover the cost of an inspection and would be valid for one year unless otherwise noted and must be renewed annually. All identified hazards must be permitted and inspected, however only the highest hazard permit fee will be levied. If there are code violations a \$50.00 re-inspection fee will be imposed.

**Chapter 1
Administration**

107.2 Permits required. Permits may be required by the fire official as permitted under the Statewide Fire Prevention code in accordance with Table 107.2, except that the fire official shall require permits for the manufacturing, storage, handling, use and sale of explosives. In accordance with Section 3301.2.3.1, an application for a permit to manufacture, store, handle, use, or sell explosives shall only be made by designated individual.

Change Table 107.2 to read:

**TABLE 107.2
LIFE SAFETY/FIRE PREVENTION CODE PERMIT FEE SCHEDULE**

| DESCRIPTION | PERMIT REQUIRED (Yes or No) | PERMIT FEE | CODE REFERENCE |
|---|-----------------------------------|---------------------|-------------------|
| Aerosol products. An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds net weight. | YES | \$50.00 Annually | 2801.2 |
| Aviation facilities. An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes. | YES | \$50.00 Annually | 1101.3 |
| Carnivals and fairs. An operational permit is required to conduct a carnival or fair. (30 day permit) | YES | \$50.00 | Table 107.2 |
| Combustible dust-producing operations. An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2. | YES | \$50.00 Annually | 1301.2 |
| Combustible fibers. An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet. Exception: An operational permit is not required for agricultural storage. | YES | \$50.00 Annually | 2901.3 |
| Compressed gas. An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed below. Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle. | YES | \$50.00 Annually | 3001.2 |
| PERMIT AMOUNTS FOR COMPRESSED GASES | | | |
| TYPE OF GAS | AMOUNT (cubic feet at NTP) | | |
| Corrosive | 200 | | |
| Flammable (except cryogenic fluids and liquefied petroleum gases) | 200 | | |
| Highly toxic | Any Amount | | |
| Inert and simple asphyxiate | 6,000 | | |
| Oxidizing (including | 504 | | |
| Pyrophoric | Any Amount | | |
| Toxic | Any Amount | | |
| For SI: 1 cubic foot = 0.02832 m ³ | | | |

| DESCRIPTION | PERMIT REQUIRED (Yes or No) | PERMIT FEE | CODE REFERENCE |
|---|-----------------------------------|-----------------------------------|-------------------|
| <p>Covered mall buildings. An operational permit is required for:</p> <ol style="list-style-type: none"> 1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall. 2. The display of liquid- or gas-fired equipment in the mall. 3. The use of open-flame or flame-producing equipment in the mall. | YES | \$50.00 Annually | Table 107.2 |
| <p>Cryogenic fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed below.</p> <p>Exception: Operational permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.</p> | YES | \$50.00 Annually | 3201.2 |
| PERMIT AMOUNTS FOR CRYOGENIC FLUIDS | | | |
| TYPE OF CRYOGENIC FLUIDS | INSIDE BUILDING (gallons) | OUTSIDE BUILDING (gallons) | |
| Flammable | More than 1 | 60 | |
| Inert | 60 | 500 | |
| Oxidizing (includes | 10 | 50 | |
| Physical or health hazard | Any Amount | Any Amount | |
| For SI: 1 gallon = 3.785 L. | | | |
| <p>Dry cleaning plants. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.</p> | YES | \$50.00 Annually | 1201.2 |
| <p>Exhibits and trade shows. An operational permit is required to operate exhibits and trade shows.</p> | YES | \$50.00 Per Occurrence | Table 107.2 |
| <p>Explosives: Explosives Use, Each Site or Location (3 Month Permit)</p> | YES | \$100.00 | 3301.2 |
| <p>Explosives: Transportation. Each Vehicle (12 Month Permit)</p> | YES | \$50.00 | 3301.2 |
| <p>Explosives: Firm or Company License. Firm/Company must furnish the Fire Marshal's Office with a copy of their current Certificate of Liability Insurance in addition to Blaster's Cards/Certifications for ALL Certified Blasters in employment with company.</p> | YES | \$50.00 Annually | 3301.2 |
| <p>Explosives: Storage & Display of Black Powder/Smokeless Powder (12 Month Permit)</p> | YES | \$100.00 per magazine | 3301.2 |
| <p>Explosives: Storage: Approved Overnight Storage (One Day permit)</p> | YES | \$100.00 | 3301.2 |

| DESCRIPTION | PERMIT REQUIRED (Yes or No) | PERMIT FEE | CODE REFERENCE |
|--|-----------------------------------|---------------------|-------------------|
| Fireworks: Retail Sale of Permissible Fireworks, Outside Stand (45 Day Permit) | YES | \$250.00 | 3301.2 |
| Fireworks: Retail Sale of Permissible Fireworks, Mercantile Occupancy (1 Year Permit) | YES | \$400.00 | 3301.2 |
| Fireworks: Outdoor Fireworks Display Aerial or proximate audience. (One Day Permit) | YES | \$250.00 | 3301.2 |
| Flammable liquids: Store, handle or use Class I liquids in excess of 5 gallons in a building or in excess of 10 gallons outside of a building, except that a permit is not required for the following: <ol style="list-style-type: none"> 1. The storage or use of Class 1 liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage in the opinion of the fire official would cause an unsafe condition. 2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days. | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids: Class II or IIIA: Store, Handle or Use in Excess of 25 Gallons in a Building or in Excess of 60 Gallons Outside a Building Exception: Fuel Oil Used in Connection with Oil-burning Equipment. | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids – Tank: Above - ground or Underground Storage Only | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids – Tank: Above – ground or Underground Storage utilizing dispensing equipment. | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids – Tank: Bulk Storage Facility – in Excess of 100,000 Gallons. | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids – Tank: Installation. Above/Underground Tank. | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids – Tank: Alter or Relocate an Existing Tank. | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids – Tank: Place temporarily out of service (more than 90 days) | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids – Tank: Underground Abandonment. | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids – Tank: Above-ground/Underground Removal (90 Day Permit) | YES | \$50.00 Annually | 3401.4 |
| Flammable and combustible liquids – Tank: Change the contents to a greater hazard. | YES | \$50.00 Annually | 3401.4 |

| DESCRIPTION | PERMIT REQUIRED (Yes or No) | PERMIT FEE | CODE REFERENCE |
|--|---------------------------------------|-------------------------|-------------------|
| Flammable and combustible liquids – Tank: Manufacture process, blend or refine flammable or combustible liquids. | YES | \$50.00 Annually | 3401.4 |
| Fumigation and thermal insecticide fogging. An operational permit is required to operate a business of fumigation or thermal insecticide fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used. | YES | \$50.00 Per Location | 1701.2 |
| Hazardous materials. An operational permit is required to store transport on site, dispense, use or handle hazardous materials in excess of the amounts listed below. | YES | \$100.00 Annually | 2701.5 |
| PERMIT AMOUNTS FOR HAZARDOUS MATERIALS | | | |
| TYPE OF MATERIAL | AMOUNT | | |
| Combustible liquids | See flammable and combustible liquids | | |
| Corrosive materials | | | |
| Gases | See compressed gases | | |
| Liquids | 55 gallons | | |
| Solids | 1000 pounds | | |
| Explosive materials | See explosives | | |
| Flammable materials | | | |
| Gases | See compressed gases | | |
| Liquids | See flammable and combustible liquids | | |
| Solids | 100 pounds | | |
| Highly toxic materials | | | |
| Gases | See compressed gases | | |
| Liquids | Any amount | | |
| Solids | Any amount | | |
| Oxidizing materials | | | |
| Gases | See compressed gases | | |
| Liquids | | | |
| Class 4 | Any amount | | |
| Class 3 | 1 gallon ^a | | |
| Class 2 | 10 gallons | | |
| Class 1 | 55 gallons | | |
| Solids | | | |
| Class 4 | Any amount | | |
| Class 3 | 10 pounds ^b | | |
| Class 2 | 100 pounds | | |
| Class 1 | 500 pounds | | |
| Organic peroxides | | | |
| Gases | See compressed gases | | |
| Liquids | | | |
| Class I | Any amount | | |
| Class II | Any amount | | |
| Class III | 1 gallon | | |
| Class IV | 2 gallons | | |
| Class V | No permit required | | |

| DESCRIPTION | | PERMIT REQUIRED (Yes or No) | PERMIT FEE | CODE REFERENCE |
|---|--------------------|-----------------------------------|----------------------|-------------------|
| TYPE OF MATERIAL | AMOUNT | YES | \$100.00 Annually | 2701.5 |
| Solids | | | | |
| Class I | Any amount | | | |
| Class II | Any amount | | | |
| Class III | 10 pounds | | | |
| Class IV | 20 pounds | | | |
| Class V | No permit required | | | |
| Pyrophoric materials | | | | |
| Gases | | | | |
| Liquids | | | | |
| Solids | | | | |
| Toxic materials | | | | |
| Gases | | | | |
| Liquids | | | | |
| Solids | | | | |
| Unstable (reactive) materials | | | | |
| Liquids | | | | |
| Class 4 | Any amount | | | |
| Class 3 | Any amount | | | |
| Class 2 | 5 gallons | | | |
| Class 1 | 10 gallons | | | |
| Solids | | | | |
| Class 4 | Any amount | | | |
| Class 3 | Any amount | | | |
| Class 2 | 50 pounds | | | |
| Class 1 | 100 pounds | | | |
| Water-reactive materials | | | | |
| Liquids | | | | |
| Class 3 | Any amount | | | |
| Class 2 | 5 gallons | | | |
| Class 1 | 55 gallons | | | |
| Solids | | | | |
| Class 3 | Any amount | | | |
| Class 2 | 50 pounds | | | |
| Class 1 | 500 pounds | | | |
| For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg. | | | | |
| HPM facilities. An operational permit is required to store, handle or use hazardous production materials. | | YES | \$100 Annually | 1801.5 |
| Hot work operations. An operational permit is required to conduct cutting or welding operations within the jurisdiction. | | YES | \$50.00 Annually | 2601.2 |
| Hot work operations. Public exhibitions and demonstrations (Each Exhibitor – 7 Day Permit). | | YES | \$50.00 | 2601.2 |
| Hot work operations. Use of portable hot work and open flame equipment or devices inside a structure. Exception: Work that is conducted under a construction permit. | | YES | \$50.00 Annually | 2601.2 |

| DESCRIPTION | PERMIT REQUIRED (Yes or No) | PERMIT FEE | CODE REFERENCE |
|--|--|------------------------------------|-------------------|
| Hot work operations. Fixed site hot work equipment such as welding booths. | YES | \$50.00 Annually | 2601.2 |
| Hot work operations. Application of roof coverings with the use of an open-flame device. | YES | \$50.00 Annually | 2601.2 |
| Hot work operations. Facility Hot Work Program. | YES | \$50.00 Annually | 2601.2 |
| Hotels and Motels. Dormitories that house 49 or greater. | YES | \$50.00 Annually | Table 107.2 |
| Industrial ovens. An operational permit is required for operation of industrial ovens regulated by Chapter 21. | YES | \$50.00 Annually | 2101.2 |
| Liquid- or gas-fueled vehicles or equipment in assembly business or mercantile buildings. An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly, business or mercantile buildings. | YES | 50.00 Annually | Table 107.2 |
| LP-gas. An operational permit is required for: 1. Storage and use of LP-gas. Exception: An operational permit is not required for individual containers with a 500-gallon water capacity or less serving occupancies in Group R-3. 2. Operation of cargo tankers that transport LP-gas. | YES 0 – 499 gals 500+ gals | Annually \$0 \$50.00 | 3801.2 |
| Lumber yards and woodworking plants. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft ³). | YES | \$50.00 Annually | 1901.2 |
| Magnesium. An operational permit is required to melt, cast, heat treat or grind more than 10 pounds of magnesium. | YES | \$50.00 Annually | 3601.2 |
| Miscellaneous combustible storage. An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material. | YES | \$50.00 Annually | 315.1 |
| Open Burning. Industrial or Occupational. No burn area larger than 20,000 sq. ft. or higher than 20 ft. (90 Day Permit) | YES | \$100.00 | 307.2 |
| Open Burning. Bonfires (One Day Permit) | YES | \$50.00 | 307.2 |
| Open flames and candles. An operational permit is required to remove paint with a torch; use a torch or open-flame device in a hazardous fire area; or to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments. | YES Torches NO Candles | \$50.00 Annually | 308.2 |
| Open flame performances. Open flame theatrical performances. | YES | \$50.00 Per Event | 308.2 |

| DESCRIPTION | PERMIT REQUIRED (Yes or No) | PERMIT FEE | CODE REFERENCE |
|--|-----------------------------------|----------------------|-------------------|
| Organic coatings. An operational permit is required for any organic-coating operation producing or using more than 1 gallon of an organic coating in one day. | YES | \$50.00 Annually | 2001.2 |
| Places of Assembly or Educational. An operational permit is required to operate a place of assembly or educational occupancy with an occupant load of 49 or greater. | YES | \$50.00 Annually | Table 107.2 |
| Private fire hydrants. An operational permit is required for installation, use or removal from service of private fire hydrants. | YES | \$50.00 Annually | Table 107.2 |
| Pyrotechnics special effects material. An operational permit is required for use and handling of pyrotechnic special effects material for Indoor Pyrotechnic Displays and Special Effects. (One Day Permit) | YES | \$250.00 | Table 107.2 |
| Pyroxylin plastics. An operational permit is required for storage or handling of more than 25 pounds of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics. | YES | \$50.00 Annually | 4201.2 |
| Repair garages and service stations. An operational permit is required for operation of repair garages and automotive, marine and fleet service stations. | YES | \$50.00 Annually | Table 107.2 |
| Spraying or dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids or the application of combustible powders regulated by Chapter 15. | YES | \$50.00 Annually | 1501.3 |
| Storage of scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceed 2,500 cubic feet of total volume of scrap tires and for indoor storage of tires and tire byproducts. | YES | \$50.00 Annually | 2501.2 |
| Temporary membrane structures, tents and canopies. An operational permit is required to operate an air-supported temporary membrane structure or a tent covering 901 square feet or more. Exceptions: 1. Tents used exclusively for recreational camping purposes. 2. Tents and air-supported structures that cover an area of 900 square feet or less, including all connecting areas or spaces with a common means of egress. 3. Fabric canopies and awnings open on all sides which comply with all the following: 3.1 Individual canopies shall have a maximum size of 700 square feet. 3.2 The aggregate area of multiple canopies placed side by side without a fire break clearance of 12 feet shall not exceed 700 square feet total. 3.3 A minimum clearance of 12 feet to structures and other tents shall be provided. | YES | \$50.00 Per Event | 2403.4 |

| DESCRIPTION | PERMIT REQUIRED (Yes or No) | PERMIT FEE | CODE REFERENCE |
|---|-----------------------------------|---------------------|-------------------|
| Tire rebuilding plants. An operational permit is required for the operation and maintenance of a tire-rebuilding plant. | YES | \$50.00 Annually | Table 107.2 |
| Waste handling. An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities | YES | \$50.00 Annually | 2501.2 |
| Wood products. An operational permit is required to store chips, saw dust, hogged material, lumber or plywood in excess of 200 cubic feet. | YES | \$50.00 Annually | Table 107.2 |

Note: Oxidizing materials:

- a. 20 gallons when Table 2703.1.1(1) Note k applies and hazard identification signs in accordance with Section 2703.5 are provided for quantities of 20 gallons or less.
- b. 200 pounds when Table 2703.1.1(1) Note k applies and hazard identification signs in accordance with Section 2703.5 are provided for quantities of 200 pounds or less.

NOTE: All identified hazards must be permitted and inspected however only the highest hazard permit fee will be levied. Any business not requiring a permit will be subject to an annual inspection, there will not be a permit fee but if there are code violations a \$50.00 re-inspection fee will be imposed.



Inspections Department

John S. Trenary, Building Official

540/665-5650

Fax 540/678-0682

MEMORANDUM**TO: Harvey E. Strawsnyder Jr., Director of Public Works****THRU: John S. Trenary, Building Code Official****FROM: Debbie Layman, Office Manager****SUBJECT: Office Assistant III – Full Time Position****DATE: August 19, 2014**

The Building Inspections Department is requesting approval to hire a full time Office Assistant III in our current FY14/15 budget to fulfill the duties that are currently being handled by part time employment.

The request to re-establish this full time position is due to the increase in permit activity that has shown fee increases of over \$75,000 the past three months (May, June & July) compared to the same period the previous year.

This position would start out at a 3 Range in the pay scale, with a B-level salary of \$25,921.44, plus approximately \$11,369.65 for benefits. The total amount to fund this position would be \$37,291.09. The Department was funded \$22,000 for part-time in FY14/15.

Thank you for consideration on this issue and noted below are the Departments revenue information from FY13/14.

Our projected revenue for FY13/14 was \$632,500;
Revenue collected for FY13/14 was \$878,718;
Surplus revenue for FY13/14 was \$246,218;


COUNTY of FREDERICK

Department of Public Works

540/665-5643

FAX: 540/678-0682

MEMORANDUM

TO: Public Works Committee
FROM: Harvey E. Strawsnyder, Jr., P.E., Director of Public Works *HES*
SUBJECT: Monthly Tonnage Report - Fiscal Year 14/15
DATE: August 7, 2014

The following is the tonnage for the months of July 2014, through June 2015, and the average monthly tonnage for fiscal years 03/04 through 14/15.

| | | |
|------------------|---------------------------|--------------------------------------|
| FY 03-04: | AVERAGE PER MONTH: | 16,348 TONS (UP 1,164 TONS) |
| FY 04-05: | AVERAGE PER MONTH: | 17,029 TONS (UP 681 TONS) |
| FY 05-06: | AVERAGE PER MONTH: | 17,785 TONS (UP 756 TONS) |
| FY 06-07: | AVERAGE PER MONTH: | 16,705 TONS (DOWN 1,080 TONS) |
| FY 07-08: | AVERAGE PER MONTH: | 13,904 TONS (DOWN 2,801 TONS) |
| FY 08-09: | AVERAGE PER MONTH: | 13,316 TONS (DOWN 588 TONS) |
| FY 09-10: | AVERAGE PER MONTH: | 12,219 TONS (DOWN 1,097 TONS) |
| FY 10-11: | AVERAGE PER MONTH: | 12,184 TONS (DOWN 35 TONS) |
| FY 11-12: | AVERAGE PER MONTH: | 12,013 TONS (DOWN 171 TONS) |
| FY 12-13: | AVERAGE PER MONTH: | 12,065 TONS (UP 52 TONS) |
| FY 13-14: | AVERAGE PER MONTH: | 12,468 TONS (UP 403 TONS) |
| FY 14-15: | AVERAGE PER MONTH: | 14,029 TONS |

| MONTH | FY 2013-2014 | FY 2014-2015 |
|------------------|---------------------|---------------------|
| JULY | 13,514 | 14,029 |
| AUGUST | 13,343 | |
| SEPTEMBER | 12,345 | |
| OCTOBER | 13,266 | |
| NOVEMBER | 10,857 | |
| DECEMBER | 11,614 | |
| JANUARY | 11,411 | |
| FEBRUARY | 10,021 | |
| MARCH | 11,518 | |
| APRIL | 13,796 | |
| MAY | 14,340 | |
| JUNE | 13,594 | |

HES/gmp

RECYCLING REPORT - FY 13/14

| <u>MONTH</u> | <u>GLASS</u> | <u>PLAST</u> | <u>AL CANS</u> | <u>STEEL CANS</u> | <u>PAPER</u> | <u>OCC</u> | <u>SHOES</u> | <u>TEXTILE</u> | <u>ELEC</u> | <u>SCRAP</u> | <u>TOTAL</u> |
|-----------------|--------------|--------------|--------------------|-----------------------|--------------|------------|--------------|----------------|-------------|--------------|--------------|
| JUL | 94,600 | 39,540 | 3,795 | 7,805 | 95,540 | 78,420 | 1,460 | 1,580 | 47,000 | 173,520 | 543,260 |
| AUG | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SEP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| OCT | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| NOV | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| DEC | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| JAN | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| FEB | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| MAR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| APR | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| MAY | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| JUN | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL | 94,600 | 39,540 | 3,795 | 7,805 | 95,540 | 78,420 | 1,460 | 1,580 | 47,000 | 173,520 | 543,260 |
| FY 13-14 | 904,780 | 417,090 | 39,399 | 99,177 | 1,281,105 | 902,701 | 15,230 | 22,650 | 611,580 | 1,639,225 | 5,932,937 |
| FY 12-13 | 913,530 | 410,338 | 45,086 | 102,875 | 1,508,029 | 878,450 | 15,020 | 24,680 | 502,680 | 1,321,938 | 5,722,626 |
| FY 11-12 | 865,380 | 398,320 | 43,884 | 99,846 | 1,492,826 | 840,717 | 8,200 | 29,720 | 484,600 | 1,432,678 | 5,696,171 |
| FY 10-11 | 949,185 | 378,452 | 42,120 | 98,474 | 1,404,806 | 824,873 | 18,420 | 23,280 | 467,920 | 1,220,107 | 5,427,637 |
| FY 09-10 | 1,123,671 | 370,386 | 42,844 | 96,666 | 1,235,624 | 671,669 | 21,160 | | 435,680 | 1,348,398 | 5,346,098 |
| FY 08-09 | 762,810 | 322,928 | 23,473 | 55,246 | 1,708,302 | 564,957 | 28,780 | | 404,760 | 1,097,151 | 4,968,407 |
| FY 07-08 | 794,932 | 284,220 | 15,783 | 40,544 | 1,971,883 | 545,692 | 0 | | 498,110 | 1,172,880 | 5,324,044 |
| FY 06-07 | 600,464 | 200,720 | 11,834 | 29,285 | 1,684,711 | 441,321 | 0 | | 382,574 | 550,070 | 3,900,979 |
| FY 05-06 | 558,367 | 190,611 | 12,478 | 28,526 | 1,523,162 | | | | 381,469 | 204,220 | 2,898,833 |
| FY 04-05 | 549,527 | 193,224 | 11,415 | 27,525 | 1,552,111 | | | | 273,707 | 25,080 | 2,632,589 |
| FY 03-04 | 541,896 | 174,256 | 11,437 | 31,112 | 1,443,461 | | | | 156,870 | 336,230 | 2,695,262 |
| FY 02-03 | 413,627 | 146,770 | 9,840 | 23,148 | 1,381,195 | | | | 62,840 | 171,680 | 2,209,100 |
| FY 01-02 | 450,280 | 181,040 | 10,565 | 25,553 | 1,401,206 | | | | 54,061 | 58,140 | 2,180,845 |
| FY 00-01 | 436,615 | 198,519 | 10,367 | 24,988 | 1,759,731 | | | | | 9,620 | 2,439,840 |
| FY 99-00 | 422,447 | 177,260 | 10,177 | 22,847 | 1,686,587 | | | | | 44,180 | 2,363,498 |
| FY 98-99 | 402,192 | 184,405 | 9,564 | 22,905 | 1,411,950 | | | | | 48,810 | 2,079,826 |
| FY 97-98 | 485,294 | 136,110 | 13,307 | 29,775 | 1,830,000 | | | | | | 2,494,486 |
| FY 96-97 | 373,106 | 211,105 | 23,584 | 46,625 | 1,690,000 | | | | | | 2,344,420 |
| FY 95-96 | 511,978 | 167,486 | 28,441 | 44,995 | 1,553,060 | | | | | | 2,305,960 |
| TO DATE | 10,241,771 | 3,915,812 | 331,113 | 748,060 | 26,730,615 | 3,889,229 | 76,560 | 53,000 | 3,602,591 | 7,719,244 | 57,307,995 |

FREDERICK COUNTY ESTHER BOYD ANIMAL SHELTER FY 2014-2015

DOG REPORT

| MONTH | ON HAND AT FIRST OF MONTH | RECEIVED AT KENNEL | BROUGHT IN BY ACO | BITE CASES | BORN AT KENNEL | ADOPTED | RECLAIMED | DISPOSED | DIED AT KENNEL | ESCAPED/ STOLEN | CARRIED OVER NEXT MONTH |
|-------|------------------------------|-----------------------|----------------------|---------------|-------------------|---------|-----------|----------|-------------------|--------------------|----------------------------|
| JULY | 50 | 39 | 47 | 2 | 0 | 49 | 42 | 3 | 1 | 0 | 44 |
| AUG | | | | | | | | | | | |
| SEP | | | | | | | | | | | |
| OCT | | | | | | | | | | | |
| NOV | | | | | | | | | | | |
| DEC | | | | | | | | | | | |
| JAN | | | | | | | | | | | |
| FEB | | | | | | | | | | | |
| MAR | | | | | | | | | | | |
| APR | | | | | | | | | | | |
| MAY | | | | | | | | | | | |
| JUN | | | | | | | | | | | |
| TOTAL | 50 | 40 | 47 | 2 | 0 | 49 | 42 | 3 | 1 | 0 | 44 |

In the month of July - 139 dogs in and out of kennel.

5 dogs transferred to Clarke County Animal Shelter, 2 dog to SPCA, 2 dogs to rescue.

FREDERICK COUNTY ESTHER BOYD ANIMAL SHELTER FY 2014-2015

CAT REPORT

| MONTH | ON HAND AT FIRST OF MONTH | RECEIVED AT KENNEL | BROUGHT IN BY ACO | BITE CASES | BORN AT KENNEL | ADOPTED | RECLAIMED | DISPOSED | DIED AT KENNEL | ESCAPED/ STOLEN | CARRIED TO NEXT MONTH |
|-------|---------------------------|--------------------|-------------------|------------|----------------|---------|-----------|----------|----------------|-----------------|-----------------------|
| JULY | 143 | 179 | 31 | 7 | 9 | 31 | 1 | 203 | 22 | 0 | 112 |
| AUG | | | | | | | | | | | |
| SEP | | | | | | | | | | | |
| OCT | | | | | | | | | | | |
| NOV | | | | | | | | | | | |
| DEC | | | | | | | | | | | |
| JAN | | | | | | | | | | | |
| FEB | | | | | | | | | | | |
| MAR | | | | | | | | | | | |
| APR | | | | | | | | | | | |
| MAY | | | | | | | | | | | |
| JUN | | | | | | | | | | | |
| TOTAL | 143 | 179 | 31 | 7 | 9 | 31 | 1 | 203 | 22 | 0 | 112 |

In the month of July - 369 cats in and out of shelter.

К



COUNTY of FREDERICK

John R. Riley, Jr.
County Administrator

TO: Board of Supervisors
FROM: John R. Riley, Jr., County Administrator
DATE: August 27, 2014
RE: Code and Ordinance Committee Report

540/665-5666
Fax 540/667-0370
E-mail:
jriley@co.frederick.va.us

The Code & Ordinance Committee met on Monday, August 25, 2014 at 3:00 P.M., in the Board of Supervisors' Closed Session Room, County Administration Building, 107 North Kent Street, Winchester, Virginia. Present were Christopher E. Collins, Chairman; Robert A. Hess; and Stephen Butler. Committee members James Drown (**Arrived at 3:21 p.m.**); Derek Aston and Robert Wells were absent. Also present were County Administrator John R. Riley, Jr.; County Attorney Rod Williams; Ross P. Spicer, Commonwealth's Attorney, Sheriff Robert Williamson; Becky Hogan, Clerk of the Circuit Court; Brenda Vance, Clerk of the Winc-Fred General District Court; and Ann Lloyd, Clerk of the Fred-Winc Juvenile & Domestic Relations Court.

The committee submits the following:

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

- 1. Proposed Amendment to the Frederick County Code, Chapter 155, Taxation, Article XII Assessment for Electronic Summons System; §155-47 Assessment of costs in criminal and traffic cases for the costs of an electronic summons system.**

The Code and Ordinance Committee reviewed a request to amend the Frederick County Code, Chapter 155 Taxation. This amendment is enabled by legislation enacted by the 2014 General Assembly and permits the imposition of a \$5 fee per case in all criminal and traffic cases resulting in a conviction. The \$5 fee would be retained locally, for use by the local law enforcement to pay for costs of implementation and maintenance of an electronic summons system. This system would permit law enforcement officers to print out summonses on location, with the possibility of some data being downloaded directly to the summons form, also to submit the summons information electronically to the appropriate court.

Upon a motion by Mr. Butler, seconded by Mr. Hess, the Code and Ordinance Committee forwarded this item to the Board for public hearing with a recommendation of approval. The motion was unanimously approved.

- 2. Proposed Amendments to Chapter 155, Taxation, Article VI Probate of Wills; Grants of Administration, §155-29 Tax Imposed.**

The Code and Ordinance Committee reviewed a request to amend the Frederick County Code, Chapter 155 Taxation, Article VI Probate of Wills, Grants of Administration, §155-29 Tax Imposed. This proposed amendment would add a new subsection B to permit the imposition of a

\$25 fee by the Clerk of the Circuit Court for each list of heirs or affidavit relating to real estate filed in probate cases in which the decedent did not leave a will. This proposed amendment represents an effort to treat estates with wills and those without more equitably.

Upon a motion by Mr. Hess, seconded by Mr. Butler, the Code and Ordinance Committee forwarded this item to the Board for public hearing with a recommendation of approval. The motion was approved.

*****Items Not Requiring Board Action*****

1. Running of Red Lights and Implementation of Red Light Cameras

Sheriff Williamson briefed the Committee on the issue of motorists running red lights and the possible use of red light cameras. He stated this was a project undertaken by his Government Service Learning Group this past year.

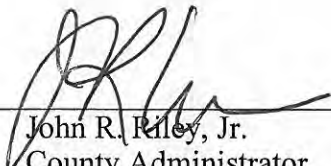
The consensus of the Committee was to have a joint meeting of the Code & Ordinance Committee and Public Safety Committee to hear a presentation on this topic by Red Flex.

Respectfully Submitted,

Code and Ordinance Committee

Christopher E. Collins, Chairman
Robert A. Hess
James Drown
Stephen Butler

By: _____


John R. Riley, Jr.
County Administrator

JRR/jet

Attachments



ORDINANCE
___ __, 2014

The Board of Supervisors of Frederick County, Virginia hereby ordains that Article XII (Assessment for Electronic Summons System) of Chapter 155 (Taxation) of the Code of Frederick County, Virginia be, and the same hereby is, enacted, to read as follows and to take effect immediately:

CHAPTER 155 TAXATION

Article XII Assessment for Electronic Summons System

155-47 Assessment of costs in criminal and traffic cases for the costs of an electronic summons system

Pursuant to § 17.1-279.1 of the Code of Virginia, 1950, as amended, there is hereby assessed a fee of \$5.00 as part of the costs in each criminal or traffic case in either one of the district courts or the circuit court of the County of Frederick and which results in conviction of violation of any statute or ordinance. The clerk of the court in which the case is heard shall collect these assessments and remit them to the Treasurer of the Frederick County. The Treasurer shall hold the funds subject to disbursements by the Board of Supervisors to the Sheriff of Frederick County and/or other local law enforcement agencies in Frederick County solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

Enacted this ___ day of ___, 2014.

Richard C. Shickle, Chairman _____

Gary A. Lofton _____

Robert A. Hess _____

Robert W. Wells _____

Christopher E. Collins _____

Gene E. Fisher _____

Charles S. DeHaven, Jr. _____

A COPY ATTEST

John R. Riley, Jr.
Frederick County Administrator



ORDINANCE
___ __, 2014

The Board of Supervisors of Frederick County, Virginia hereby ordains that Article VI (Probate of Wills; Grants of Administration) of Chapter 155 (Taxation) of the Code of Frederick County, Virginia be, and the same hereby is, amended by enacting an amended Article VI (Probate of Wills; Grants of Administration; Lists of Heirs; Affidavits Relating to Real Estate of Intestate Decedents) of Chapter 155 (Taxation) of the Code of Frederick County, Virginia, as follows and to take effect immediately (additions are shown in **bold underline**):

CHAPTER 155 TAXATION

ARTICLE VI Probate of Wills; Grants of Administration; Lists of Heirs; Affidavits Relating to Real Estate of Intestate Decedents

§ 155-29 Tax or fee imposed.

- A.** There is hereby imposed a County tax on the probate of every will or grant of administration in an amount equal to 1/3 of the amount of the state tax on such probate of a will or grant of administration.
- B.** **There is hereby imposed a County fee of \$25 for the recordation of a list of heirs pursuant to § 64.2-509 of the Code of Virginia, 1950, as amended, or an affidavit pursuant to § 64.2-510 of the Code of Virginia, 1950, as amended, as provided in § 58.1-1717.1 of the Code of Virginia, 1950, as amended.**

§ 155-30. Disposition of taxes collected.

The Clerk of the Circuit Court of the County collecting the tax imposed under § 155-29 shall pay the same into the treasury of the County.

Enacted this _____ day of _____, 2014.

Richard C. Shickle, Chairman _____

Gary A. Lofton _____

Robert A. Hess _____

Robert W. Wells _____

Christopher E. Collins _____

Gene E. Fisher _____

Charles S. DeHaven, Jr. _____

A COPY ATTEST

John R. Riley, Jr.
Frederick County Administrator

L



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: August 20, 2014
SUBJECT: Finance Committee Report and Recommendations

The Finance Committee met in the First Floor Conference Room at 107 North Kent Street on Wednesday, August 20, 2014 at 8:00 a.m. All members were present. Non-voting liaison C. William Orndoff was absent.

1. At the request of the committee, Lord Fairfax Community College is present to discuss FY 2015 funding. See attachment provided by Supervisor Lofton on Frederick County Scholarships, p. 4. The committee requested further discussion following the next meeting of the College Board.
2. Winchester Main Street Agriculture requests a General Fund supplemental appropriation in the amount of \$5,000 for the sponsorship of Winchester Main Street Agriculture event on September 20, 2014. Local funds required. See attached letter, p. 5. The committee forwards to the Board of Supervisors with no recommendation.
3. The Public Works Director requests the following supplemental appropriations. These request represent a carry forward of unspent FY 2014 funds. All requests have been approved by the Public Works Committee. The committee recommends approval of items a, b and c.
 - a. General Fund in the amount of \$4,500 for road sign materials. See attached, p. 7.

- b. General Fund in the amount of \$1,330 for accessories for new van purchased by the Animal Shelter. See attached, p. 8 – 9.
 - c. Landfill Fund in the amount of \$420,000 for the final phase of Permit 40, to purchase a used motor grader, and unexpected changes in work to reconstruct the leachate holding pond. See attached, p. 10.
4. The Fire & Rescue Chief requests a General Fund supplemental appropriation in the amount of \$3,000. This amount represents a carry forward of unspent funds in FY 2014 to outfit the new Fire Marshal K9 vehicle. See attached memo, p 11. The committee recommends approval.
5. The Sheriff requests a General Fund supplemental appropriation in the amount of \$1,000. This amount represents a donation received for the Dive Team. See attached memo, p. 12. The committee recommends approval.
6. The Finance Director requests an EDA Fund supplemental appropriation in the amount of \$551,622 to transfer funds from the General Fund to the newly created Economic Development Authority. This amount includes the original EDC budget and funds for approved merit increase. The committee recommends approval.

INFORMATION ONLY

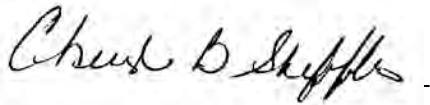
1. The Finance Director provides a Fund 10 Transfer Report for July. See attached, p. 13.
2. The Finance Director provides a **preliminary** FY 2014 Fund Balance Report for the period ending June 30, 2014. See attached, p. 14.
3. The Schools provide the open purchase order report for the year ending June 30, 2014. See attached, p. 15 – 17.

4. The County provides the open purchase order report for the year ending June 30, 2014.
See attached, p. 18 – 21.

5. The Youth Development Center submits a note of thanks for the County's continued support. See attached, p. 22.

Respectfully submitted,

FINANCE COMMITTEE
Charles DeHaven, Chairman
Richard Shickle
Gary Lofton
Judy McCann-Slaughter
Angela Rudolph

A handwritten signature in black ink that reads "Charles DeHaven". The signature is written in a cursive style and is positioned below the typed names of the Finance Committee members.

Frederick Co Scholarships for 13/14

| First Name | Last Name | Scholarship Name | Award Amount |
|------------|-----------------|---|--------------|
| Ashley | Morefield | National Fruit Product Company Endowed Scholarship | \$ 650.00 |
| Andrew | Spieles | Brent L. Kendrick Faculty Legacy Scholarship | \$ 840.00 |
| Briana | Marcy | Ann R. Currie Art Scholarship Fund | \$ 600.00 |
| Mandi | Shillinburg | Winchester Medical Center Scholarship | \$ 500.00 |
| David | Deck | Retired Faculty Scholarship Fund | \$ 465.07 |
| Annaliese | Barton | Alson H. and Margarett Smith Endowed Scholarship | \$ 2,000.00 |
| Angela | Meyer | Carolyn Seltzer Nursing Scholarship Fund | \$ 2,000.00 |
| Britney | Hammond | Elsie B. Tracy Endowed Scholarship | \$ 2,000.00 |
| Angela | Diaz-Villamizar | Lord Fairfax Community College Pacesetter Endowed Scholarship | \$ 2,000.00 |
| Heidi | Windham | Mary Jane Bowman Endowed Nursing Scholarship | \$ 2,000.00 |
| Kimberly | Kremer | Pathway to Opportunity Nursing Scholarship | \$ 2,000.00 |
| Bruce | Wood | Virginia Radiology Associates, P.C. Scholarship Fund | \$ 2,000.00 |
| Bruce | Wood | Alice and William Johnson Foundation Scholarship | \$1,500.00 |
| Olivia | Myers | Mary M. Henkel Endowed Scholarship | \$ 1,500.00 |
| Erica | Williams | Carmeuse Lime and Stone Scholarship Fund | \$ 1,425.00 |
| Gracyn | Sharples | Thomas J. Grady Endowed Scholarship | \$ 1,250.00 |
| Demetria | McPherson | William H. McCoy Scholarship | \$ 1,200.00 |
| Renee | St Jacques | Barnett Family Scholarship Fund | \$ 500.00 |
| Jessica | Story | William Remington Memorial Scholarship | \$ 375.00 |
| Annaliese | Barton | Dorothy C. Moseley Scholarship | \$ 300.00 |
| Cheyenne | James | Frederick County Scholarship Fund | \$ 141.30 |
| Annaliese | Barton | Roger L. Milburn Accounting Scholarship Fund | \$ 1,200.00 |
| Angela | Diaz-Villamizar | Charles M. Sweeney Scholarship Fund | \$ 185.00 |
| Briana | Marcy | Michael Boaz Memorial Scholarship | \$ 1,200.00 |
| Andrew | Spieles | Exchange Club of Winchester Inc. Endowed Scholarship | \$ 850.00 |
| Heidi | Windham | RR Donnelley Endowed Scholarship | \$ 1,450.00 |
| Meneika | Scott | Kumpli Family Endowed Scholarship | \$ 1,000.00 |
| Richard | Arellano | Evan C. Humbert Memorial Endowed Scholarship Fund | \$ 433.58 |
| Cheyenne | James | Career Pathways Scholarship- James Wood High School | \$ 1,519.42 |
| Sybil | Duvall | Career Pathways Scholarship- Millbrook High School | \$ 1,519.42 |
| Nubia | Tsubota | Career Pathways Scholarship- Sherando High School | \$ 1,519.42 |

Total: \$ 36,123.21

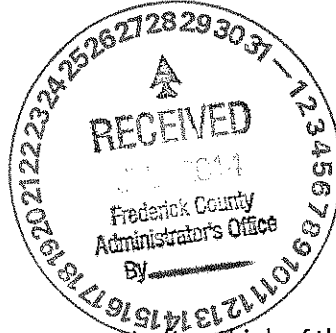
Winchester Main Street Agriculture

125-300 Prosperity Drive, Winchester, VA 22602
Phone: 540-869-8650 Fax: 540-869-8656
gthom@vafb.com vafarmbureau.org



July 25, 2014

Frederick County Board of Supervisors
107 North Kent Street
Winchester, VA 22601



Dear Supervisors;

When we think about Frederick County Agriculture, we most often think of the small farmer with a few acres. Sometimes we think about the larger farmer and the successful farm markets across the county. We all appreciate the scenic views and low level of government services the open spaces require. We should also think about Agriculture as an industry. Collectively, all those farms represent over 98,000 acres and over \$27 million of products sold yearly; just in Frederick County.

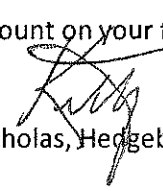
Frederick County is most favorable to be the northern location that helps to ensure a future local food supply while promoting local business prosperity and quality community life through extraordinary local leadership. Frederick County's proximity to the nation's capitol, expendable dollars and available farmland provide additional opportunities for agribusiness expansion and tourism near the mountain ranges with easy access to highway and rural meanderings.

To promote Agriculture to the general public, last year Frederick County Farm Bureau partnered with the City of Winchester, Winchester's Main Street Foundation and Virginia Main Street to produce **Winchester's Main Street Agriculture**. The event was a wonderful success with an estimated 8 – 10,000 people attending on the Loudoun Street pedestrian mall. We featured local farm markets, Ag education, entertainment and Ag related activities for children.

We will again produce this extraordinary day on September 20, 2014. A Farm to Table dinner will be held the evening before at the George Washington Hotel.

We are asking Frederick County to show your continued support of agriculture with a one time financial sponsorship of \$5,000. Your sponsorship will help ensure the success of this program. Frederick County will be recognized as an example of premier quality of life while accelerating a much-needed movement to restore our community strength through agriculture. This aligns directly with one of your Core Values: "A government concerned with expanding commercial and industrial tax base in order to insure a viable and thriving economy."

We hope we can count on your financial support.
Best Regards,


Kitty Hockman-Nicholas, Hedgebrook Farm and The Herds Inn



MEMORANDUM

TO: Cheryl B. Shiffler, Director of Finance

FROM: Harvey E. Strawsnyder, Jr., P.E., Director of Public Works *HES*

SUBJECT: Carry Forward Requests Fiscal Year Budget 2013/2014 to Fiscal Year Budget 2014/2015

DATE: July 9, 2014

During a regularly scheduled meeting on June 24, 2014, the public works committee unanimously endorsed the carry forward requests highlighted in the attached memorandums. I am requesting that these carry forward items be included in the agenda of the next scheduled finance committee meeting.

HES/rls

Attachments: as stated

cc: file



MEMORANDUM

TO: Harvey E. Strawsnyder, Jr., P.E., Director of Public Works *HES.*

FROM: Rhonda L. Sargent, Administrative Assistant, Department of Public Works *RLS*

SUBJECT: Request for Carry Forward from Fiscal Year 2013/2014 to Fiscal Year 2014/2015 Road Administration Budget

DATE: June 17, 2014

I am requesting that an amount of \$4,500 be carried forward from the 2013/2014 fiscal year Road Administration budget line item 10-4102-3010-00 – Other Contractual Services to the same line item in the 2014/2015 fiscal year Road Administration budget.

Recently, the county sign installation contractor informed me that our installation materials (posts, caps, crosspieces and mounting hardware) were in short supply; however, I didn't have enough funds remaining in the current fiscal year budget to completely replenish the materials. In order to make it more cost effective, it's necessary to order posts, caps and crosspieces in quantities of 100 per item. The cost for the items listed above will be \$14,581 which will be a major expenditure from the funds budgeted in the fiscal year 2014/2015 budget. Therefore, I am requesting the carry forward of funds to supplement the approved 2014/2105 budget to accommodate the purchase of these materials as well as continue the county's street name sign program.

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

/rls

cc: file

FREDERICK COUNTY - ANIMAL SHELTER

Kathy M. Whetzel
Shelter Manager
540/667-9192 ext. 2502
FAX 540/722-6108
E-mail: kwhetzel@fcva.us

MEMORANDUM

TO: Harvey E. Strawsnyer, P.E.
FROM: Kathy M. Whetzel, Shelter Manager
SUBJECT: FY 13/14 Carry Forwards
DATE: 6/19/14

The Shelter is requesting a funding carry forward from FY 13/14 in the amount of \$1,330.00 into line item 10-4305-3004-02 Repair and Maintenance Vehicles. The requested funds are needed to insulate, install tie downs, and add signage to the Nissan cargo van purchased in FY 13/14. Approval to purchase the van was received too late to complete the work in the current fiscal year.

Please contact me if you have any questions.

KMW:hag

8/6/14: Per Ed - c/f from 3004-002 and 3004-000

THE CUSTOMIZERS, INC.
and CREATIVE ACCENTS
14133 PENNSYLVANIA AVENUE
HAGERSTOWN, MD 21742

SHOP INSTALLATION

DATE: 06/19/2014
INV #: 1413560

APPOINTMENT DATE:
TIME:
NEED BY:

301-797-7727 / FAX 797-5738

| | |
|---|------------------------------------|
| BILL TO: FREDERICK COUNTY ESTHER L. BOYD ANIMAL SHELTER WINCHESTER VA HOLLY GRIM | SHIP TO:(if not same as billed to) |
|---|------------------------------------|

PHONE: (549) 667-9192
FAX:
CELL:

SALESPERSON: KELLY
VIN:
CHASSIS COLOR:
INTERIOR:
CHASSIS MODEL: NISSAN
AUTHORIZED BY: HOLLY GRIM
P.O. / AUTH. #:

| | | UNIT | EXTENSION | LABOR |
|----------------|---|--|-----------|--------|
| 1. | 1 | INSULATION & FIBREX WALLS AND CEILING | 765.00 | 765.00 |
| 2. | 1 | NISSAN FACTORY FLOOR MAT | 100.00 | 100.00 |
| 3. | 1 | 7 EXTRA TIE DOWNS (LABOR ONLY) | 165.00 | 165.00 |
| 4. | 1 | DESIGN & INSTALL LETTERING & NEW LOGO | 300.00 | 300.00 |
| 5. | | NORMAL \$500.00 (\$200 KELLY DISCOUNT) | | |
| 6. | | | | |
| 7. | | | | |
| 8. | | | | |
| 9. | | | | |
| 10. | | | | |
| PAINTED PARTS: | | | | |
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |
| 4. | | | | |

AUTHORIZATION:
I HEREBY AUTHORIZE THE ABOVE WORK TO BE DONE ALONG WITH THE NECESSARY MATERIALS. YOU & YOUR EMPLOYEES MAY OPERATE ABOVE VEHICLE. AN EXPRESS MECHANICS LIEN IS ACKNOWLEDGED ON THE ABOVE VEHICLE TO SECURE THE AMOUNT DUE THERETO. IT IS ALSO UNDERSTOOD THAT YOU WILL NOT BE HELD RESPONSIBLE FOR LOSS OR DAMAGE TO VEHICLES OR ARTICLES LEFT IN VEHICLES IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE BEYOND YOUR CONTROL:

TAXABLE MATERIALS: 1330.00
SALES TAX: .00
FREIGHT: .00
PAINT & LABOR: .00
TOTAL: 1330.00
DEPOSIT: .00
NET DUE: 1330.00

DATE PAID:
CHECK #:

BY: -----

TERMS: NET 30

PRINT NAME: -----

ALL SALES ARE FINAL

RECEIVED BY: -----

DATE: -----

COMMENTS: -----



MEMORANDUM

TO: Public Works Committee

FROM: Steve Frye, Landfill Manager *SF*

THROUGH: Harvey E. Strawsnyder, Director of Public Works *HES*

SUBJECT: Carry Forwards to 2014/2015

DATE: June 2, 2014

We are requesting that the following funds be carried over from the 2013/2014 budget into the new 2014/2015 budget. The total amount of this request is \$ 420,000 and is itemized as follows:

12-4204-3002-00 Professional Services

We are requesting that \$200,000 be carried forward and allocated to line item 12-4204-3002-00 for professional services. These funds will be used for final phase for capping of Permit 40, CDD pump station upgrade and Landfill to Gas expansion and upgrades.

12-4204-8006-00 Construction Vehicles and Equipment

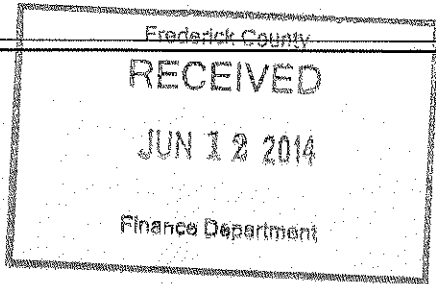
We are requesting that \$120,000 be carried forward for the purchase of a used motor grader. We have been in contact with several vendors, but have been unable to locate a suitable machine to date.

12-4204-8900-00 Improvements Other Than

We are requesting that \$100,000 be carried forward to cover any unexpected changes in work related to a contract awarded to Perry Engineering in on April 30, 2014. A portion of the contract is to reconstruct the leachate holding pond for the old Permit 40 landfill. Due to the location of the existing pond, we were unable to completely evaluate the site conditions, therefore the potential for unknown conditions exists, which may cause additional work that is not in the original scope awarded.



Dennis D. Linaburg
Fire Chief



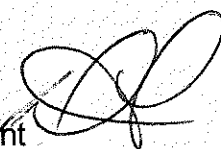
COUNTY OF FREDERICK, VIRGINIA

FIRE AND RESCUE DEPARTMENT

1080 Coverstone Drive
Winchester, VA 22602

MEMORANDUM

TO: Cheryl Shiffler, Director
Finance Department

FROM: Dennis D. Linaburg, Chief
Fire and Rescue Department 

SUBJECT: Request for Carry Forward

DATE: June 9, 2014

This is a request to carry forward \$3000 from line item 3505-3004-002 (Vehicle Repair & Maintenance) to the same line item in the FY15 budget. These funds will be used for the new Fire Marshal K9 vehicle and will be purchased through Standing PO# 17693. Due to the vehicle delivery date, the funds will not be utilized until the FY15 budget.

If you have any questions or need additional information, please do not hesitate to contact me.

DDL:msn
CC: file

FREDERICK COUNTY SHERIFF'S OFFICE



ROBERT T. WILLIAMSON
Sheriff

MAJOR C.L. VANMETER
Chief Deputy

1080 COVERSTONE DRIVE
WINCHESTER, VIRGINIA 22602

540/662-6168
FAX 540/504-6400

TO : Angela Whitacre – Treasurer's Office
FROM : Sheriff R. T. Williamson *RTW*
SUBJECT : Donation to Dive Team
DATE : July 10, 2014

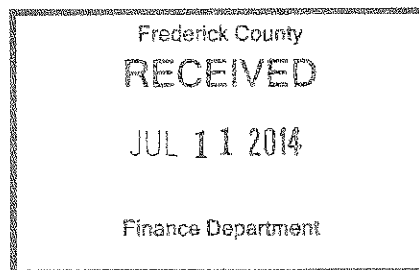
Attached please find a check in the amount of \$1,000.00 from the Town of Berryville. This check represents a donation to our Dive Team for services provided to the Town of Berryville.

We are requesting this amount be posted to revenue line: 3-010-018990-0006 (10CR). A copy of this memo will be sent to Finance for appropriation. - 3102-5409-000-001

Thank you.

RTW/asw

Cc: Finance



C.S. 7/10/14

| DATE | DEPARTMENT/GENERAL FUND | REASON FOR TRANSFER | FROM | TO | ACCT | CODE | AMOUNT |
|-----------|-------------------------------|---------------------------------------|------|------|------|------|-------------|
| 7/1/2014 | ELECTORAL BOARD AND OFFICIALS | TRANSFER FUNDS REFRESH&SOFTWARE | 1301 | 5401 | 000 | 000 | 1,050.00 |
| | TRANSFERS/CONTINGENCY | | 9301 | 5890 | 000 | 000 | (1,050.00) |
| 7/14/2014 | CLEARBROOK PARK | FUEL FOR BUSES AT FCPS TRANSPORTATION | 7109 | 5408 | 000 | 000 | (1,200.00) |
| | CLEARBROOK PARK | | 7109 | 4003 | 000 | 002 | 1,200.00 |
| 7/15/2014 | INFORMATION TECHNOLOGY | DELL KACE LICENSEING | 1220 | 3005 | 000 | 002 | (19,695.50) |
| | INFORMATION TECHNOLOGY | | 1220 | 8007 | 000 | 000 | 19,695.50 |
| 7/17/2014 | CLERK OF THE CIRCUIT COURT | CLERKS CONVENTION | 2106 | 5401 | 000 | 000 | (800.00) |
| | CLERK OF THE CIRCUIT COURT | | 2106 | 5506 | 000 | 000 | 800.00 |
| 7/22/2014 | SHERIFF | VEHICLE EQUIPMENT FOR NEW CRUISERS | 3102 | 8005 | 000 | 000 | (21,994.00) |
| | SHERIFF | | 3102 | 5408 | 000 | 000 | 21,994.00 |
| 7/25/2014 | LITTER CONTROL GRANT | UNIFORMS | 4205 | 5405 | 000 | 000 | (200.00) |
| | LITTER CONTROL GRANT | UNIFORMS | 4205 | 5410 | 000 | 000 | 200.00 |
| 7/31/2014 | REFUSE COLLECTION | FORMER BACK CREEK REFUSE SITE PAYMENT | 4203 | 3004 | 000 | 001 | (2,500.00) |
| | REFUSE COLLECTION | | 4203 | 9003 | 000 | 000 | 2,500.00 |
| 7/31/2014 | REGISTRAR | RECLASSIFICAIONS/PROMOTIONS | 1302 | 1001 | 000 | 002 | 2,721.00 |
| | REGISTRAR | | 1302 | 1005 | 000 | 000 | (2,721.00) |
| | SHERIFF | | 3102 | 1001 | 000 | 045 | 4,123.56 |
| | SHERIFF | | 3102 | 1007 | 000 | 001 | (4,123.56) |
| | SHERIFF | | 3102 | 1002 | 000 | 006 | 303.44 |
| | SHERIFF | | 3102 | 1007 | 000 | 001 | (303.44) |
| | SHERIFF | | 3102 | 1002 | 000 | 019 | 5,519.36 |
| | SHERIFF | | 3102 | 1007 | 000 | 001 | (5,519.36) |
| | SHERIFF | | 3102 | 1002 | 000 | 085 | 1,919.80 |
| | SHERIFF | | 3102 | 1007 | 000 | 001 | (1,919.80) |
| | PUBLIC SAFETY COMMUNICATIONS | | 3506 | 1001 | 000 | 009 | 2,067.90 |
| | PUBLIC SAFETY COMMUNICATIONS | | 3506 | 1007 | 000 | 001 | (2,067.90) |
| | PUBLIC SAFETY COMMUNICATIONS | | 3506 | 1001 | 000 | 011 | 2,067.90 |
| | PUBLIC SAFETY COMMUNICATIONS | | 3506 | 1007 | 000 | 001 | (2,067.90) |
| 8/7/2014 | INFORMATION TECHNOLOGY | PURCHASE UPSS IN SERVER ROOM | 1220 | 5204 | 000 | 000 | (1,300.00) |
| | INFORMATION TECHNOLOGY | | 1220 | 5413 | 000 | 000 | 1,300.00 |

County of Frederick, VA
Report on Unreserved Fund Balance
June 30, 2014 *PRELIMINARY*

Unreserved Fund Balance, Beginning of Year, July 1, 2013 33,888,096

Prior Year Funding & Carryforward Amounts

| | |
|---------------------------------------|-----------|
| C/F Dare | (71) |
| C/F Fire Company Capital | (217,280) |
| Return unspent Parks proffer | (13,681) |
| C/F Forfeited Assests | (62,561) |
| Return unspent SCFR proffer | (29,004) |
| C/F DSS phone system | (50,000) |
| C/F VDEM grant | (7,008) |
| Audit Adjustment | 161,545 |
| C/F designated School Operating funds | (97,012) |
| | (315,073) |

Other Funding / Adjustments

| | |
|---|-------------|
| Kraft incentive | (325,000) |
| Tax refunds | (13,472) |
| Sheriff gap pay | (135,062) |
| Round Hill station design | (403,648) |
| Airport capital | (499,004) |
| New 911 phone system | (50,000) |
| Gainesboro Convenience Center | (99,061) |
| Parks & Rec maintenance building donation | (25,000) |
| Fire & Rescue reimbursement Gear Clean | (4,429) |
| ICAC grant | 78,614 |
| Eliminate Kelly Day | (354,506) |
| Capital purchases from FY13 surplus | (1,526,666) |
| BMW refund (COR) | (4,484) |
| GE Capital refund (COR) | (3,294) |
| Navy Federal incentive | (250,000) |
| American Telephone & Telegraph refund (COR) | (4,536) |
| TW Wallace refund (COR) | (2,537) |
| LaSalle Systems refund (COR) | (3,062) |
| BB&T Leasing refund (COR) | (2,593) |
| Disabled Veteran's Relief refund (COR) | (3,317) |
| Comm Atty Case Mgmt software & hardware | (140,000) |
| PC refresh - general fund | (166,741) |
| Return unspent VJCCA funds | (6,657) |
| Darien LLC refund (COR) | (5,920) |
| Charon refund (COR) | (3,781) |
| Fire programs | (11,627) |
| Pactiv incentive | (50,000) |
| Stuart M Perry refund (COR) | (18,742) |
| Wheel 2 Wheel Promotions refund (COR) | (4,383) |
| Disabled Veteran's Relief refund (COR) | (5,745) |
| DBI refund (COR) | (9,630) |
| F&R overtime | (280,000) |
| Airport operating | (75,853) |
| HP Hood incentive | (500,000) |
| Matthew & John Kibler refund (COR) | (3,620) |
| Kraft refund (COR) | (358,861) |
| 4 For Life | (10,776) |
| DSS local contribution | 6,000 |
| Navy Federal Credit Union refund (COR) | (6,559) |
| Partnership for Respons & Recovery refund (COR) | (13,665) |
| Wheels LT refund (COR) | (3,472) |
| DL Peterson Trust refund (COR) | (14,670) |
| GE Capital Auto Lease refund (COR) | (3,022) |
| Toyota Motor Credit Corp refund (COR) | (3,095) |
| Ford Motor Credit Corp refund (COR) | (5,018) |
| | (5,326,894) |

Year End Adjustments

| | |
|------------------------|-------------|
| Remove FY14 budget | 11,684,446 |
| Reserve proffers | (2,389,462) |
| Reserve PEG grant | (63,116) |
| Reserve Courthouse ADA | (44,398) |
| Reserve interest | (39) |
| | 9,187,431 |

Fund Balance, June 30, 2014 *PRELIMINARY* 37,433,560

Frederick County Public Schools: FY 2014 Year-End Encumbrances

| PO NUMBER | VENDOR NAME | DESCRIPTION | ENCUMBRANCE |
|-------------------------------------|--------------------------------|--------------------------------------|------------------|
| 48044 PO | JASPER ENGINES & TRANSMISSIONS | LONG BLOCK ENGINE ASSEMBLY | 8,000.00 |
| 48046 PO | WESTERN BRANCH DIESEL, INC | AIR DRYER SERVICE PARTS | 10,700.00 |
| 45.0000.0.0.000.000020.15.00 | | INVENTORY, VEHICLE PARTS | 18,700.00 |
| 47745 PO | ALAN TYE & ASSOCIATES, LC | ANNUAL LIFT INSPECTION | 1,050.00 |
| 45.4200.9.0.000.003310.15.00 | | REPAIRS AND MAINTENANCE | 1,050.00 |
| 47885 MANPO | HOUGHTON MIFFLIN HARCOURT | HOUGHTON MIFFLIN TEXTBOOKS | 1,815.71 |
| 50.1100.2.1.000.006044.07.00 | | INSTRUCTIONAL SUPPLIES | 1,815.71 |
| 47947 PO | PEARSON | INSTRUCTIONAL KITS (DRA2 KITS) | 2,969.70 |
| 50.1100.2.1.000.006044.22.00 | | INSTRUCTIONAL SUPPLIES | 2,969.70 |
| 48010 PO | CDW GOVERNMENT, INC. | SAM SERIES 3 CHROMEBOOKS | 1,750.00 |
| 50.1100.2.1.000.006050.22.00 | | TECHNOLOGY HARDWARE | 1,750.00 |
| 47595 PO | COLLEGE-BOUND SENIORS REPORTS | BUNDLED REPORTS FOR HIGH SCHOOLS | 448.00 |
| 50.1100.2.1.000.006067.00.18 | | TESTING MATERIALS | 448.00 |
| 47812 PO | CDW GOVERNMENT, INC. | DATAMATION CHROMEBOOK CART | 1,919.82 |
| 48068 PO | TROXELL COMMUNICATIONS, INC. | ELMO DOCUMENT CAMERA | 1,890.00 |
| 50.1100.2.1.000.008210.21.00 | | TECHNOLOGY HARDWARE - NEW | 3,809.82 |
| 47870 PO | NAGC MEMBERSHIP | MEMBERSHIP DUES SARA KNIGHT, MOORE | 257.00 |
| 50.1100.2.4.000.005801.00.00 | | DUES AND ASSOC MEMBERSHIP | 257.00 |
| 48095 PO | BUREAU OF EDUCATION | GCL SEMINAR ON CD | 108.00 |
| 50.1100.2.4.000.006044.00.00 | | INSTRUCTIONAL SUPPLIES | 108.00 |
| 48060 PO | CDW GOVERNMENT, INC. | SAM SERIES 3 CHROMEBOOKS | 250.00 |
| 50.1100.3.1.000.006050.20.00 | | TECHNOLOGY HARDWARE | 250.00 |
| 47929 PO | CDW GOVERNMENT, INC. | DATAMATION SYSTEMS CART | 1,919.82 |
| 50.1100.3.1.000.008210.20.00 | | TECHNOLOGY HARDWARE | 1,919.82 |
| 47870 PO | NAGC MEMBERSHIP | MEMBERSHIP DUES ANGELA MOHR & WILSON | 198.00 |
| 50.1100.3.4.000.005801.00.00 | | DUES AND ASSOC MEMBERSHIP | 198.00 |
| 48122 PO | PEARSON ASSESSMENTS | OLSAT 8 MACHINE SCORABLE TEST PACKS | 1,160.50 |
| 50.1100.3.4.000.006044.00.00 | | INSTRUCTIONAL SUPPLIES | 1,160.50 |
| 47065 PO | RICOH USA, INC. | RICOH MP4002SP COPIER | 237.49 |
| 50.1310.3.1.000.005401.46.00 | | LEASE/RENT OF EQUIPMENT | 237.49 |
| 46988 PO | RICOH USA, INC. | RICOH MP6002SP B&W COPIER | 455.04 |
| 50.1310.3.2.000.005401.00.00 | | LEASE/RENT OF EQUIPMENT | 455.04 |
| 46607 PO | RICOH USA, INC. | RICOH MP8000 COPIERS | 2,935.08 |
| 50.1410.1.1.000.005401.02.00 | | LEASE/RENT OF EQUIPMENT | 2,935.08 |
| 47102 MANPO | RICOH USA, INC. | RICOH COPIER PAYMENT FOR JUNE | 890.68 |
| 50.1410.2.1.000.005401.07.00 | | LEASE/RENT OF EQUIPMENT | 890.68 |
| 46614 PO | RICOH USA, INC. | RICOH MP8001 & 2- 5000 JUNE PAYMENT | 975.82 |
| 50.1410.2.1.000.005401.10.00 | | LEASE/RENT OF EQUIPMENT | 975.82 |

| PO NUMBER | VENDOR NAME | DESCRIPTION | ENCUMBRANCE |
|---|--|---|---------------------------------------|
| 46605 PO 50.1410.3.1.000.005401.20.00 | RICOH USA, INC. | RICOH COPIERS FOR SHERANDO LEASE/RENT OF EQUIPMENT | 2,679.59 2,679.59 |
| 46623 PO 50.1410.3.1.000.005401.34.00 | RICOH USA, INC. | RICOH MP7001 COPIER JUNE PAYMENT LEASE/RENT OF EQUIPMENT | 448.72 448.72 |
| 46701 PO 50.4200.9.0.000.003310.03.00 | OWPR | A&E SERVICES CHILLER REPLACEMENT REPAIRS AND MAINTENANCE | 1,000.00 1,000.00 |
| 47519 PO 50.4200.9.0.000.003310.04.00 | BK SECURITY | SECURITY SYSTEM UPGRADE REPAIRS AND MAINTENANCE | 3,000.00 3,000.00 |
| 47953 PO 50.4200.9.0.000.003310.20.00 | CONFEDERATE CONTRACTORS | INSTALL CONCRETE SLAB - SHS REPAIRS AND MAINTENANCE | 2,880.00 2,880.00 |
| 47735 PO 50.4200.9.0.000.008157.00.00 | ABS TECHNOLOGY ARCHITECTS | TOTAL HARDWARE AND SOFTWARE SMARTNET REPLACEMENT COMPUTER | 33,181.15 33,181.15 |
| 47633 PO 50.4500.9.0.000.008155.16.00 | SHADE EQUIPMENT CO INC | KNAPHEIDE 696J SERVICE BODY REPLACEMENT VEHICLES | 12,710.00 12,710.00 |
| 47061 PO 50.6300.9.0.000.003194.00.00 | OWPR | A&E SERVICES TO ASSIST IN UPDATING MS4 PURCHASED SERVICES | 2,827.64 2,827.64 |
| 48143 PO 50.8100.9.0.000.003312.00.00 | NCS TECHNOLOGIES, INC. | REPAIRS TO USB PORTS REPAIRS AND MNT--COMPUTER | 156.00 156.00 |
| 48139 PO 50.8100.9.0.000.006040.00.00 | SHI | WINDOWS SOFTWARE PACKAGE SOFTWARE/ONLINE CONTENT | 336.32 336.32 |
| 47957 PO 48120 PO 50.8100.9.0.000.008210.00.00 | ACUITY AUDIOVISUAL COMPUTERWARE | 77" SMART BOARD EPSON POWERLITE 580 LCD PROJECTOR TECHNOLOGY HARDWARE | 2,730.00 924.00 3,654.00 |
| 47792 PO 50.8300.9.0.000.006014.00.00 | DELL MARKETING, L.P. | BATTERY, PRIMARY, 60WHR, VMWARE OTHER OPERATING SUPPLIES | 49.99 49.99 |
| 46110 PO 50.8300.9.0.000.006040.00.00 | SOFTDOCS | REMOTE SYSTEM IMPLEMENTATION & CONFIGURE SOFTWARE/ONLINE CONTENT | 3,525.00 3,525.00 |
| 47792 PO 48080 PO 50.8300.9.0.000.006050.00.00 | DELL MARKETING, L.P. DELL MARKETING, L.P. | DELL B2360DN LASER PRINTER DELL MOBILE PRECISION M6700 TECHNOLOGY HARDWARE | 195.99 7,402.90 7,598.89 |
| 47520 MANPO 50.8300.9.0.000.008157.00 | ABS TECHNOLOGY ARCHITECTS | HARDWARE, SOFTWARE & SERVICE & SUPPORT REPLACEMENT COMPUTER | 15,220.51 15,220.51 |
| 47654 PO 51.5100.9.0.000.008151.01.00 | WINCHESTER RESTAURANT | FROST TOP SERVING COUNTER REPLACEMENT COMPUTER | 25,481.00 25,481.00 |
| 47872 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 490.48 |
| 47873 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 490.48 |
| 47874 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 490.48 |
| 47875 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 735.72 |
| 47876 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 490.48 |
| 47877 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 490.48 |
| 47878 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 245.24 |
| 47879 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 245.24 |
| 47880 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 490.48 |
| 47881 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 490.48 |
| 47882 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 490.48 |
| 47884 PO | ZANER-BLOSER EDUCATIONAL | KINDERGARTEN TEACHER RESOURCE PKG | 245.24 |

| PO NUMBER | VENDOR NAME | DESCRIPTION | ENCUMBRANCE |
|-------------------------------------|---------------------------|--|-----------------------|
| 47906 PO | ZANER-BLOSER EDUCATIONAL | STRAT FOR WRITERS & ONLINE TOOLS | 1,616.96 |
| 47913 PO | ZANER-BLOSER EDUCATIONAL | STRAT FOR WRITERS & ONLINE TOOLS | 1,616.96 |
| 47960 PO | PEARSON | ELEMENTARY CLASSROOM STARTER PK | 1,503.67 |
| 47961 PO | PEARSON | ELEMENTARY CLASSROOM STARTER PK | 1,877.64 |
| 47965 PO | PEARSON | ELEMENTARY CLASSROOM STARTER PK | 1,877.64 |
| 47970 PO | PEARSON | ELEMENTARY CLASSROOM STARTER PK | 1,877.64 |
| 47987 PO | HOUGHTON MIFFLIN HARCOURT | SOCIAL STUDIES VA INSTRUCTIONAL SUPPLY PK | 1,196.90 |
| 59.1100.2.1.000.006044.00.00 | | INSTRUCTIONAL SUPPLIES | 16,962.69 |
| 47174 PO | RIDDLEBERGER BROS., INC. | REPLACING 2 PKGED AIR COOLED CHILLERS | 33,503.58 |
| 59.4200.9.0.000.008151.03 | | REPLACEMENT EQUIPMENT | 33,503.58 |
| 46920 PO | ST. JAMES ELECTRIC | JWMS ELECTRICAL UPGRADE GENERATOR WORK | 18,738.90 |
| 59.4200.9.0.000.008251.05.00 | | NEW EQUIPMENT | 18,738.90 |
| 47622 PO | FTI CONSULTING | EMERGENCY MANAGEMENT PLAN WEBSITE | 10,000.00 |
| 59.4600.9.0.063.006040.50.00 | | SOFTWARE/ONLINE CONTENT | 10,000.00 |
| 47668 PO | PAYNE WELL DRILLING, INC. | WELL DRILLING AND ONE GEOTHERMO BORING | 40,684.50 |
| 60.6200.9.0.000.003000.02.00 | | PURCHASED SERVICES | 40,684.50 |
| 46437 PO | SHW GROUP | A & E SERVICES FOR FCMS | 951,729.03 |
| 47621 PO | TRIAD ENGINEERING, INC. | CONSULTING SERVICES FOR THE WETLANDS | 2,105.65 |
| 47651 PO | GREENWAY ENGINEERING | A & E FEE FOR ENVIROMENTAL SERVICES OF | 1,640.00 |
| 47895 PO | GREENWAY ENGINEERING | FEE FOR SURVEYING SERVICE FOR BOUNDARY | 2,780.00 |
| 60.6300.9.0.000.003000.02.00 | | PURCHASED SERVICES | 958,254.68 |
| 46469 PO | OWPR | A & E SERVICES FOR 4TH HIGH | 2,065,257.00 |
| 60.6300.9.0.000.003000.29.00 | | PURCHASED SERVICES | 2,065,257.00 |
| 43893 MANPO | CALDWELL & SANTMYER, INC. | LAST PAYMENT PAYMENT FOR TRANSPORTATION | 5,000.00 |
| 60.6500.9.0.000.008256.15.00 | | NEW BUILDINGS/MODULARS | 5,000.00 |
| 47954 PO | PEARSON | STATS DATA & MODELS INSTRUCTIONAL SUPPLIES | 5,556.60 |
| 93.1100.3.1.000.006020.00.00 | | TEXTBOOKS AND WORKBOOKS | 5,556.60 |
| | | FUND 000045 | 19,750.00 |
| | | FUND 000050 | 109,448.47 |
| | | FUND 000051 | 25,481.00 |
| | | FUND 000059 | 79,205.17 |
| | | FUND 000060 | 3,069,196.18 |
| | | FUND 000093 | 5,556.60 |
| | | ENCUMBRANCE GRAND TOTAL | \$3,308,637.42 |

| PO# | VEND# | NAME | FUND-DEPT-LOC-ACCT | DATE | \$ AMOUNT \$ | \$ TOTAL \$ | APPRVD BY | PO Description |
|-------|--------|----------------------------------|---------------------------|------------|--------------|--------------|-----------|---------------------------------------|
| --- | ----- | ---- | ----- | ---- | ----- | ----- | | ----- |
| 21420 | | 003802 DELTA AIRPORT CONSULTANTS | 4085-081030-8801-000-073- | 6/25/2014 | | 26,297.33 | | ENGINEERING DESIGN/BID SOUTH APRON |
| | | | | | | 26,297.33 * | | |
| 21479 | 007277 | CPS | 4010-071090-5413-000-000- | 7/23/2014 | | 2,167.00 | | LIQUI-CHLOR |
| 21479 | 007277 | CPS | 4010-071100-5413-000-000- | 7/23/2014 | | 162.00 | | |
| | | | | | | 2,329.00 * | | |
| 21512 | | 008706 DOMINION CONSTRUCTION | 4010-042030-8900-000-000- | 9/25/2013 | | 5,960.00 | | GAINESBORO CONCRETE WALL/SLAB |
| | | | | | | 5,960.00 * | | |
| 21521 | | 005283 SUNGARD PUBLIC SECTOR INC | 4010-031020-5401-000-000- | 7/23/2014 | | 19,853.88 | | OSSI SOFTWARE |
| | | | | | | 19,853.88 * | | |
| 21549 | 005606 | ICON SCREEN PRINTING & | 4010-071030-5410-000-000- | 1/22/2014 | | 9.25 | | T-SHIRTS PARKS STAFF |
| 21549 | 005606 | ICON SCREEN PRINTING & | 4010-071040-5410-000-000- | 6/19/2014 | | 3,352.20 | | |
| 21549 | 005606 | ICON SCREEN PRINTING & | 4010-071090-5410-000-000- | 6/19/2014 | | 534.50 | | |
| 21549 | 005606 | ICON SCREEN PRINTING & | 4010-071100-5410-000-000- | 5/20/2014 | | 349.25 | | |
| | | | | | | 4,245.20 * | | |
| 21550 | | 002684 LANIZ CONSTRUCTION OF | 4085-081030-8801-000-074- | 5/09/2014 | | 58,414.48 | | CONSTRUCT MAINTENANCE BLDG |
| | | | | | | 58,414.48 * | | |
| 21551 | | 003802 DELTA AIRPORT CONSULTANTS | 4085-081030-8801-000-074- | 6/10/2014 | | 14,547.77 | | MAINTENANCE FACILITY |
| | | | | | | 14,547.77 * | | |
| 21572 | | 002684 LANIZ CONSTRUCTION OF | 4017-081090-3004-000-003- | 12/04/2013 | | 3,700.00 | | ROOF REPAIR |
| | | | | | | 3,700.00 * | | |
| 21592 | | 002301 THE GUN SHOP | 4011-033010-5409-000-000- | 1/14/2014 | | 6,467.67 | | AMMUNITION |
| | | | | | | 6,467.67 * | | |
| 21595 | | 001230 ALBAN TRACTOR CO INC | 4012-042040-8006-000-000- | 1/23/2014 | | 193,956.00 | | 2014 CAT TRACK LOADER |
| | | | | | | 193,956.00 * | | |
| 21605 | | 000390 MOTOROLA SOLUTIONS INC | 4010-035050-5605-000-002- | 5/20/2014 | | 1,114.51 | | RADIOS |
| | | | | | | 1,114.51 * | | |

| PO# | VEND# | NAME | FUND-DEPT-LOC-ACCT | DATE | \$ AMOUNT \$ | \$ TOTAL \$ | APPRVD BY | PO Description |
|-------|-------|----------------------------------|---------------------------|-----------|--------------|----------------|-----------|---------------------------------|
| --- | ----- | ---- | ----- | ---- | ----- | ----- | | ----- |
| 21609 | | 005440 SPLASH INTERNATIONAL INC | 4010-071030-5410-000-000- | 3/20/2014 | | 10.00- | | LIFEGUARD UNIFORMS |
| | | | | | | ----- | | |
| | | | | | | 10.00* | | |
| 21610 | | 005769 MUNICIPAL EMERGENCY SERVI | 4010-035050-5410-000-000- | 3/05/2014 | | 40,413.15 | | UNIFORMS |
| | | | | | | ----- | | |
| | | | | | | 40,413.15 * | | |
| 21612 | | 007277 CPS | 4010-071090-5413-000-000- | 7/23/2014 | | 8,158.10 | | LIQUI-CHLOR & HYDROCHLORIC ACID |
| 21612 | | 007277 CPS | 4010-071100-5413-000-000- | 7/23/2014 | | 6,495.70 | | |
| | | | | | | ----- | | |
| | | | | | | 14,653.80 * | | |
| 21619 | | 009005 TIMBERLINE FOLE BUILDINGS | 4012-042040-8900-000-000- | 3/17/2014 | | 34,400.00 | | STORAGE SHED |
| | | | | | | ----- | | |
| | | | | | | 34,400.00 * | | |
| 21624 | | 008568 ATLANTIC TACTICAL INC | 4011-033010-5409-000-000- | 3/28/2014 | | 3,780.00 | | PISTOLS |
| | | | | | | ----- | | |
| | | | | | | 3,780.00 * | | |
| 21631 | | 000390 MOTOROLA SOLUTIONS INC | 4010-035050-8003-000-000- | 5/07/2014 | | 11,948.96 | | RADIOS |
| | | | | | | ----- | | |
| | | | | | | 11,948.96 * | | |
| 21633 | | 003868 FERRY ENGINEERING CO INC | 4012-042040-8900-000-000- | 7/11/2014 | | 1,042,281.22 | | LANDFILL IMPROVEMENTS |
| | | | | | | ----- | | |
| | | | | | | 1,042,281.22 * | | |
| 21635 | | 008684 APPLE FORD OF LYNCHBURG | 4010-035050-8005-000-000- | 5/15/2014 | | 33,508.56 | | 2014 FORD F250 |
| | | | | | | ----- | | |
| | | | | | | 33,508.56 * | | |
| 21637 | | 005951 FIRST WITNESS VIDEO | 4010-031020-8001-000-000- | 5/19/2014 | | 9,185.00 | | DIGITAL CAMERA SYSTEM |
| | | | | | | ----- | | |
| | | | | | | 9,185.00 * | | |
| 21639 | | 005910 ID NETWORKS INC | 4010-031020-8001-000-000- | 6/10/2014 | | 3,780.00 | | CROSS MATCH L SCAN GUARDIAN |
| | | | | | | ----- | | |
| | | | | | | 3,780.00 * | | |
| 21641 | | 007398 MALLOY FORD | 4010-034010-8005-000-000- | 5/20/2014 | | 23,530.54 | | 2014 FORD ESCAPE |
| | | | | | | ----- | | |
| | | | | | | 23,530.54 * | | |
| 21643 | | 007398 MALLOY FORD | 4010-042030-8005-000-000- | 6/02/2014 | | 24,718.00 | | 2015 FORD SUPERDUTY TRUCK |
| | | | | | | ----- | | |

24,718.00 *

AP240 8/08/2014

COUNTY OF FREDERICK VA.

OPEN PURCHASE ORDERS

* OPEN *

PAGE 3

| PO# | VEND# | NAME | FUND-DEPT-LOC-ACCT | DATE | \$ AMOUNT \$ | \$ TOTAL \$ | APPRVD BY | PO Description |
|-------|-------|----------------------------------|---------------------------|-----------|--------------|-----------------------------------|-----------|--------------------------|
| --- | ----- | ---- | ----- | ---- | ----- | ----- | | ----- |
| 21646 | | 009009 CARTER ENTERPRISES | 4010-071100-8900-000-000- | 6/02/2014 | | 30,750.00 ----- 30,750.00 * | | RESURFACE SHERANDO POOL |
| 21647 | | 000153 INTERNATIONAL CODE | 4010-034010-5411-000-000- | 6/02/2014 | | 4,438.41 ----- 4,438.41 * | | CODE BOOKS |
| 21649 | | 007544 PALLETONE OF VIRGINIA | 4010-071090-5413-000-000- | 6/02/2014 | | 1,901.60 | | PLAYGROUND MULCH |
| 21649 | | 007544 PALLETONE OF VIRGINIA | 4010-071100-5413-000-000- | 6/02/2014 | | 1,901.60 ----- 3,803.20 * | | |
| 21650 | | 000023 B-K OFFICE SUPPLY INC | 4010-012090-5401-000-000- | 6/02/2014 | | 2,987.00 ----- 2,987.00 * | | CHAIRS |
| 21654 | | 002497 TURF EQUIPMENT & SUPPLY | 4010-071100-8001-000-000- | 6/05/2014 | | 9,940.00 ----- 9,940.00 * | | TORO WORKMAN MDE UTILITY |
| 21655 | | 005259 HASLER INC | 4010-012240-8001-000-000- | 6/05/2014 | | 6,429.00 ----- 6,429.00 * | | POSTAGE MACHINE |
| 21656 | | 009067 ELECTRONIC SYSTEMS INC | 4010-012200-8007-000-003- | 7/23/2014 | | 2,100.00 ----- 2,100.00 * | | PHONE SYSTEM EQUIPMENT |
| 21657 | | 009068 SOFTWARE UNLIMITED CORP | 4010-022010-8007-000-000- | 6/11/2014 | | 61,211.64 ----- 61,211.64 * | | CASE MANAGEMENT SYSTEM |
| 21658 | | 005790 FEATHERS WAYNE | 4016-081080-3004-000-003- | 6/11/2014 | | 14,346.00 ----- 14,346.00 * | | REMOVE/REPLACE SHINGLES |
| 21664 | | 005995 MID-ATLANTIC WASTE SYSTEM | 4010-042030-8006-000-000- | 6/16/2014 | | 18,700.00 ----- 18,700.00 * | | RECYCLING CAN |
| 21665 | | 008588 AMERICAN OFFICE EQUIPMENT | 4011-033010-5401-000-000- | 6/17/2014 | | 4,242.00 ----- 4,242.00 * | | OFFICE CHAIRS |
| 21666 | | 005806 SHALLOW CREEK ELECTRICAL | 4010-071090-3004-000-003- | 6/17/2014 | | 12,550.00 | | |

| PO# | VEND# | NAME | FUND-DEPT-LOC-ACCT | DATE | \$ AMOUNT \$ | \$ TOTAL \$ | APPRVD BY | PO Description |
|-------|--------|---------------------------|---------------------------|-----------|--------------|-----------------|-----------|---------------------|
| --- | ----- | ---- | ----- | ---- | ----- | ----- | | ----- |
| 21666 | 005806 | SHALLOW CREEK ELECTRICAL | 4010-071100-3004-000-003- | 6/17/2014 | 8,850.00 | 8,850.00 | | FIELD LIGHT REPAIRS |
| | | | | | | 21,400.00 * | | |
| 21667 | 005603 | PERFORMANCE TRAINING | 4010-035050-5411-000-000- | 6/19/2014 | 2,657.00 | 2,657.00 | | TRAINING MATERIALS |
| | | | | | | 2,657.00 * | | |
| 21668 | 006966 | WITMER PUBLIC SAFETY | 4010-035050-5410-000-000- | 6/19/2014 | 2,636.27 | 2,636.27 | | HELMETS |
| | | | | | | 2,636.27 * | | |
| 21671 | 009116 | CUMMINS-ALLISON CORP | 4010-012130-5401-000-000- | 6/23/2014 | 3,095.00 | 3,095.00 | | JET SCAN |
| | | | | | | 3,095.00 * | | |
| 21672 | 004466 | DELL FINANCIAL SERVICES | 4010-012200-8007-000-000- | 6/24/2014 | 15,056.89 | 15,056.89 | | DELL KACE |
| | | | | | | 15,056.89 * | | |
| 21673 | 005769 | MUNICIPAL EMERGENCY SERVI | 4010-035050-5407-000-000- | 6/24/2014 | 3,489.70 | 3,489.70 | | SCBA MISC PARTS |
| | | | | | | 3,489.70 * | | |
| 21674 | 005769 | MUNICIPAL EMERGENCY SERVI | 4010-035050-5410-000-000- | 6/25/2014 | 4,850.50 | 4,850.50 | | GLOVES |
| | | | | | | 4,850.50 * | | |
| 21675 | 005802 | SHEEHY FORD OF RICHMOND | 4010-031020-8005-000-000- | 6/25/2014 | 24,845.00 | 24,845.00 | | POLICE INTERCEPTOR |
| | | | | | | 24,845.00 * | | |
| | | | | | | 1,816,052.68 ** | | |

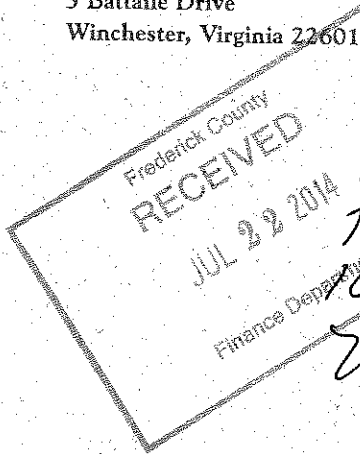
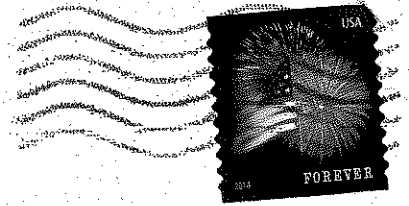


Youth Development
Center, Inc.

3 Battaile Drive
Winchester, Virginia 22601

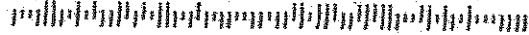
NOVA 220

21 JUL 2014 PM 7:1



Jennifer Place
Frederick County Finance
107 North Kent Street
Winchester VA 22601

501500099



Dear Jennifer,


Thanks so much to the Board
of Supervisors of Frederick County
for the continued support of the
YDC. We really appreciate the
backing and financial assistance
for the county's youth!

Wishing you continued success!
Best Regards, Regina

M



MEMORANDUM

TO: Board of Supervisors
FROM: John A. Bishop, AICP, Deputy Director - Transportation 
RE: Transportation Committee Report for Meeting of August 4, 2014
DATE: September 4, 2014

The Transportation Committee met on August 4, 2014 at 8:30 a.m.

Members Present

Chuck DeHaven (voting)
James Racey (voting)
Lewis Boyer (liaison Stephens City)
Gary Oates (liaison PC)

Members Absent

Mark Davis (liaison Middletown)
Christopher Collins (voting)
Gene Fisher (voting)
Thom Ruffin (voting)

The committee did not have quorum.

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

None

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

1. Blind Child Area Sign Request

Staff presented the following to the Committee:

Staff has received a request for a Blind Child Area sign on Plankwood Court in Stephens

City. VDOT handles these signs the same way as they handle Children At Play signs, which means that while they don't use them they will allow localities to install them and maintain them. Reasons that VDOT does not use these signs are the same as were brought up when this committee considered Children At Play signs and included potential liability as well as a false sense of security.

Staff has contacted the contractor that the County uses for street name signs and the estimated cost to purchase and install the sign is approximately \$200 depending upon how many posts are ordered at a time.

By consensus the committee chose not to proceed with the request.

2. **VDOT Project Updates**

VDOT gave brief updates on a number of their current projects.

3. **Six Year Improvement Program Update**

Staff led a discussion of the updates to the Six Year Improvement Program that took place between the draft and final versions. Of key concern was the fact that even regional VDOT contacts did not see the changes coming and no communication was forthcoming from Richmond.

4. **Other**

JB/pd

N



APPLICATION FOR OUTDOOR FESTIVAL PERMIT COUNTY OF FREDERICK, VIRGINIA

(Please Print Clearly)



APPLICANT INFORMATION

Name of Applicant: Cedar Creek Battlefield Foundation

Telephone Number(s): 540.869.2064 home office cell 540.336.0656 home office cell

Address: P.O. Box 229, Middletown, VA 22645

Contact Email: tim.stowe@ccbf.us

FESTIVAL EVENT ORGANIZATIONAL INFORMATION

| | |
|-----------------------|---|
| Festival Event | Name of Festival: <u>150th Anniversary of the Battle of Cedar Creek</u> |
|-----------------------|---|

| | |
|---|--|
| Cost of Admission to Festival: <u>\$18.00</u> | Business License Obtained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|---|--|

| Date(s) | Start Time | End Time | Maximum No. of Tickets Offered For Sale Per Day | Estimated No. of Attendees Per Day |
|---------------|------------|----------|---|------------------------------------|
| Oct. 18, 2014 | 9:00 | 5:00 | 10,000 | 10,000 |
| Oct. 19, 2014 | 9:00 | 5:00 | 10,000 | 10,000 |
| | | | | |

| | |
|-----------------|--|
| Location | Address: <u>8437 Valley Pike, Middletown</u> |
|-----------------|--|

| | |
|--------------------------|--|
| Owner of Property | Name(s): <u>Cedar Creek Battlefield Foundation, Belle Grove</u> Address: <u>P.O. Box 229, Middletown; 336 Belle Grove Rd., Middletown</u> <small>(*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)</small> |
|--------------------------|--|

| | |
|-----------------|--|
| Promoter | Name(s): <u>Cedar Creek Battlefield Foundation and Belle Grove</u> Address: <u>P.O. Box 229, Middletown; 336 Belle Grove Rd., Middletown</u> <small>(*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)</small> |
|-----------------|--|

| | |
|-------------------------|--|
| Financial Backer | Name(s): <u>none</u> Address: _____ |
|-------------------------|--|

| | |
|------------------|---|
| Performer | Name of Person(s) or Group(s): <u>Civil War reenactors</u> _____ _____ <small>(*NOTE: Applicant may need to update information as performers are booked for festival event.)</small> |
|------------------|---|

FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

1. Attach a copy of the printed ticket or badge of admission to the festival, containing the date(s) and time(s) of such festival (may be marked as "sample"). copy attached OR copy to be provided as soon as available
Wrist bands instead of tickets will be used as proof of admission payment. A different color wristband will be used each day.

2. Provide a plan for adequate sanitation facilities as well as garbage, trash, and sewage disposal for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).
Outdoor restrooms will be provided by Johnny Blue; trash will be collected in dumpsters provided by D&M Container Services.

3. Provide a plan for providing food, water, and lodging for the persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).
Civil War reenactors will bring their own tents for lodging and their own food. Boyer Water Hauling provides water for event.

4. Provide a plan for adequate medical facilities for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.
Middletown Fire and Rescue will be on site during the daylight hours of the event and on standby in the nighttime hours.

5. Provide a plan for adequate fire protection. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.
Middletown Fire and Rescue will be on site during the daylight hours of the event and on standby in the nighttime hours.

6. Provide a plan for adequate parking facilities and traffic control in and around the festival area. (A diagram may be submitted.)
Parking will be on lands owned or leased by the Cedar Creek Battlefield Foundation

7. State whether any outdoor lights or lighting will be utilized: YES NO
If yes, provide a plan or submit a diagram showing the location of such lights and the proximity relative to the property boundaries and neighboring properties. In addition, show the location of shielding devices or other equipment to be used to prevent unreasonable glow beyond the property on which the festival is located.
One set of outdoor lights will be used on Friday evening at the reenactor registration tent from 6:00 to midnight.
A diagram is attached.

8. State whether alcoholic beverages will be served: YES NO
If yes, provide details on how it will be controlled.

(NOTE: Evidence of any applicable VA ABC permit must also be provided and posted at the festival as required. Applicant may need to confirm with the VA ABC that a license is not required from that agency in order for festival attendees to bring their own alcoholic beverages to any event that is open to the general public upon payment of the applicable admission fee.)

FESTIVAL PROVISIONS

Applicant makes the following statements:

- A. Music shall not be rendered nor entertainment provided for more than eight (8) hours in any twenty-four (24) hour period, such twenty-four (24) hour period to be measured from the beginning of the first performance at the festival.
- B. Music shall not be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom exceeds 73 decibels at the property on which the festival is located.
- C. No person under the age of eighteen (18) years of age shall be admitted to any festival unless accompanied by a parent or guardian, the parent or guardian to remain with such person at all times. (NOTE: It may be necessary to post signs to this effect.)
- D. The Board, its lawful agents, and/or duly constituted law enforcement officers shall have permission to go upon the property where the festival is being held at any time for the purpose of determining compliance with the provisions of the County ordinance.

CERTIFICATION

I, the undersigned Applicant, hereby certify that all information, statements, and documents provided in connection with this Application are true and correct to the best of my knowledge. In addition, Applicant agrees that the festival event and its attendees shall comply with the provisions of the Frederick County ordinance pertaining to festivals as well as the festival provisions contained herein.

T. S. Stowe

Signature of Applicant

Tim Stowe

Printed Name of Applicant

Date: 8/18/14

THE BOARD SHALL HAVE THE RIGHT TO REVOKE ANY PERMIT ISSUED UNDER THIS ORDINANCE UPON NON-COMPLIANCE WITH ANY OF ITS PROVISIONS AND CONDITIONS.

Figure 1 – Overall Site Plan
BATTLE OF CEDAR CREEK REENACTMENT

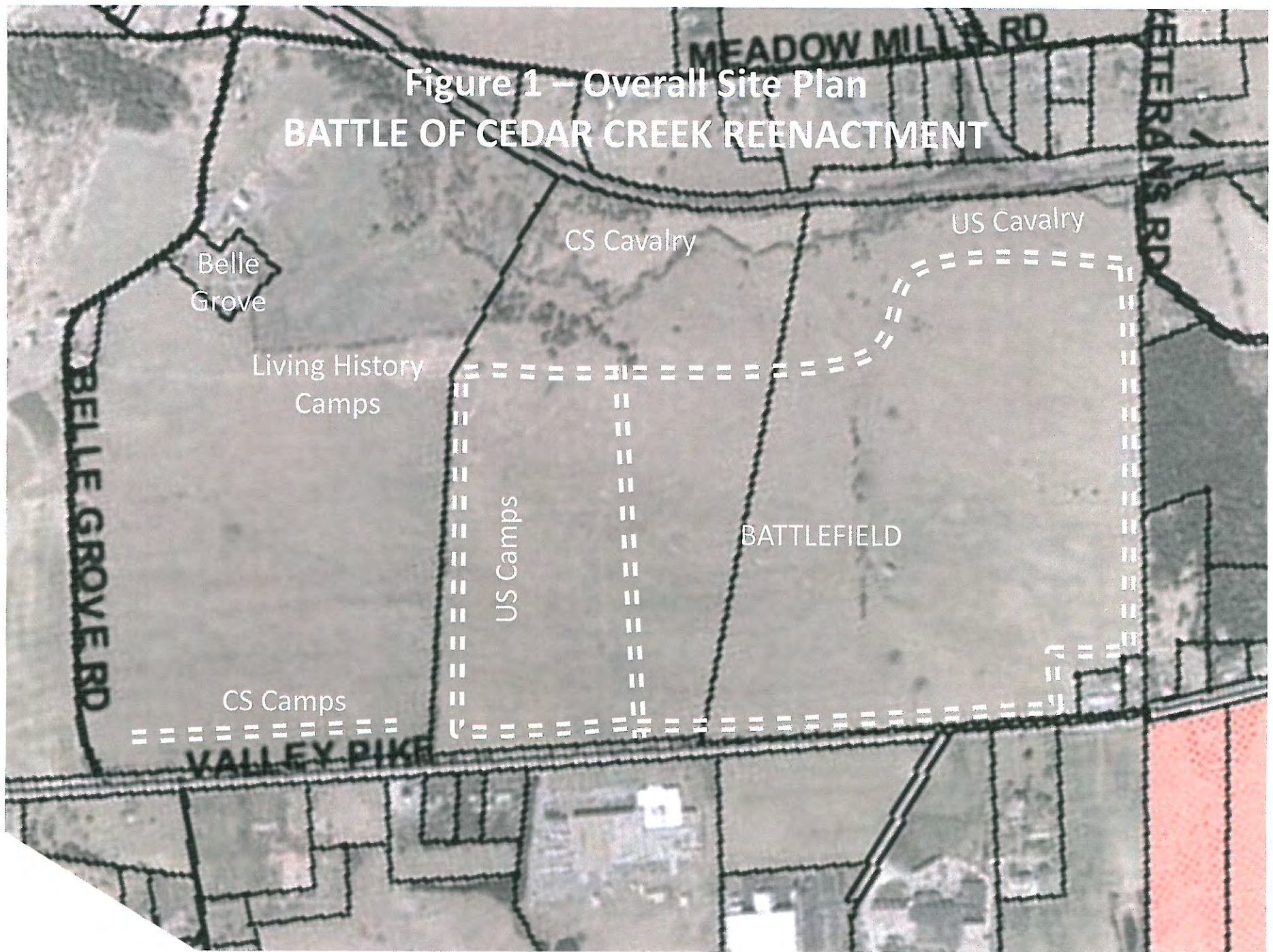
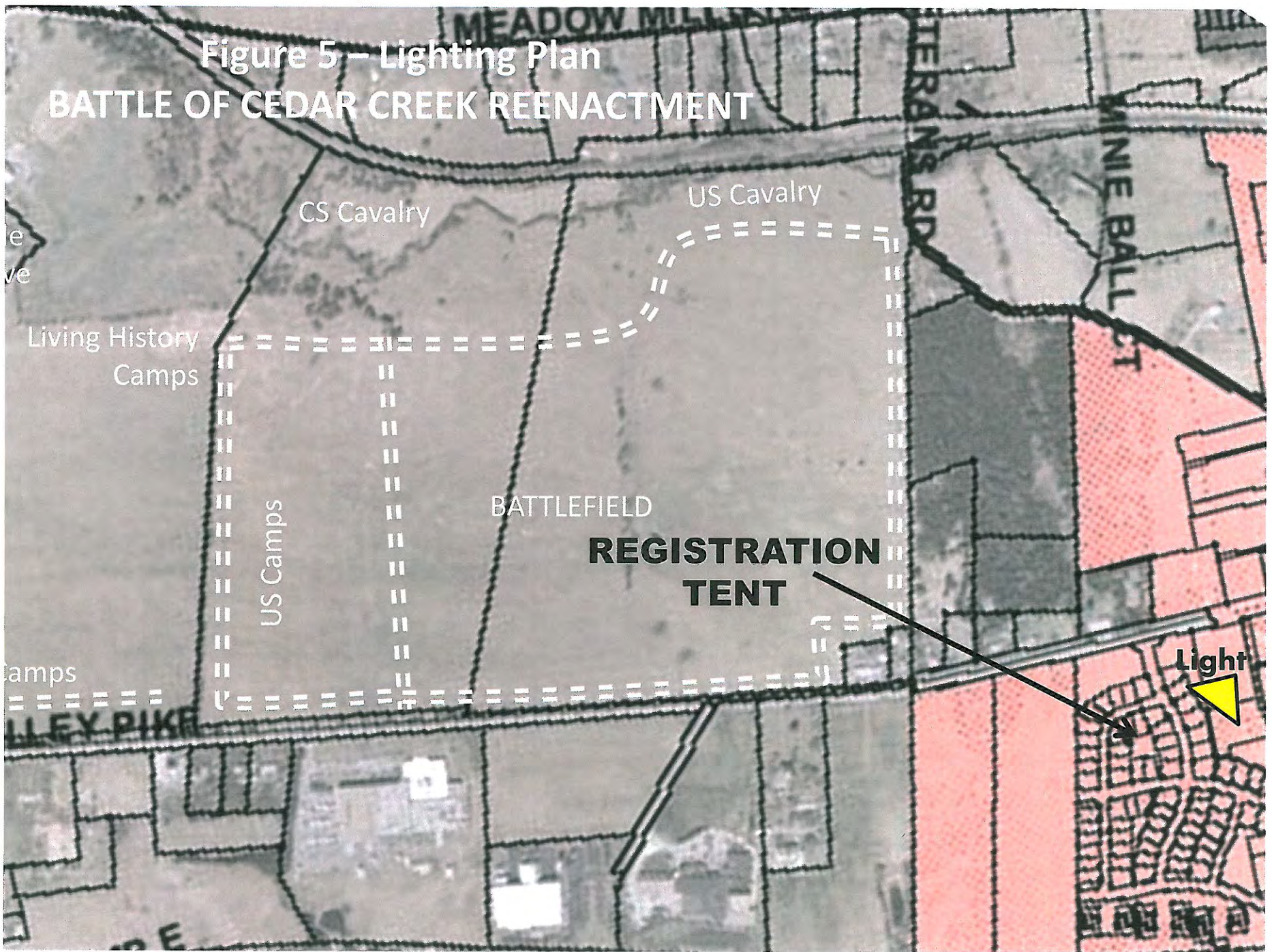
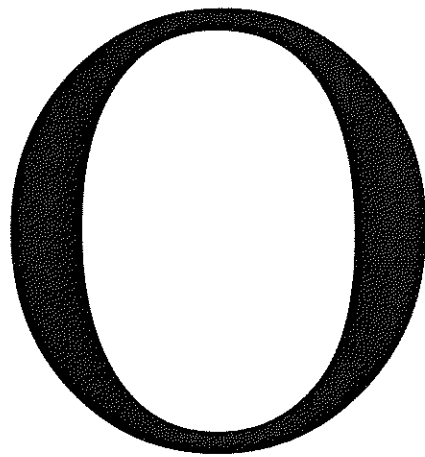


Figure 5 – Lighting Plan
BATTLE OF CEDAR CREEK REENACTMENT








MEMORANDUM

TO: Board of Supervisors

FROM: Michael T. Ruddy, AICP
Deputy Director 

DATE: August 25, 2014

RE: **2030 Comprehensive Plan Amendment (CPPA); Sewer and Water Service Area (SWSA) Expansion** – 83-acre Sewer and Water Service Area (SWSA) amendment to Serve Proposed 4th High School

This 83-acre expansion of the Sewer and Water Service Area (SWSA) draft amendment to the 2030 Comprehensive Plan is presented to the Board of Supervisors for public hearing. The Planning Commission, at their August 20, 2014 meeting, recommended approval of the proposed amendment.

The amendment to the 2030 Comprehensive Plan would result in the expansion of the Sewer and Water Service Area (SWSA) around the property purchased for the 4th High School, approximately 83 acres immediately adjacent to the existing SWSA.

Background.

Frederick County Public Schools requested the amendment to the Sewer and Water Service Area (SWSA) in an effort to serve the proposed 4th high school site. The recently acquired high school site is located at the eastern terminus of Justes Drive, adjacent to Admiral Byrd Middle and Evendale Elementary Schools.

Supervisor Fisher sponsored this request. Subsequently, the Board of Supervisors directed the Frederick County Planning Commission to hold a public hearing and forward a recommendation to the Board of Supervisors regarding this SWSA amendment to serve the 4th High School.

With the Admiral Byrd Middle School and the Evendale Elementary School adjacent to the high school site, it would appear appropriate to permit the extension of water and sewer to serve the new school.

The proposed high school site is 83 acres and zoned RA (Rural Areas) Zoning District – schools are by-right permitted uses in the RA Zoning District. The site is located outside of the Sewer and Water Service Area (SWSA). Therefore, current County policy would prohibit the proposed high school from utilizing the public water and sewer services. Private on-site health systems are generally expected in the RA Zoning District.

This property is located within the Senseny/Eastern Frederick Area Plan. The proposed expansion of the Sewer and Water Service Area is consistent with the approved Area Plan.

The Frederick County Sanitation Authority (FCSA) is the entity that provides the water and sewer services to properties that are located in Frederick County. Therefore, the properties within this SWSA would be served by the Frederick County Sanitation Authority (FCSA).

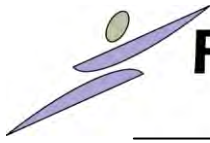
The Planning Commission held their public hearing on this amendment to the 2030 Comprehensive Plan at their meeting on August 20, 2014. There were no citizen comments. No issues were raised by the Commission and they believed the request was appropriate. The Commission unanimously recommended approval. (Note: Commissioners Crockett and Dunlap were absent from the meeting.)

Following the public hearing, a decision on the amendment to the 2030 Comprehensive Plan by the Board of Supervisors would be appropriate.

Please contact the Planning Department should you have any questions regarding the information provided for the above item.

Attachments: Request from School Board
Map depicting school location
Resolution Directing the Public Hearing
Resolution to Adopt an Amendment

Attachments
MTR/pd/rsa



Frederick County Public Schools

... to ensure all students an excellent education

K. Wayne Lee, Jr. LEED AP • Coordinator of Planning and Development • leew@frederick.k12.va.us

Mr. Eric Lawrence
107 North Kent Street, Suite 202
Winchester, Virginia 22601

June 25, 2014

Re: Water and sewer service for the Fourth High School

Dear Eric,

This letter is to request consideration by the Planning Commission and the Board of Supervisors that water and sewer services be extended to the property recently purchased for the Fourth High School. Currently, the property is located just outside the SWSA, and so what we are seeking is a SWSA amendment.

Should you wish to contact me, please feel free to do so. My phone number is 540-662-3889 x88249. My email address is leew@frederick.k12.va.us.

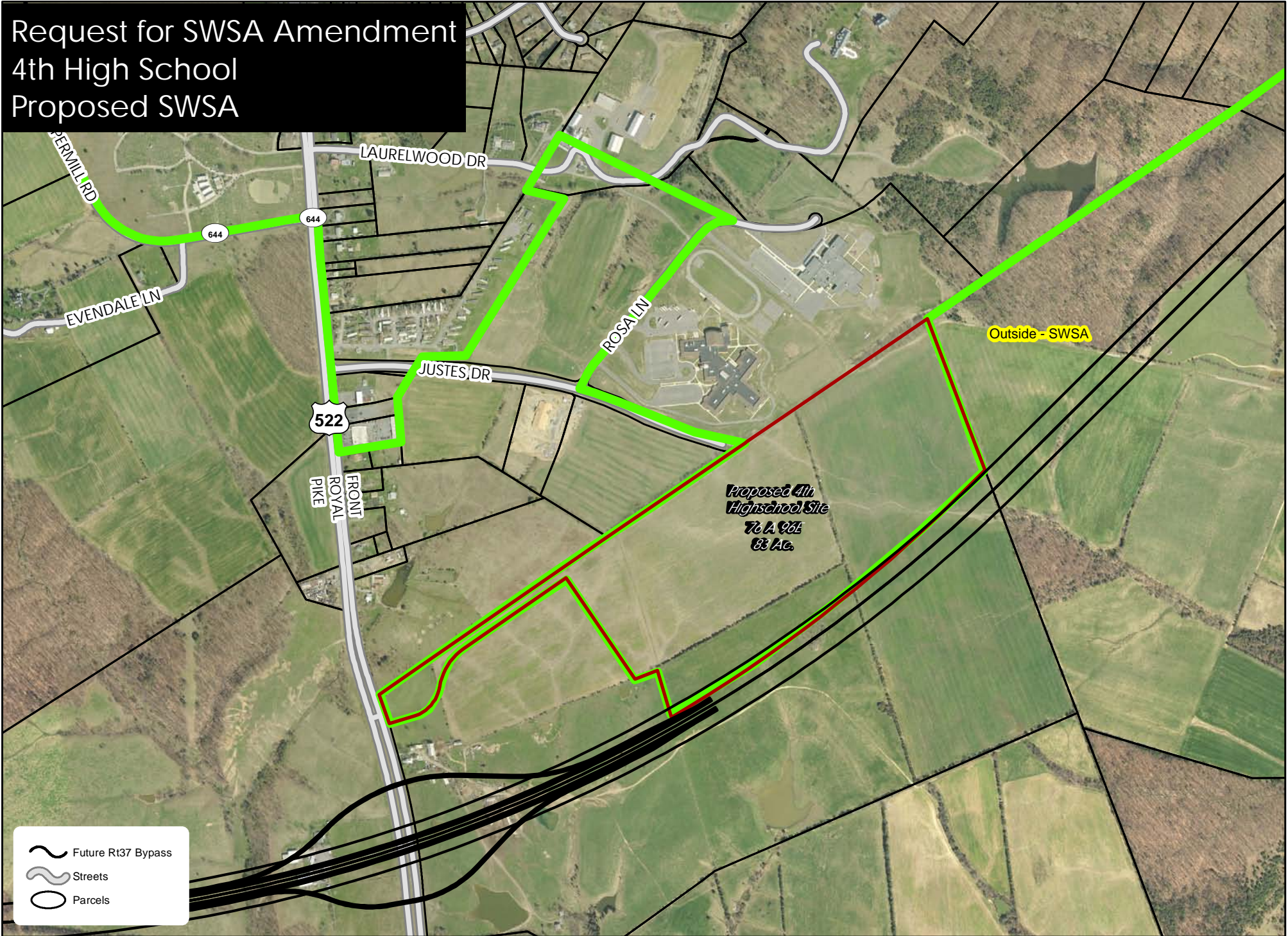
Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Lee", is written over a light blue horizontal line.

Wayne Lee, LEED AP
Coordinator of Planning and Development

cc: Dr. David T. Sovine, Superintendent of Schools
Mr. Albert L. Orndorff, Assistant Superintendent for Administration

Request for SWSA Amendment 4th High School Proposed SWSA



- Future Rt37 Bypass
- Streets
- Parcels



Action:

BOARD OF SUPERVISORS: July 9, 2014 APPROVED DENIED

RESOLUTION

**DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING
TO CONSIDER SWSA AMENDMENT FOR THE FOURTH HIGH SCHOOL**

WHEREAS, Frederick County Public Schools (FCPS) wishes to construct the 4th High School on the recently purchased 83 acre site at the terminus of Justes Drive. FCPS is seeking the use of the public sewer and water for this planned facility. The property is located adjacent to and east of Admiral Richard E. Byrd Middle and Evendale Elementary Schools, and is identified by Property Identification Number 76-A-96E, in the Shawnee Magisterial District; and,

WHEREAS, The request for consideration of this amendment of the Sewer and Water Service Area (SWSA) would only serve the proposed 4th High School; and,

WHEREAS, This SWSA amendment request was sponsored and presented to the Board of Supervisors by the Shawnee Magisterial District Supervisor on July 9, 2014; and,


NOW, THEREFORE, BE IT REQUESTED that the Frederick County Board of Supervisors directs the Frederick County Planning Commission to hold a public hearing and forward a recommendation to the Board of Supervisors regarding this SWSA amendment to serve the 4th High School.

Passed this 9th day of July, 2014 by the following recorded vote:

This resolution was approved by the following recorded vote:

| | | | |
|------------------------------|------------|-------------------------|------------|
| Richard C. Shickle, Chairman | <u>Aye</u> | Gary A. Lofton | <u>Aye</u> |
| Robert A. Hess | <u>Aye</u> | Charles S. DeHaven, Jr. | <u>Aye</u> |
| Gene E. Fisher | <u>Aye</u> | Christopher E. Collins | <u>Aye</u> |
| Robert W. Wells | <u>Aye</u> | | |

A COPY ATTEST



John R. Riley, Jr.
Frederick County Administrator



RESOLUTION

Action:

PLANNING COMMISSION: August 20, 2014 - Recommended Approval

BOARD OF SUPERVISORS: September 10, 2014 APPROVED DENIED

**RESOLUTION TO ADOPT AN AMENDMENT TO THE
2030 COMPREHENSIVE PLAN
SEWER AND WATER SERVICE AREA (SWSA) AMENDMENT
FOR THE FOURTH HIGH SCHOOL**

WHEREAS, The 2030 Comprehensive Plan, The Plan, was adopted by the Board of Supervisors on July 14, 2011; and

WHEREAS, This amendment would result in the expansion of the Sewer and Water Service Area (SWSA) around the property purchased for the Fourth High School, approximately 83 acres adjacent to the existing SWSA located on Justes Drive; and

WHEREAS, The properties within this SWSA would be served by the Frederick County Sanitation Authority (FCSA); and

WHEREAS, the Frederick County Planning Commission held a public hearing on this proposed amendment on August 20, 2014 and recommended approval; and

WHEREAS, the Frederick County Board of Supervisors held a public hearing on this proposed amendment on September 10, 2014; and

WHEREAS, the Frederick County Board of Supervisors finds that the adoption of this amendment to the 2030 Comprehensive Plan, to be in the best interest of the public health, safety, welfare and future of Frederick County, and in good planning practice; and

NOW, THEREFORE, BE IT RESOLVED by the Frederick County Board of Supervisors that **THE AMENDMENT TO THE 2030 COMPREHENSIVE PLAN**, is adopted.

This amendment expands the Sewer and Water Service Area (SWSA) by approximately 83 acres around the property purchased for the Fourth High School, adjacent to the existing SWSA.

Passed this 10th day of September, 2014 by the following recorded vote:

Richard C. Shickle, Chairman _____

Gary A. Lofton _____

Robert A. Hess _____

Robert W. Wells _____

Gene E. Fisher _____

Charles S. DeHaven, Jr. _____

Christopher E. Collins _____

A COPY ATTEST

John R. Riley, Jr.
Frederick County Administrator

P



COUNTY of FREDERICK

Department of Planning and Development
540/ 665-5651
Fax: 540/ 665-6395

TO: Frederick County Board of Supervisors

FROM: Mark R. Cheran, Zoning Administrator *MRC*

RE: Abandonment of Route 9159

DATE: August 29, 2014

Staff has received a request from the Virginia Department of Transportation (VDOT) to the Board of Supervisors to abandon Route 9159 from the Secondary System of the State Highways. This road was used for access and maintenance for the old Gainesboro School, located in the Gainesboro Magisterial District. VDOT requires two resolutions be adopted by this Board of Supervisors to implement this abandonment request. **The first resolution to be approved is the Board's intent to abandon aforesaid section of Route 9159; the second resolution to be approved the Board abandons the aforesaid section of Route 9159 and removes it from the Secondary System of State Highways.**

Background

Route 9159 is located from Route 522 North, a distance of 0.070 miles, west of Route 522 North to the old Gainesboro School and was used for access and maintenance for the school. This state road is no longer necessary, because it no longer serves a public school. Route 9159 road was added to the Secondary System in 1941 by act of the General Assembly, Chapter 74 of 1940. (See attached sketch) VDOT finds this abandonment acceptable. A certified copy of the resolution will be forwarded to the Commissioner and Resident Engineer of the Virginia Department of Transportation.

The requirements of Section 33.1-151 of the Code of Virginia 1950, as amended, have been met with regards to this request.

Staff is available to answer any questions.

MRC/pd



**RESOLUTION 1
BY THE
FREDERICK COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors of Frederick County, in regular meeting on the 10th day of September 10, 2014, adopted the following:

WHEREAS, it appears to this Board that Secondary Route 9159 from Route 522 North to 0.070 mile west of Route 522 North (see attached sketch) a distance of 0.070 mile, serves no public necessity and is no longer necessary as part of the Secondary System of State Highways..

NOW, THEREFORE, BE IT RESOLVED, The Clerk of the Board is directed to post and publish notice of the Board's intent to abandon the aforesaid section of Route 9159, pursuant to §33.1-151 of the Code of Virginia of 1950, as amended.

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

Richard C. Shickle, Chairman _____

Gary A. Lofton _____

Robert A. Hess _____

Robert W. Wells _____

Christopher E. Collins _____

Gene E. Fisher _____

Charles S. DeHaven, Jr. _____

A COPY ATTEST

John R. Riley, Jr.
Frederick County Administrator

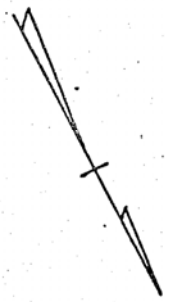
161

RT. 9159
SECT. 21

UNDEFINED DRIVEWAY
16' Plant Mix
~~12' NATURAL SHALE SURFACE~~
LEN. 0.07 MI. R/W 30'



GAINESBORO
CONSOLIDATED
SCHOOL



1.10 Mi. to Rte. 688




To W. Va. Line

FREDERICK COUNTY

ENTRANCE TO GAINESBORO CONSOLIDATED SCHOOL

*Addition to the Secondary System
1940 Act of Legislature Chap. 74
Scale - none. Len. 0.07 mi.*

 *Section Added to Sec. System.*

LOCATING & PLANNING DIV.
RICHMOND, VA. JAN. 30, 1941.
MAP HML



**RESOLUTION 2
BY THE
FREDERICK COUNTY BOARD OF SUPERVISORS**

The Board of Supervisors of Frederick County, in regular meeting on the 10th day of September, 2014, adopted the following:

WHEREAS, a public notice was posted as prescribed under Section 33.1-151, Code of Virginia, announcing a public hearing to receive comments concerning abandoning the section of road described below from the Secondary System of State Highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road, and

WHEREAS, after considering all evidence available, this Board is satisfied that no public necessity exists for the continuance of the section of school access Route 9159 from Route 522 North to 0.070 mile west of Route 522 North a distance of 0.070 mile, and hereby deems that section of road is no longer necessary as part of the Secondary System of State Highways; and

WHEREAS, the School Board of Frederick County has deemed that school access Route 9159 from Route 522 North to 0.070 mile west of Route 522 North a distance of 0.070 mile, is no longer necessary to provide access to a school facility in Frederick County;

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described section of road and removes it from the Secondary System of State highways pursuant to §33.1-151 of the Code of Virginia of 1950.

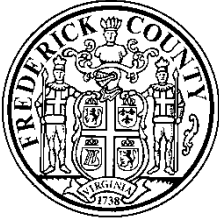
BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineering of the Virginia Department of Transportation.

| | | | |
|------------------------------|-------|-----------------|-------|
| Richard C. Shickle, Chairman | _____ | Gary A. Lofton | _____ |
| Robert A. Hess | _____ | Robert W. Wells | _____ |
| Christopher E. Collins | _____ | Gene E. Fisher | _____ |
| Charles S. DeHaven, Jr. | _____ | | |

A COPY ATTEST

John R. Riley, Jr.
Frederick County Administrator

Q



**WAIVER REQUESTS AND
MASTER DEVELOPMENT REVIEW #07-14
Wright Renovation's Inc.
Staff Report for the Board of Supervisors
Prepared: September 4, 2014
Staff Contact: Mark R. Cheran, Zoning Administrator**

This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist in the review of this application. It may also be useful to others interested in this zoning matter.

| | <u>Reviewed</u> | <u>Action on Waiver Requests</u> |
|-----------------------|-----------------|-------------------------------------|
| Planning Commission: | 08/20/14 | Recommended Approval of six waivers |
| Board of Supervisors: | 09/10/14 | Pending |

PROPOSAL: To re-subdivide two parcels with three existing dwellings, and result in three parcels each with a single existing dwelling.

MAGISTERIAL DISTRICT: Red Bud

PROPERTY ID NUMBERS: 54F-A-22 & 54F-A-22A

LOCATION: The subject properties are located on the southeastern side of the intersection of Dowell J. Circle (Route 1240) and Anderson Avenue.

PROPERTY ZONING & PRESENT USE:

Zoned: RP (Residential Performance)

Use: Residential

CONCLUSION FOR 9/10/2014 BOARD OF SUPERVISORS MEETING

This application includes six waiver requests for the Board of Supervisors' consideration, with the end result being a preliminary Master Development Plan that is suitable for approval. The waiver requests all pertain to ordinance design standards which currently do not exist within the community surrounding the subject properties, and may not be appropriate to require as part of the subdivision. The Planning Commission recommended approval of the six waivers.

The six waivers being requested are:

- 1 §144-17 (L) Curbs and gutters
- 2 §144 -18 (A) (1) Sidewalks and pedestrian walkways
- 3 §144-19 Streetlights
- 4 § 144-24 (C) Lot access
- 5 § 144-26 Buffers and screens
- 6 § 144-28 Dedication of common open space

The Board is being requested to take action on the six waiver requests. Upon approval of the waivers, the associated Master Development Plan will be suitable for staff administrative approval.

REVIEW EVALUATIONS:

Virginia Department of Transportation: Comments will be made at subdivision submittal.

Frederick County Fire Marshal: No comments.

Frederick County Fire & Rescue: No comments.

Frederick County Public Works: No comments.

Frederick County Inspections: No comments.

Frederick County Sanitation Authority: No comments; served by City of Winchester; will comment on subdivision submittal.

Planning & Zoning:

A) **Master Development Plan Requirement**

A MDP is required prior to development of this property. Before a MDP can be approved, it must be reviewed by the Planning Commission, Board of Supervisors and all relevant review agencies. Approval may only be granted if the MDP (Master Development Plan) conforms to all requirements of the Frederick County Zoning and Subdivision Ordinances. The purpose of the MDP is to promote orderly and planned development of property within Frederick County that suits the characteristics of the land, is harmonious with adjoining property, and is in the best interest of the general public.

B) **Site History**

The original Frederick County Zoning Map (U.S.G.S. Winchester, VA Quadrangle) identifies the subject property as being zoned R-3 (Residential General) District when Frederick County adopted zoning in 1967. Frederick County amended its ordinance in 1989 to change the R-3 Zoning District to the current RP (Residential Performance) Zoning District. Lot sizes within the RP Zoning District range from 100,000 sq. ft. to 3,000 sq. ft.

C) **Site Suitability & Project Scope**

Comprehensive Policy Plan:

The 2030 Comprehensive Plan is an official public document that serves as the community's guide for making decisions regarding development, preservation, public facilities and other key components of community life. The primary goal of this plan is to protect and improve the living environment within Frederick County. It is in essence a composition of policies used to plan for the future physical development of Frederick County.

Land Use Compatibility:

The Eastern Frederick County Long Range Land Use Plan of the 2030 Comprehensive Plan, recognizes that these properties are planned for residential land uses. In addition, the adjacent area is planned for residential and commercial land uses. The properties are located within the County's Sewer and Water Service Area and Urban Development Area.

Site Access and Transportation:

Access to these properties will be via Dowell J. Circle (Route 1240) and Anderson Avenue respectfully.

D) Requested Waivers

The applicant is requesting six waivers of Chapter 144 of the Code of Frederick County in order for this MDP to be administratively approved and the three parcel subdivision to occur. **The Board of Supervisors under Chapter 144-5 are being requested to grant the following waiver(s) of Chapter 144 of the Code of Frederick County:**

- a. §144-17 (L) Curbs and gutters specifies that: **Curbs and gutters shall be constructed along both sides of all streets in any subdivision containing lot(s) less than 15,000 sq. ft. or lot widths of 80 feet or less at the street.** Justification for waiver: Surrounding lots do not have curb and gutter.
- b. §144 -18 (A) (1) Sidewalks and pedestrian walkways specifies that: **Sidewalks shall be installed along both sides of all local streets in any subdivision located in the RP (Residential Performance), R-4 (Residential Planned Community), R-5 (Residential Recreational Community) Districts, and residential areas in the MS (Medical Support) District.** Justification for waiver: Surrounding lots do not have sidewalks.
- c. §144-19 Streetlights specifies that: **Streetlights of adequate type and intensity shall be required to promote public health and safety in any subdivision located in the RP (Residential Performance), R-4 (Residential Planned Community), R-5 (Residential Recreational Community) Districts, and residential areas in the MS (Medical Support) District.** Justification for waiver: Surrounding lots do not have streetlights.
- d. § 144-24 (C) Lot access specifies that: **All lots shall abut and have direct access to a public street or right-of-way dedicated for maintenance by the Virginia Department of Transportation.** Justification for waiver: Anderson Avenue is private and currently services 103 Anderson Avenue.
- e. § 144-26 Buffers and screens: recreational facilities specifies that: **Appropriate provisions shall be made for the location of recreational facilities on the subdivision plans.** Justification for waiver: There is no Home Owner's Association to support and maintain recreational facilities.

- f. § 144-28 Dedication of common open space specifies that: **Common open space, required to be located within the subdivision by the County Code, shall be dedicated to the property owners association.** Justification for waiver: There is no Home Owner's Association to have open space dedicated to.

E) Explanation of the Request and Re-Subdivision Process

The two subject properties are zoned RP (Residential Performance) District with three existing residential dwellings. These properties were subject to variances granted by the Frederick County Board of Zoning Appeals (July 15, 2014) with regards to lot size and building setbacks. The Frederick County Zoning Ordinance does not provide for a waiver from the Master Development Plan (MDP) requirements for single-family small lots. In order for this MDP to be administratively approved and the three parcel subdivision to occur, the applicant needs to secure the Board of Supervisors approval of six waivers of the subdivision standards (listed below in section E. Requested Waivers).

Three exhibits are attached to offer clarity on how the applicant intends to re-subdivide the two existing lots into three lots. The exhibits and associated narratives give a history of the property and the final subdivision that would occur if the waivers are granted:

- **Exhibit 1.** Currently, Lot 1 has 2 existing dwellings: 132 Dowell J. Circle and 103 Anderson Avenue. Lot 2 has a single dwelling: 134 Dowell J. Circle. The property has two dwellings located on it: 132 Dowell J. Circle and 103 Anderson Avenue respectively that were built in the 1970s. The existing conditions of the properties subject to this MDP are shown (Exhibit 1).
- **Exhibit 2.** Lot 1 would be subdivided into 2 lots: Lot 1A and Lot 1B. However, the dwelling located at 103 Anderson Avenue has an encroachment (screen porch) to the adjoining property (Lot 2). This encroachment will be addressed with the adjoining property via a Boundary Line Adjustment (i.e. this MDP/subdivision). The Boundary Line Adjustment involves a property line vacation and a property creation. The applicant owns the adjoining property identified as lot 2 (Exhibit 2).
- **Exhibit 3.** Exhibit 3 illustrates the final lot layout: 3 lots, each with a dwelling. Lot 1A contains 5,097 sq. ft. and 132 Dowell J. Circle dwelling. Lot 1B contains 7,990 sq. ft. and 103 Anderson Avenue dwelling. Lot 2A contains 4,952 sq. ft. and 134 Dowell J. Circle dwelling. The six waivers would need to be granted to enable this re-subdivision to occur. These parcels will be single-family small lots in the RP Zoning District. Exhibit 3 is the actual drawing which complies with and constitutes the required MDP.

STAFF CONCLUSIONS FOR THE 08/20/14 PLANNING COMMISSION MEETING:

This property is subject to variances granted by the Frederick County Board of Zoning Appeals from the Frederick County Zoning Ordinance with regards to lot size and building setbacks. The property currently has two dwellings located on it: 132 Dowell J. Circle and 103 Anderson Avenue respectfully that were built in the 1970s. The existing conditions of these properties are shown (Exhibit 1). The applicant desires to subdivide this property into two parcels. However, the dwelling located at 103 Anderson Avenue has an encroachment on the adjoining property. This encroachment will be adjusted with the adjoining property via this subdivision, the applicant owns the adjoining property identified as lot 2 (Exhibit 2). Should the Board of Supervisors approve the six requested waivers, the final subdivision will be of three lots with three dwellings (Exhibit 3). These parcels will be single-family small lots in the RP Zoning District. The Frederick County Zoning Ordinance does not provide for a waiver from the MDP requirements for single-family small lots. Therefore, for this subdivision to occur, an approved MDP is needed.

The MDP depicts appropriate land uses and appears to be consistent with the requirements of Article VIII, Master Development Plan, of the Zoning Ordinance. However, in order for this MDP to be administratively approved and the subdivision of three parcels to occur, the Board of Supervisors, under Chapter 144-5, would need to act on the following waiver(s) of Chapter 144 of the Code of Frederick County:

§144-17 (L) Curbs and gutters specifies that: **Curbs and gutters shall be constructed along both sides of all streets in any subdivision containing lot(s) less than 15,000 sq. ft. or lot widths of 80 feet or less at the street.** Justification for waiver: Surrounding lots do not have curb and gutter.

§144-18 (A) (1) Sidewalks and pedestrian walkways specifies that: **Sidewalks shall be installed along both sides of all local streets in any subdivision located in the RP (Residential Performance), R-4 (Residential Planned Community), R-5 (Residential Recreational Community) Districts, and residential areas in the MS (Medical Support) District.** Justification for waiver: Surrounding lots do not have sidewalks.

§144-19 Streetlights specifies that: **Streetlights of adequate type and intensity shall be required to promote public health and safety in any subdivision located in the RP (Residential Performance), R-4 (Residential Planned Community), R-5 (Residential Recreational Community) Districts, and residential areas in the MS (Medical Support) District.** Justification for waiver: Surrounding lots do not have streetlights.

§ 144-24 (C) Lot access specifies that: **All lots shall abut and have direct access to a public street or right-of-way dedicated for maintenance by the Virginia Department of Transportation.** Justification for waiver: Anderson Avenue is private and currently services 103 Anderson Avenue.

§ 144-26 Buffers and screens: recreational facilities specifies that: **Appropriate provisions shall be made for the location of recreational facilities on the subdivision plans.** Justification for waiver: There is no Home Owner's Association to support and maintain recreational facilities.

§ 144-28 Dedication of common open space specifies that: **Common open space, required to be located within the subdivision by the County Code, shall be dedicated to the property owners association.** Justification for waiver: There is no Home Owner's Association to have open space dedicated to.

PLANNING COMMISSION SUMMARY OF 8/20/14 MEETING:

Staff pointed out that although the MDP is presented as an informational item, staff is seeking a recommendation from the Planning Commission to the Board of Supervisors on the six requested waivers to the subdivision ordinance.

The applicant's representative explained the lot on Anderson Avenue contains two dwellings and they are simply attempting to separate the two houses onto their own individual lots. The end result is three lots because they plan to take the adjoining lot and execute a boundary line adjustment to take care of an existing encroachment. The end result will be three dwellings on three individual lots. The applicant stated no issues have been raised by the City of Winchester regarding sanitary sewer and water and no issues have been raised by VDOT.

There were no citizen comments. Commission members agreed this was a necessary clean-up exercise and believed it was appropriate to grant the waivers sought by the applicant. The Commission unanimously voted to recommend approval of all six of the requested waivers to the subdivision ordinance. The MDP was accepted as information. (Note: Commissioners Crockett and Dunlap were absent from the meeting.)

STAFF CONCLUSIONS FOR THE 09/10/14 BOARD OF SUPERVISORS MEETING:

The applicant is requesting six waivers of Chapter 144 of the Code of Frederick County in order for this MDP to be administratively approved and the three parcel subdivision to occur. **The Planning Commission has recommended that the Board of Supervisors grants the following waiver(s) of Chapter 144 of the Code of Frederick County:**

§144-17 (L) Curbs and gutters specifies that: **Curbs and gutters shall be constructed along both sides of all streets in any subdivision containing lot(s) less than 15,000 sq. ft. or lot widths of 80 feet or less at the street.** Justification for waiver: Surrounding lots do not have curb and gutter.

§144 -18 (A) (1) Sidewalks and pedestrian walkways specifies that: **Sidewalks shall be installed along both sides of all local streets in any subdivision located in the RP (Residential Performance), R-4 (Residential Planned Community), R-5 (Residential Recreational Community) Districts, and residential areas in the MS (Medical Support) District.** Justification for waiver: Surrounding lots do not have sidewalks.

§144-19 Streetlights specifies that: **Streetlights of adequate type and intensity shall be required to promote public health and safety in any subdivision located in the RP (Residential Performance), R-4 (Residential Planned Community), R-5 (Residential Recreational Community) Districts, and residential areas in the MS (Medical Support) District.** Justification for waiver: Surrounding lots do not have streetlights.

§ 144-24 (C) Lot access specifies that: **All lots shall abut and have direct access to a public street or right-of-way dedicated for maintenance by the Virginia Department of Transportation.** Justification for waiver: Anderson Avenue is private and currently services 103 Anderson Avenue.

§ 144-26 Buffers and screens: recreational facilities specifies that: **Appropriate provisions shall be made for the location of recreational facilities on the subdivision plans.** Justification for waiver: There is no Home Owner's Association to support and maintain recreational facilities.

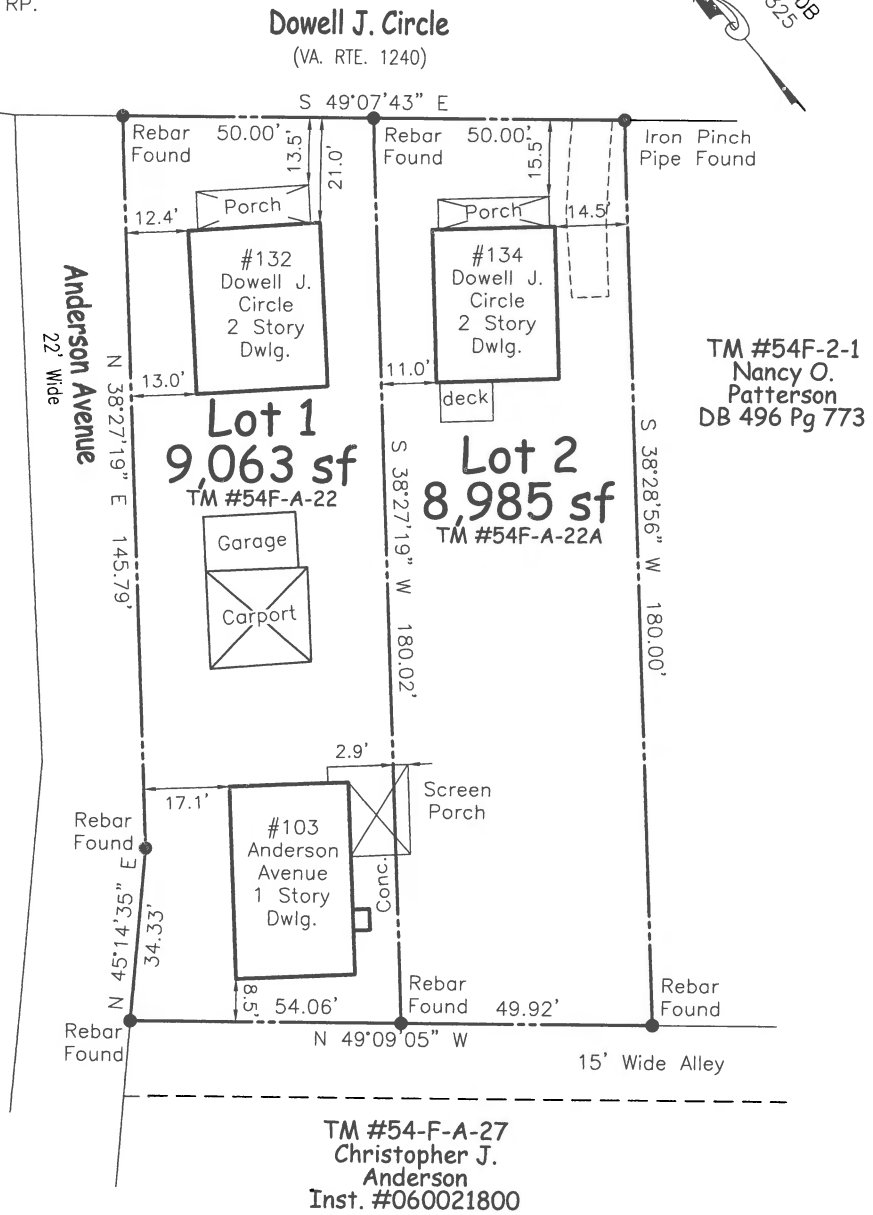
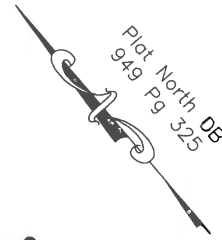
§ 144-28 Dedication of common open space specifies that: **Common open space, required to be located within the subdivision by the County Code, shall be dedicated to the property owners association.** Justification for waiver: There is no Home Owner's Association to have open space dedicated to.

This MDP depicts appropriate land uses and appears to be consistent with the requirements of Article VIII, Master Development Plan of the zoning ordinance, should these waivers be granted. This three parcel subdivision would be consistent with the surrounding properties.

It appears the application meets all requirements. Following presentation of the application to the Planning Commission and the Board of Supervisors, and the incorporation of your comments, staff is prepared to proceed to approval of the application.

Notes:

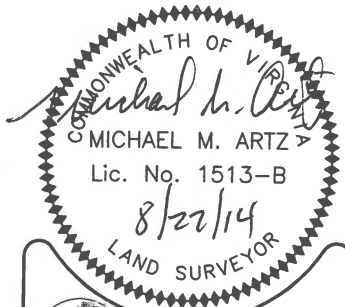
1. Boundary shown hereon was determined by a field run survey performed under my supervision.
2. This plat is subject to easements and restrictions of record.
3. No title report furnished.
4. All properties zoned RP.



Existing Conditions Two Parcels

Red Bud District, Frederick County, Virginia
Scale: 1" = 30' Date: August 27, 2014

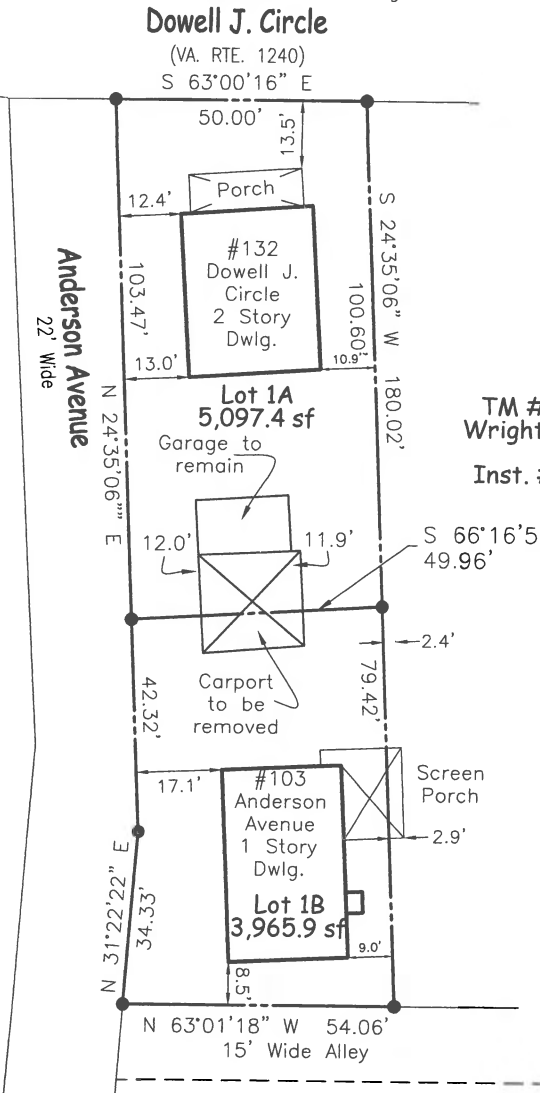
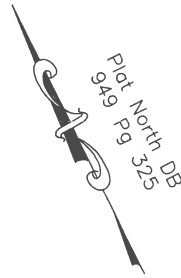
Present Owner:
Wright Renovations, Inc.
TM #54F-A-22 Inst. #140001548 ~ Lot 1
TM #54F-A-22A Inst. #140001548 ~ Lot 2



Marsh & Legge
Land Surveyors, P.L.C.
560 North Loudoun Street
Winchester, VA 22601
Phone (540) 667-0468
FAX (540) 667-0469
EMAIL office@marshandlegge.com

Notes:

1. Boundary shown hereon was determined by a field run survey performed under my supervision.
2. This plat is subject to easements and restrictions of record.
3. No title report furnished.
4. All properties zoned RP.
5. See BZA Case #03-14 for approved variances of existing non-conformities.



TM #54F-A-22A
Wright Renovations,
Inc.
Inst. #140001548
Lot 2

TM #54F-A-27
Christopher J.
Anderson
Inst. #060021800

AREA TABULATION

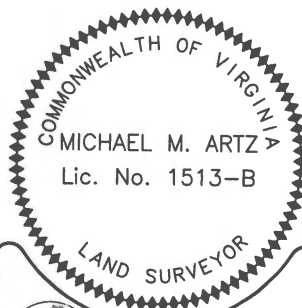
| | |
|-----------|------------|
| EXISTING: | |
| Lot 1 | 9,063.4 sf |
| PROPOSED: | |
| Lot 1A | 4,097.4 sf |
| Lot 1B | 3,965.9 sf |

Final Plat, Subdivision of Lot 1

Red Bud District, Frederick County, Virginia
Scale: 1" = 30' Date: July 16, 2014

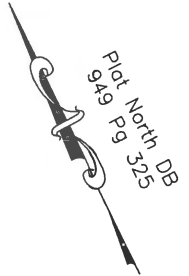
Present Owner:

Wright Renovations, Inc.
TM #54F-A-22 Inst. #140001548



Marsh & Legge
Land Surveyors, P.L.C.

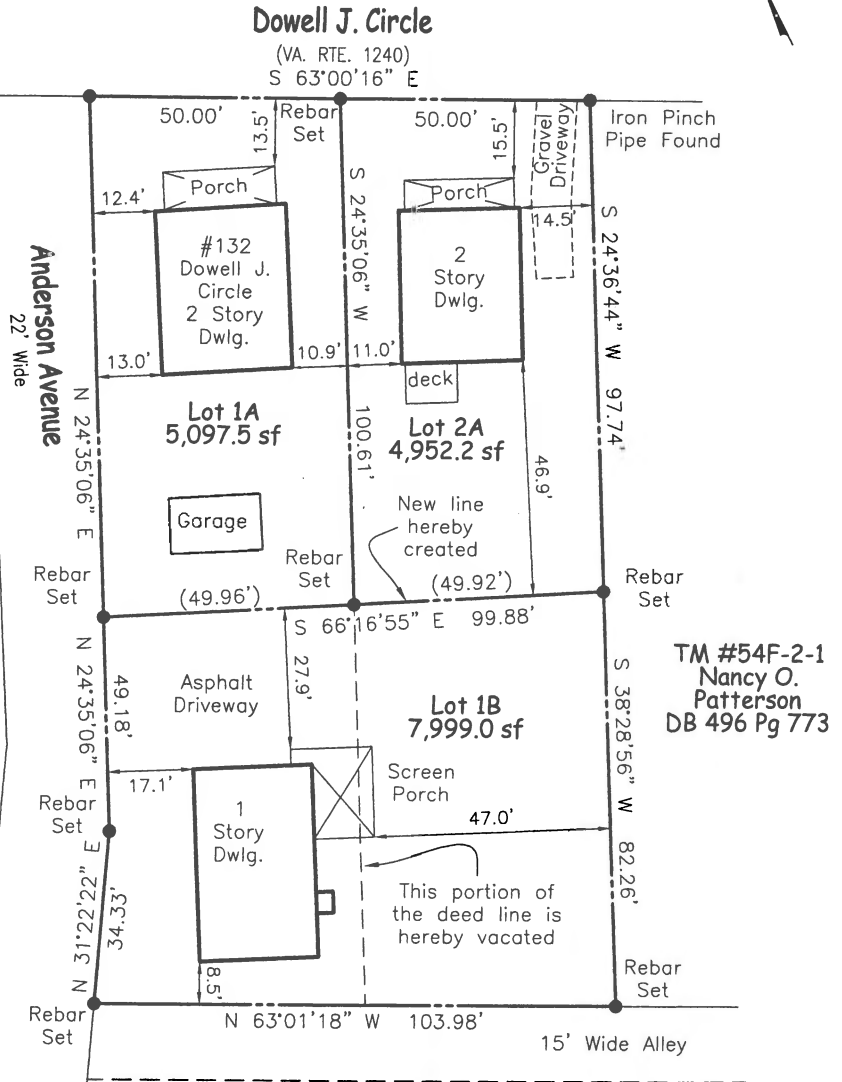
560 North Loudoun Street
Winchester, VA 22601
Phone (540) 667-0468
FAX (540) 667-0469
EMAIL office@marshandlegge.com



Requested Waivers:

1. §144-17 (L) Curbs and Gutters
2. §144-18 (A)(1) Sidewalks and pedestrian walkways
3. §144-19 Streetlights
4. §144-24(C) Lot access
5. §144-26 Recreational facilities
6. §144-28 Dedication of common open space

Plat North DB
949 Pg 325



Notes:

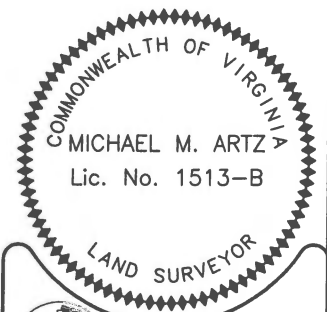
1. Boundary shown hereon was determined by a field run survey performed under my supervision.
2. This plat is subject to easements and restrictions of record.
3. No title report furnished.
4. All properties zoned RP.

AREA TABULATION

PROPOSED:

| | |
|--------|------------|
| Lot 1A | 5,097.5 sf |
| Lot 1B | 7,999.0 sf |
| Lot 2A | 4,952.2 sf |

TM #54F-A-27
Christopher J.
Anderson
Inst. #060021800



Master Development Plan, Land of Wright Renovations, Inc.

Red Bud District, Frederick County, Virginia
Scale: 1" = 30' Date: August 4, 2014

Present Owner:
Wright Renovations, Inc.
TM #54F-A-22, 22A
Inst. #140001548

Marsh & Legge
Land Surveyors, P.L.C.
560 North Loudoun Street
Winchester, VA 22601
Phone (540) 667-0468
FAX (540) 667-0469
EMAIL office@marshandlegge.com



July 22, 2014

Marsh & Legge Land Surveyors
Attn: Mike Artz
560 North Loudoun Street
Winchester, VA 22601


Re: VARIANCE REQUEST #03-14

Dear Mike:

This letter is to confirm that the above-referenced variance application was approved by the Board of Zoning Appeals at their meeting on July 15, 2014. The request on the parcel identified by Property Identification Number 54F-A-22 was approved by the BZA to allow at the 132 Dowell J. Circle dwelling an 11.5 foot front yard variance resulting in 13.5 foot setback. This dwelling fronts Anderson Avenue and a request of a 12.6 foot front yard variance from Anderson Avenue resulting in a 12.4 foot setback. The 103 Anderson Avenue dwelling request a setback 7.9 foot front yard variance from Anderson Avenue resulting in a 17.1 foot setback, and a 28 foot variance for required 50 foot private right-of-way width on Anderson Avenue. Further conditions associated with the approval of Variance 03-14, include the properties must be less than 8,000 square feet. Subdividing of the property will need to be approved by the Frederick County Board of Supervisors. The property is located on the southeastern side of the intersection of Dowell J. Circle and Anderson Avenue and is identified with Property Identification Number 54F-A-22 in the Red Bud Magisterial District.

If you have any questions regarding this action, please feel free to call this office.

Sincerely,



Mark R. Cheran
Zoning Administrator

MRC/pd

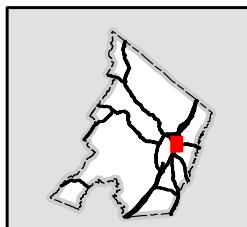
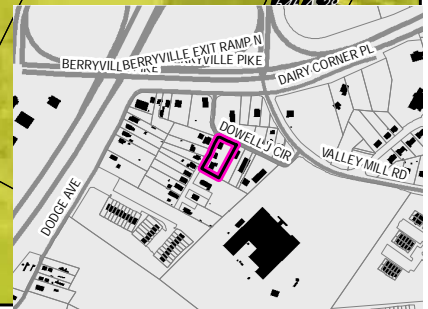
cc: Linda Wright, 124 Page Court, White Post, VA 22663
Christopher Collins, Red Bud District Supervisor
Charles Dunlap and Christopher Mohn, Red Bud District Planning Commissioners
Jane Anderson, Real Estate
Commissioner of Revenue
John Trenary, Building Official

MDP-Waiver Request #07-14 Wright Renovation Inc. for sidewalk, streetlight and access requirement

PINs:
54F - A - 22, 54F - A - 22A



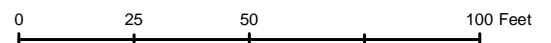
- Applications
- Parcels
- Building Footprints
- B1 (Business, Neighborhood District)
- B2 (Business, General District)
- B3 (Business, Industrial Transition District)
- EM (Extractive Manufacturing District)
- HE (Higher Education District)
- M1 (Industrial, Light District)
- M2 (Industrial, General 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 Area District)
- RP (Residential Performance District)



MDP-Waiver Request #07-14
Wright Renovation Inc.
for sidewalk, streetlight
and access requirement

PINs:
54F - A - 22, 54F - A - 22A

Note:
Frederick County Dept of
Planning & Development
107 N Kent St
Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: August 6, 2014
Staff: mcheran





APPLICATION FOR A WAIVER OR ORDINANCE EXCEPTION

Applicant/Agent: Michael M. Artz c/o Marsh & Legge Land Surveyors, PLC

Address: 560 North Loudoun Street Winchester, VA 22601

Phone Number: 540-667-0468

Property Owner's Name (if different from applicant): Wright Renovations, Inc.

Address: 124 Page Court, White Post, VA 22663

Phone Number: 540-869-4617

Contact Person (if different from applicant): Linda Wright

Phone Number: 540-869-4617

Waiver request details (include specific ordinance requirements to be waived):

see attached

Property Location (give exact location based on nearest road and distance from nearest intersection, using road names and route numbers): corner of Dowell J. Circle and Anderson Avenue

Parcel Identification/Location: TM #54F-A-22

Magisterial District: Red Bud

Zoning and Current Use: Zoning District: RP Current Use: residential

Attachments: Adjoining Property Owners List Existing/recorded and Proposed Plats

****For Office Use Only****
FEES FOR WAIVER OR ORDINANCE EXCEPTION AND CHECKLIST:
Attachments Existing/recorded and proposed plat(s)
Completed adjoining properties info. sheet(s)
Receipt #: 577405 Received by: SC Date: 8-7-14

Frederick County Department of Planning and Development
107 North Kent Street • North Building • 2nd Floor
Winchester, Virginia 22601
Phone: (540) 665-5651 - Fax: (540) 665-6395

List of Adjoining Properties: The following names and addresses are all of the individuals, firms, or corporations owning property adjacent to the property for which the waiver or exception is being sought, including properties at the sides, rear, and in front of (across street from) the subject property. (Use additional pages if necessary.) These people will be notified by mail of this application.

| Name and Property Identification Number | Address |
|---|----------------------|
| Name E and L Three LLC | PO Box 952 |
| Property # 54F-A-16, 20, 21 | Broadway, VA 22815 |
| Name Wright Renovations, Inc. | 124 Page Court |
| Property # 54F-A-22A | White Post, VA 22663 |
| Name Jose Eduardo Granillo Funes | 102 Anderson Avenue |
| Property # 54F-A-15 | Winchester, VA 22602 |
| Name Charles W. Gurtler | 104 Anderson Avenue |
| Property # 54F-A-14 | Winchester VA 22602 |
| Name Secretary of US Dept of HUD | 451 7th Street SW |
| Property # 54F-A-13 | Washington DC 20410 |
| Name Christopher J. Anderson | 107 Anderson Avenue |
| Property # 54F-A-27 | Winchester VA 22602 |
| Name | |
| Property # | |
| Name | |
| Property # | |
| Name | |
| Property # | |
| Name | |
| Property # | |
| Name | |
| Property # | |
| Name | |
| Property # | |
| Name | |
| Property # | |



Special Limited Power of Attorney
County of Frederick, Virginia
Frederick Planning Website: www.co.frederick.va.us

Department of Planning & Development, County of Frederick, Virginia
107 North Kent Street, Winchester, Virginia 22601
Phone (540) 665-5651 Facsimile (540) 665-6395

Know All Men By These Presents: That I (We)

(Name) Linda Wright on behalf of Wright Renovations, Inc. (Phone) _____

(Address) 124 Page Court, White Post, VA 22663
 the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. 140001548 on Page _____, and is described as

Parcel: _____ Lot: _____ Block: _____ Section: _____ Subdivision: TM #54F-A-22
 do hereby make, constitute and appoint:

(Name) Michael M. Artz (Phone) 540-667-0468

(Address) 560 North Loudoun Street, Winchester VA 22601

To act as my true and lawful attorney-in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- Rezoning (including proffers)
- Conditional Use Permit
- Master Development Plan (Preliminary and Final)
- Subdivision
- Site Plan
- Variance or Appeal

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

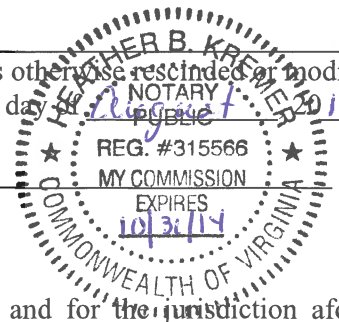
This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified. In witness thereof, I (we) have hereto set my (our) hand and seal this 19th day of Aug, 2014.

Signature(s) [Handwritten Signature]

State of Virginia, City/County of Winchester, To-wit:

I, Heather B. Kramer, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 19th day of Aug, 2014.

Heather B. Kramer My Commission Expires: 10/31/14
 Notary Public




R



MEMORANDUM

TO: Board of Supervisors

FROM: Michael T. Ruddy, AICP
Deputy Director 

RE: **Southern Frederick Area Plan - An amendment to the 2030 Comprehensive Plan; Appendix I – Area Plans**
– Board of Supervisors Resolution; request to go to public hearing.

DATE: September 2, 2014

The recent Board of Supervisors work session, held on August 12, 2014, provided an opportunity for the Board of Supervisors and Planning Commission to discuss the Southern Frederick Area Plan. At the work session, staff sought to obtain direction to move the Southern Frederick Area Plan through the public process as an amendment to the 2030 Comprehensive Plan. The Board wanted additional clarification regarding the changes and improvements to the mapping to highlight those changes. Staff has prepared such a clarification in the form of a presentation and will provide it to the Board as the public hearing process progresses.

Attached, please find the resolution directing the Planning Commission to hold a public hearing on **the Southern Frederick Area Plan - An amendment to the 2030 Comprehensive Plan; Appendix I – Area Plans**.

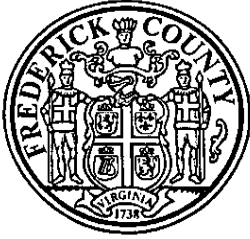
Overview

The Southern Frederick Area Plan, which kicked off in 2013, was worked on by a group of volunteers over the winter and into 2014. Most recently a public review and input meeting was held on July 1, 2014. Additional outreach has continued and at this time staff is seeking direction to move the Southern Frederick Area Plan through the public process as an amendment to the 2030 Comprehensive Plan, as discussed at the work session.

The study area encompasses the area generally east of Interstate 81 to the Clarke County line and from the Opequon Creek in the north to Lake Frederick in the south. This study area includes the Route 277 Triangle Study, Tasker Woods, and many of the existing residential communities of the Stephens City area from Lakeside to Shenandoah and everything in between. The study area includes both the Opequon and Shawnee Magisterial Districts.

Attachments

MTR/pd



Action:

BOARD OF SUPERVISORS: September 10, 2014 APPROVED DENID

RESOLUTION

DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING TO CONSIDER THE SOUTHERN FREDERICK AREA PLAN AN AMENDMENT TO THE 2030 COMPREHENSIVE PLAN APPENDIX I – AREA PLANS

WHEREAS, Four Working Groups, consisting of Urban Areas and Residential Development; Business Development; Transportation; and Natural Resources, Historic Resources and Public Facilities, were formed in the fall of 2013 from area residents and/or business owners, and

WHEREAS, The Four Working Groups met independently through the months of October, November and December 2013 and January 2014, drafting their parts of the Plan, which was then delivered to the Facilitator Group in the Spring of 2014 who, in turn, consolidated the work into a draft Southern Frederick Area Plan, and

WHEREAS, following additional public information and input meetings the draft plan was presented at a work session held on August 12, 2014, which provided an opportunity for the Board of Supervisors and Planning Commission to discuss the Southern Frederick Area Plan, and,

WHEREAS, Staff sought to obtain direction to move the Southern Frederick Area Plan through the public process as an amendment to the 2030 Comprehensive Plan; and,

WHEREAS, the Board was supportive of proceeding with the public hearing process with additional clarification being provided regarding the changes and improvements to the mapping to highlight those changes; and,

NOW, THEREFORE, BE IT REQUESTED that the Frederick County Board of Supervisors directs the Frederick County Planning Commission to hold a public hearing and forward a recommendation to the Board of Supervisors regarding the Southern Frederick Area Plan, an amendment to the 2030 Comprehensive Plan, Appendix I – Area Plans.

Passed this 10th day of September, 2014 by the following recorded vote:

This resolution was approved by the following recorded vote:

| | | | |
|------------------------------|-------|-------------------------|-------|
| Richard C. Shickle, Chairman | _____ | Gary A. Lofton | _____ |
| Robert A. Hess | _____ | Charles S. DeHaven, Jr. | _____ |
| Gene E. Fisher | _____ | Christopher E. Collins | _____ |
| Robert W. Wells | _____ | | |

A COPY ATTEST

John R. Riley, Jr.
Frederick County Administrator

S



MEMORANDUM

TO: Frederick County Board of Supervisors

FROM: Candice E. Perkins, AICP, Senior Planner *Cep*

SUBJECT: Discussion on Landscaping Requirements – Business Friendly Recommendations

DATE: September 2, 2014

In October of 2012, the Board of Supervisors formed the Frederick County Business Climate Assessment Committee (also called the Business Friendly Committee) to evaluate the current processes and procedures being utilized by the County. The purpose of the effort was to search for ways that the County could better meet the needs of new and existing businesses in the community. The Committee's final report was adopted by the Board of Supervisors in July of 2013. One recommendation contained in the report was to review the landscaping requirements contained in the Zoning Ordinance and the Development Review and Regulations Committee (DRRC) was tasked with reviewing the current requirements and looking at the suggested changes.

The Land Use and Development Subcommittee of the Business Friendly Committee "recommended a complete review and re-evaluation of the Frederick County Buffers and Landscaping Ordinance to provide a well defined purpose to allow for flexibility in project site landscaping, tree preservation, and effective development buffers."

The DRRC first reviewed the landscaping ordinance in September 2013, January 2014 and February 2014. At these meetings, the DRRC recognized that the buffer and landscaping sections were recently discussed and amended and the committee felt that the existing ordinance was appropriate. The DRRC did recommend that the parking lot landscaping requirements be moved into the main landscaping section.

The Planning Commission discussed the landscaping requirements at their meeting on April 2, 2014. During the citizen comments portion of the meeting, Mr. John Goode, the Chairman of the Land Use and Development Subcommittee of the Business Friendly Committee, stated his subcommittee had recommendations on a number of different subjects and the landscape ordinance was only one item among many. Mr. Goode requested that he be given the opportunity to attend a DRRC meeting and make a presentation including all of the recommendations in order to bring things into context and reflect what the subcommittee had in mind. A Commissioner remarked that of all the localities he conducts landscaping business; Frederick County is by far one of the simplest and easiest localities to work in. He commented if one additional step could be taken to save money on site development, it would be to specify

places on site where pavement, curbing, and concrete could be reduced and this would significantly drop the cost of site development. A Commissioner was opposed to the recommendation that a tree committee be formed to review site plans because he believed it would stall the process; he was not in favor of forming another committee. Considering all of the landscaping and buffer revisions recently approved, Commissioners agreed with the DRRC that the existing ordinance was adequate and appropriate. Nevertheless, the majority of Commissioners were not opposed to having the landscaping requirements go back to the DRRC and allow Mr. Goode to make a presentation to make certain the DRRC understood what the subcommittee was trying to get across.

The DRRC again considered the landscaping ordinance at their April 24, 2014 meeting and a representative from the Business Friendly Committee spoke. The committee requested staff to look at a proportional upgrade waiver; meaning sites that are proposing minimal upgrades could request a waiver of the landscaping requirements. The DRRC discussed the revised landscaping ordinance at their June 26, 2014 meeting. The DRRC was satisfied with the changes and sent the amendment forward to the Planning Commission for discussion.

The Planning Commission again discussed the landscaping ordinance changes at their August 20, 2014 meeting. A Commissioner on the DRRC stated the revised amendment allows for landscaping improvements to be proportional to the size of construction and this should address the concerns raised by the Business Friendly Committee. Referring to Section 165-802.03 Site Plan Contents (D)(16), "Any other information determined by the Zoning Administrator necessary for the review of the minor site plan," the addition of (17), "The Zoning Administrator may delete any of the above criteria on a minor site plan, if it is not warranted," was suggested. Staff noted the minor site plan process has been available; however, it simply wasn't codified and was a common-sense approach. It is now being codified and the flexibility suggested by a 17th condition would be appropriate. Other Commission members agreed. (Commissioners Crockett and Dunlap were absent.)

The attached document shows the existing ordinance with the proposed changes supported by the Planning Commission (with strikethroughs for text eliminated and bold italic for text added). This item is presented for discussion. **Staff is seeking direction from the Board of Supervisors on this Zoning Ordinance text amendment;** attached is a resolution directing the item to public hearing should the Board of Supervisors deem it appropriate.

-
- Attachments:** 1. **Proposed Revisions (deletions shown in strikethrough and additions show in bold underlined italics).**
2. **Resolution.**

CEP/pd/rsa

Draft Landscaping Revisions

Part 202 – Off-Street Parking, Loading and Access

§ 165-202.01 Off-street parking; parking lots.

~~D. Parking lots. Parking spaces shared by more than one dwelling or use, required for any use in the business or industrial zoning district or required for any institutional, commercial or industrial use in any zoning district shall meet the following requirements:~~

~~(13) Landscaping. Parking lots in the RP Residential Performance District, the R4 Residential Planned Community District, the R5 Residential Recreational Community District, the MH1 Mobile Home Community District, the B1 Neighborhood Business District, the B2 Business General District, the B3 Industrial Transition District, the OM Office-Manufacturing Park District, the M1 Light Industrial District, the M2 Industrial General District, the MS Medical Support District, and the HE (Higher Education) District shall be landscaped to reduce the visual impact of glare and headlights on adjoining properties and rights of way. Parking lots shall be adequately shaded to reduce reflected heat. In the RA (Rural Areas) District, parking lot landscaping shall not be required for parking lots with 10 or fewer spaces. Landscaping shall also be provided to reduce the visual expansiveness of parking lots. Landscaping shall be provided in such parking lots as follows:~~

~~a) Perimeter landscaping. The perimeter of all impervious areas shall be landscaped with shade trees and other landscaping. One tree shall be provided for every 2,000 square feet of impervious area for the first 100,000 square feet of the entire site. One tree shall be provided for every 5,000 square feet in excess of the first 100,000 square feet of the entire site. Self-service storage facilities shall provide one tree per 10,000 square feet of impervious area of the entire site, in addition to the trees required in § 165-204.18, Storage facilities. The perimeter landscaping trees shall be reasonably dispersed throughout the parking lot. A three-foot-high evergreen hedge, fence, berm or wall shall be provided to prevent headlights from shining on public rights of ways and adjoining properties. All perimeter landscaping shall comply with the requirements of §165-203.01B, Plant selection, planting procedure and maintenance.~~

~~b) Interior landscaping. A minimum of 5% of the interior portions of parking lots shall be landscaped for the purpose of providing shade trees. Such interior landscaping shall be provided on raised islands and in continuous raised strips extending the length of a parking bay. Within the parking lot, raised islands and landscaped areas should be used to delineate traffic and pedestrian circulation patterns. No less than one shade tree shall be provided in the interior of the parking lot for each 10 parking spaces. The Zoning Administrator may waive the requirement for interior landscaping for parcels located outside of the Sewer and Water Service Area when curb and gutter is not proposed. The Zoning Administrator may approve alternative locations for interior landscaping for parking lots used for truck parking, as well as other parking lots, when it would improve the overall quality of the landscape plan.~~

Draft Landscaping Revisions

All interior landscaping shall comply with the requirements of § 165-203.01B, Plant selection, planting procedure and maintenance.

Part 203 – Buffers and Landscaping

§ 165-203.01 Landscaping requirements.

The requirements of this section are intended to enhance the appearance, environment, and general welfare of Frederick County by providing minimum landscaping standards and encouraging tree preservation for developments. The provisions of this section shall apply to all site plan and subdivision design plan applications, including the revision or expansion of any site or development.

A. Residential Developments and Parking Lots in all Zoning Districts.

(1) Residential developments. Residential developments which require a master development plan, subdivision design plan or site plan shall provide at least one of the three types of landscaping identified below.

(a) Street tree landscaping. Street tree landscaping shall require one street tree for every 40 feet of street frontage in a residential development, with the exception of frontage on roads which require a road efficiency buffer. Street trees shall be planted no more than 20 feet from rights-of-way. Planting street trees on the property lines of building lots should be avoided. Two or more street trees shall be planted on each building lot. The Zoning Administrator may allow fewer than two street trees for an individual building lot if topographical features, utilities, easements, or the width of the lot makes it impractical to do so. All street trees shall comply with the requirements of § 165-203.01B **C**, with the exception that street trees must be at least two-and-one-half-inch caliper at the time of planting.

(b) Ornamental landscaping.

(i) Ornamental landscaping shall be provided for residential developments based on the following index and matrix:

| Index of Lot Types | |
|--------------------|--|
| Lot Type | Description |
| A | Single-Family Detached Rural Traditional |
| B | Single-Family Detached Traditional |
| C | Single-Family Detached Urban |
| D | Single-Family Detached Cluster |
| E | Single-Family Detached Zero Lot Line |

Draft Landscaping Revisions

| | | |
|---|---|-------------------------|
| F | Single-Family Small Lot | |
| G | Multiplex | |
| H | Townhouse, Back-to-Back Townhouse | |
| I | Garden Apartment, Multifamily Residential Buildings Age Restricted Multifamily Housing | |
| Required Landscaping Per Dwelling Unit | | |
| Lot Type | Ornamental Shrubs | Ornamental Trees |
| A | None | 10 per 1 unit |
| B | 10 per 1 unit | 5 per 1 unit |
| C | 10 per 1 unit | 5 per 1 unit |
| D | 10 per 1 unit | 5 per 1 unit |
| E | 10 per 1 unit | 5 per 1 unit |
| F | 15 per 1 unit | 5 per 1 unit |
| G | 3 per 3 units* | 1 per 3 units* |
| H | 6 per 5 units* | 2 per 5 units* |
| I | 3 per 2 units* | 1 per 2 units* |
| Note: *Required ornamental trees and shrubs are in addition to all trees and shrubs elsewhere required in the Zoning Ordinance. | | |

(ii) Ornamental trees and shrubs shall comply with the requirements of § 165-203.01B. The Zoning Administrator may allow some of the required ornamental trees and ornamental shrubs to be planted in areas of common open space so long as the intent of this section is met.

(c) Tree preservation landscaping. An area with a tree canopy coverage, of at least 25% of the entire site area, shall be preserved within dedicated open space. In no case shall individual building lots be located within the open space. Canopy coverage shall be calculated from the cumulative total of existing tree canopies. Preserved trees shall be clustered together to maintain a contiguous canopy; and shall be protected from construction activity. These areas of open space may be counted towards the total required open space, as specified in § 165-402.07. Residential developments which are not required to have open space by § 165-402.07 are not exempt from creating open space for the required canopy coverage. The calculation of tree canopy shall be based on either the individual tree standards of the "Manual of Woody Landscape Plants,"

Draft Landscaping Revisions

written by Michael A. Dirr, or through a comprehensive analysis of existing tree drip lines, conducted by a Virginia certified engineer, land surveyor, or landscape architect.

(2) Parking lots. Parking spaces shared by more than one dwelling or use, required for any use in the business or industrial zoning district or required for any institutional, commercial or industrial use in any zoning district shall meet the following requirements:

(a) Landscaping. Parking lots in the RP Residential Performance District, the R4 Residential Planned Community District, the R5 Residential Recreational Community District, the MH1 Mobile Home Community District, the B1 Neighborhood Business District, the B2 Business General District, the B3 Industrial Transition District, the OM Office-Manufacturing Park District, the M1 Light Industrial District, the M2 Industrial General District, the MS Medical Support District, and the HE (Higher Education) District shall be landscaped to reduce the visual impact of glare and headlights on adjoining properties and rights-of-way. Parking lots shall be adequately shaded to reduce reflected heat. In the RA (Rural Areas) District, parking lot landscaping shall not be required for parking lots with 10 or fewer spaces. Landscaping shall also be provided to reduce the visual expansiveness of parking lots. Landscaping shall be provided in such parking lots as follows:

(i) Perimeter landscaping. The perimeter of all impervious areas shall be landscaped with shade trees and other landscaping. One tree shall be provided for every 2,000 square feet of impervious area for the first 100,000 square feet of the entire site. One tree shall be provided for every 5,000 square feet in excess of the first 100,000 square feet of the entire site. Self-service storage facilities shall provide one tree per 10,000 square feet of impervious area of the entire site, in addition to the trees required in § 165-204.18, Storage facilities. The perimeter landscaping trees shall be reasonably dispersed throughout the parking lot. A three-foot-high evergreen hedge, fence, berm or wall shall be provided to prevent headlights from shining on public rights-of-ways and adjoining properties. All perimeter landscaping shall comply with the requirements of §165-203.01B, Plant selection, planting procedure and maintenance.

(ii) Interior landscaping. A minimum of 5% of the interior portions of parking lots shall be landscaped for the purpose of providing shade trees. Such interior landscaping shall be provided on raised islands and in continuous raised strips extending the length of a parking bay. Within the parking lot, raised islands and landscaped areas should be used to delineate traffic and pedestrian circulation patterns. No less than one shade tree shall be provided in the interior of the parking lot for each 10 parking spaces. The Zoning Administrator may waive the requirement for interior landscaping for parcels located outside of the Sewer and Water Service Area when curb and gutter is not proposed. The Zoning Administrator may approve alternative locations for interior landscaping for

Draft Landscaping Revisions

parking lots used for truck parking, as well as other parking lots, when it would improve the overall quality of the landscape plan. All interior landscaping shall comply with the requirements of § 165-203.01B, Plant selection, planting procedure and maintenance.

B. Plant selection, planting procedure, and maintenance.

(1) Plant selection. Based on the type of landscaping, required trees and shrubs shall be selected from the table of acceptable trees and shrubs shown below.

| Types of Landscaping | | |
|---|-------------------------------------|---------------------------------------|
| Street tree landscaping (street) Ornamental landscaping (ornamental) Tree preservation landscaping (canopy) Interior and perimeter landscaping (shade), Buffer screening and parking lot screening (screen), Deciduous buffer element (street, canopy, shade), buffer shrub element (shrub or screen) | | |
| Acceptable Trees and Shrubs | | |
| Common Name | Scientific Name | Types of Landscaping Permitted |
| Amur Maple | Acer ginnala | Street, shade, canopy, ornamental |
| European Hornbeam | Carpinus betulus | Street, shade, canopy, ornamental |
| Hop Hornbeam | Ostrya virginiana | Street, shade, canopy, ornamental |
| Katsura Tree | Cercidiphyllum japonicum | Street, shade, canopy, ornamental |
| Ginkgo (male) | Ginkgo biloba | Street, shade, canopy, ornamental |
| Thornless Honey Locust | Gleditsia triacanthos inermis | Street, shade, canopy, ornamental |
| Golden-Rain Tree | Koelreuteria paniculata | Street, shade, canopy, ornamental |
| Flowering Crabapple | Malus (disease resistant varieties) | Street, shade, canopy, ornamental |
| Chinese Pistache | Pistacia chinensis | Street, shade, canopy, ornamental |

Draft Landscaping Revisions

| | | |
|---------------------|------------------------------|-----------------------------------|
| Linden | Tilia (all varieties) | Street, shade, canopy, ornamental |
| Lacebark Elm | Ulmus parvifolia | Street, shade, canopy, ornamental |
| Japanese Zelkova | Zelkova serrata | Street, shade, canopy, ornamental |
| Red Oak | Quercus rubra | Street, shade, canopy, ornamental |
| White Oak | Quercus alba | Street, shade, canopy, ornamental |
| Scarlet Oak | Quercus coccinea | Street, shade, canopy, ornamental |
| Sawtooth Oak | Quercus acutissima | Street, shade, canopy, ornamental |
| Kentucky Coffeetree | Gymnocladus dioica | Street, shade, canopy, ornamental |
| Dawn Redwood | Metasequoia glyptostroboides | Street, shade, canopy |
| Swamp Chestnut Oak | Quercus michauxii | Street, shade, canopy |
| Willow Oak | Quercus phellos | Shade, canopy, ornamental |
| Bald Cypress | Taxodium distichum | Street, shade, canopy |
| Red Maple | Acer rubrum | Shade, canopy, ornamental |
| Freeman Maple | Acer freemanii | Shade, canopy, ornamental |
| Sugar Maple | Acer saccharum | Shade, canopy, ornamental |
| Paperbark Maple | Acer griseum | Shade, canopy, ornamental |
| American Sycamore | Platanus occidentalis | Shade, canopy, ornamental |
| London Plane Tree | Platanus acerifolia | Shade, canopy, ornamental |
| Sweetgum | Liquidambar styraciflua | Shade, canopy, ornamental |
| Copper Beech | Fagus sylvatica 'Riversii' | Shade, canopy, ornamental |
| Weeping Beech | Fagus pendula | Shade, canopy, ornamental |

Draft Landscaping Revisions

| | | |
|------------------------|--|---------------------------|
| European Beech | <i>Fagus sylvatica</i> | Shade, canopy, ornamental |
| River Birch | <i>Betula nigra</i> | Shade, canopy, ornamental |
| Star Magnolia | <i>Magnolia stellata</i> | Shade, canopy, ornamental |
| Saucer Magnolia | <i>Magnolia x soulangiana</i> | Shade, canopy, ornamental |
| Black Gum | <i>Nyssa sylvatica</i> | Shade, canopy, ornamental |
| Yellowwood | <i>Cladrastis kentukea</i> | Shade, canopy, ornamental |
| Downy Serviceberry | <i>Amelanchier arborea</i> | Shade, canopy, ornamental |
| Hawthorn | <i>Crataegus plaenopyrum</i> , <i>Crataegus viridis</i> | Shade, canopy, ornamental |
| Sourwood | <i>Oxydendrum arboreum</i> | Shade, canopy, ornamental |
| Tuliptree | <i>Liriodendron tulipifera</i> | Shade, canopy, ornamental |
| Paw Paw | <i>Asimina triloba</i> | Shade, canopy, ornamental |
| Dogwood | <i>Cornus florida</i> , <i>Cornus kousa</i> , <i>Cornus hybrid</i> | Shade, ornamental |
| Flowering Cherry | <i>Prunus</i> (all varieties of Flowering Cherry) | Shade, ornamental |
| Cornelian Cherry | <i>Cornus mas</i> | Shade, ornamental |
| Eastern Redbud | <i>Cercis canadensis</i> | Shade, ornamental |
| American Plum | <i>Prunus americana</i> | Shade, ornamental |
| Japanese Maple | <i>Acer palmatum</i> | Shade, ornamental |
| Douglas Fir | <i>Pseudotsuga menziesii</i> | Screen, ornamental |
| White Fir | <i>Abies concolor</i> | Screen, ornamental |
| Spruce | <i>Picea</i> (all varieties) | Screen, ornamental |
| Japanese Umbrella Pine | <i>Sciadopitys verticillata</i> | Screen, ornamental |
| Hinoki False Cypress | <i>Chamaecyparis obtusa</i> | Screen, ornamental |
| White Pine | <i>Pinus strobus</i> | Screen, canopy |

Draft Landscaping Revisions

| | | |
|----------------------|---|---------------------------|
| Western Arborvitae | <i>Thuja plicata</i> | Screen, ornamental |
| Eastern Arborvitae | <i>Thuja occidentalis</i> (all varieties) | Screen, ornamental |
| Leyland Cypress | <i>Cupressocyparis x leylandi</i> | Screen, ornamental |
| Japanese Cedar | <i>Cryptomeria japonica</i> | Screen, ornamental |
| Viburnum (Evergreen) | (all evergreen/semi-evergreen varieties) | Screen, ornamental, shrub |
| Yew | <i>Taxus</i> (all varieties) | Screen, ornamental, shrub |
| Holly | <i>Ilex</i> (all varieties) | Screen, ornamental, shrub |
| Common Boxwood | <i>Buxus sempervirens</i> | Screen, ornamental, shrub |
| Juniper | <i>Juniperus</i> (all varieties) | Screen, ornamental, shrub |
| Abelia | (All varieties) | Screen, ornamental, shrub |
| Witchhazel | <i>Hamamelis vernalis</i> | Ornamental, shrub |
| White Fringetree | <i>Chionanthus virginicus</i> | Ornamental, shrub |
| Slender Deutzia | <i>Deutzia gracilis</i> | Ornamental, shrub |
| Althea | <i>Hibiscus syriacus</i> | Ornamental, shrub |
| Vicary privet | <i>Ligustrum x vicaryi</i> | Ornamental, shrub |
| Sweet Mockorange | <i>Philadelphus coronarius</i> | Ornamental, shrub |
| Japanese pieris | <i>Pieris japonica</i> | Ornamental, shrub |
| Cotoneaster | (All varieties) | Ornamental, shrub |
| Spirea | (All varieties) | Ornamental, shrub |
| Weigela | (All varieties) | Ornamental, shrub |
| Forsythia | (All varieties) | Ornamental, shrub |
| Dwarf Fothergilla | <i>Fothergilla gardenii</i> | Ornamental, shrub |
| Buttonbush | <i>Cephalanthus occidentalis</i> | Ornamental, shrub |
| Japanese pagodatree | <i>Sophora japonica</i> | Ornamental, shrub |

Draft Landscaping Revisions

| | | |
|-------------------|------------------------------|-------------------|
| Chastetree | Vitex agnus-castus | Ornamental, shrub |
| Standard Nandina | Nandina domestica | Ornamental, shrub |
| Purple Plum | Prunus cerasifera | Ornamental |
| Crape Myrtle | Lagerstroemia indica | Ornamental |
| Persian parrotia | Parrotia persica | ornamental |
| Hydrangea | (all varieties) | Ornamental |
| Mugo pine | Pinus mugo | Ornamental |
| Itea | (All varieties) | Ornamental |
| Aronia | (All varieties) | Ornamental |
| Clethra | (All varieties) | Ornamental |
| Azalea | Rhododendron (All varieties) | Ornamental |
| Rhododendron | (All varieties) | Ornamental |
| Northern Bayberry | Myrica pensylvanica | Ornamental |
| Meyer Lilac | Syringa meyeri 'Palibin' | Ornamental |

- (2) Planting procedure. All required trees and shrubs shall meet the specifications and procedures established by the American Nursery and Landscape Association.
- a) All trees shall be planted no closer than three feet to the edge of sidewalks, curb or other pavement.
 - b) Deciduous trees shall be a minimum of two-inch caliper at the time of planting.
 - c) Only single stem trees shall be planted as street trees.
 - d) Evergreen trees shall be a minimum of four feet in height at the time of planting. Shrubs shall be a minimum three-gallon container at the time of planting. In addition to the three-gallon container requirement, parking lot screening shrubs shall be a minimum of 36" in height at time of planting and buffer shrubs shall be a minimum of 18" in height at time of planting. Spacing of parking lot screening shrubs shall be no greater than four (4) feet on center.
 - e) Only trees having a mature height of less than 20 feet shall be located under overhead utility lines.
 - f) Measurement of Size. Caliper is measured six (6) inches above the ground up to and including four (4) inch caliper size, and twelve (12) inches above the ground for larger sizes. Diameter at breast height (dbh) will be measured at the height of 54 inches from the base of the trunk or as otherwise allowed in the Guide for Plant Appraisal.

Draft Landscaping Revisions

- (3) Maintenance. The owner, developer, and/or builder who is responsible for planting required landscaping shall be responsible for maintaining it in a state of good health for one year after planting. After one year, from the date occupancy is approved, the individual property owner and/or homeowner's association shall become responsible for maintenance. As long as the intent of this section is met, the Zoning Administrator may waive the requirement for landscaping on individual building lots when a hazard or nuisance exists.
- C. Existing tree credits. If the intent of § 165-203.01 is satisfied, including species type and location, existing trees that are preserved may be counted towards the total number of required trees for residential developments. Commercial and industrial developments may utilize existing tree credits when calculating the required number of parking lot trees, as required in § ~~165-202.01D(13)~~ **165-203.01(A)**, if the preserved trees are shown on an approved site plan and serve the intent of interior and perimeter landscaping. The following table shows the credit given for each preserved tree, based on the tree's caliper:

| Caliper (inches) | Tree Credit |
|------------------|-------------|
| 4 to 6 | 1 |
| 7 to 12 | 2 |
| 13 to 18 | 3 |
| 19 to 29 | 4 |
| Greater than 30 | 5 |

- D. Enforcement procedures. The Zoning Administrator may require a bond with surety or other acceptable guaranties to insure the completion of required improvements. Such guaranties shall be in the estimated amount of the required improvements. Such guaranties shall be for a period of completion set by the Zoning Administrator with consultation with the applicant. Such guaranties shall be released when the required improvements have been completed.

ARTICLE I GENERAL PROVISIONS, AMENDMENTS, AND CONDITIONAL USE PERMITS

§ 165-101.02 Definitions & word usage.

SITE PLAN - A specific and detailed plan of development ***which contains detailed engineering drawings of the proposed uses and improvements required in the development of a given parcel or use.*** ~~of development meeting the requirements of this chapter.~~ ***In all Articles of this Chapter, where the term 'site plan' is used, it shall also include the term 'minor site plan'.***

Draft Landscaping Revisions

ARTICLE VIII DEVELOPMENT PLANS AND APPROVALS

§ 165-802.03 Site plan contents.

The site plan shall be clearly legible and shall be drawn at a scale acceptable to the Zoning Administrator. The site plan shall include three general sections, the project information section, the calculations section, and the site plan and details section. The information required for each section is listed below:

A. Project information section.

- (1) A title that includes the name of the proposed or existing business and a subtitle which describes the proposed development.
- (2) The name, address, and phone number of the landowner, developer, and designer.
- (3) The Frederick County Property Identification Number (PIN) of all lots included on the site plan.
- (4) The number and type of dwelling units included on the site plan for residential uses.
- (5) The total land area and total developed land area of all lots included on the site plan.
- (6) A detailed description of the proposed use or uses of the development, as well as a description of the existing use or uses.
- (7) A reference to any other site plan or master development plan approved by the County for the site.
- (8) The date the site plan was prepared and a list of all revisions made, including the date and a description of why the site plan was revised.
- (9) A table of contents including all pages of the site plan.
- (10) A list of all proposed utility providers, with their address, name and phone number.
- (11) An inset map showing the location of the site, along with the location of streets, roads and land uses within 500 feet of the property.
- (12) A statement listing all requirements and conditions placed on the land included in the site plan resulting from approval of conditional zoning or a conditional use permit.
- (13) A description of setbacks or conditions placed on the site as a result of an approved variance.
- (14) The name of the Magisterial District within which property is located.

B. Calculations section.

- (1) Calculations showing the floor area ration (FAR) of the site, including the maximum allowed FAR, total ground floor area, total floor area, and total lot area.
- (2) Calculations showing the total number of required and proposed parking spaces, including the total number of existing and proposed spaces.
- (3) Calculations showing the total number of required handicap spaces, including the total number of existing and proposed spaces.
- (4) Calculations showing the total number of required loading spaces, including the total number of existing and proposed spaces.
- (5) Calculations showing the total number of required perimeter and interior trees required, including the number of provided trees.
- (6) Calculations showing the percentage of the property that will be landscaped and the percentage of woodlands disturbed.

Draft Landscaping Revisions

C. Site plan and details section.

- (1) The location of all adjoining lots with the owner's name, specific use, zoning, and zoning boundaries shown.
- (2) The location of all existing or planned rights-of-way and easements that adjoin the property, with street names, widths, and speed limits shown.
- (3) All nearby entrances that are within 200 feet of any existing or proposed entrances to the site.
- (4) All existing and proposed driveways, parking and loading spaces, parking lots and a description of surfacing material and construction details to be used. The size and angle of parking spaces, aisles, maneuvering areas, and loading spaces shall be shown.
- (5) A North arrow.
- (6) A graphic scale and statement of scale.
- (7) A legend describing all symbols and other features that need description.
- (8) A boundary survey of the entire parcel and all lots included with distances described at least to the nearest hundredth of a foot.
- (9) The present zoning of all portions of the site, with the location of zoning boundaries.
- (10) The location of all existing and proposed structures, with the height, specific use, ground floor area, and total floor area labeled.
- (11) The location of all existing and proposed outdoor uses, with the height, specific use, and land area labeled.
- (12) Existing topographic contour lines at intervals acceptable to the Zoning Administrator. Proposed finished grades shall be shown by contour.
- (13) The location of the front, side, and rear yard setback lines required by the applicable zoning district.
- (14) The location and boundaries of existing environmental features, including streams, floodplains, lakes and ponds, wetlands, natural stormwater retention areas, steep slopes, and woodlands.
- (15) The location of outdoor trash receptacles.
- (16) The location of all outdoor lighting fixtures.
- (17) The location, dimensions, and height of all signs.
- (18) The location of required buffers, landscaping buffers, and landscaped screens, including examples, typical cross sections or diagrams of screening to be used. The location and dimensions of required fencing, berms, and similar features shall be specified.
- (19) The location of recreational areas and common open space.
- (20) The location of all proposed landscaping with a legend; the caliper, scientific name, and common name of all deciduous trees; the height at planting, scientific name, and common name of all evergreen trees and shrubs.
- (21) The height at planting, caliper, scientific name, and common name shall be provided for all proposed trees. The height at planting, scientific name and common name shall be provided for all shrubs.
- (22) The location of sidewalks and walkways.
- (23) The location and width of proposed easements and dedications.
- (24) A stormwater management plan describing the location of all stormwater management facilities with design calculations and details.
- (25) A soil erosion and sedimentation plan describing methods to be used.
- (26) The location and size of sewer and water mains and laterals serving the site.
- (27) Facilities necessary to meet the requirements of the Fire Code.
- (28) A signed seal of the certified Virginia land surveyor, architect, or engineer who prepared the plan.

Draft Landscaping Revisions

- (29) A space labeled "Approved by the Frederick County Zoning Administrator" for the signature of the Zoning Administrator, approval date, and a statement that reads "site plan valid for five years from approval date."

D. Minor Site Plans. A minor site plan may be submitted in lieu of a full site plan for additions to existing sites. A minor site plan shall constitute a revision that increases an existing structure area by 20% or less and does not exceed 5,000 square feet of disturbed area. Minor site plans, at a minimum shall include the following information:

- (1) A title that includes the name of the proposed or existing business and a subtitle which describes the proposed development.**
- (2) The name, address, and phone number of the landowner, developer, and designer.**
- (3) The Frederick County Property Identification Number (PIN) of all lots included on the site plan.**
- (4) The total land area and total developed land area of all lots included on the site plan.**
- (5) A detailed description of the proposed use or uses of the development, as well as a description of the existing use or uses.**
- (6) A reference to any other site plan or master development plan approved by the County for the site.**
- (7) The date the site plan was prepared and a list of all revisions made, including the date and a description of why the site plan was revised.**
- (8) A table of contents including all pages of the site plan.**
- (9) An inset map showing the location of the site, along with the location of streets, roads and land uses within 500 feet of the property.**
- (10) A statement listing all requirements and conditions placed on the land included in the site plan resulting from approval of conditional zoning or a conditional use permit.**
- (11) A description of setbacks or conditions placed on the site as a result of an approved variance.**
- (12) The name of the Magisterial District within which property is located.**
- (13) Calculations showing the total number of required and proposed parking and loading spaces, including the total number of existing and proposed spaces.**
- (14) Calculations showing the total number of required perimeter and interior trees required, including the number of provided trees. The Zoning Administrator shall determine the number of landscaping plants required, proportional to the additions shown on the minor site plan.**
- (15) A signed seal of the certified Virginia land surveyor, architect, or engineer who prepared the plan.**
- (16) Any other information determined by the Zoning Administrator necessary for the review of the minor site plan.**
- (17) The Zoning Administrator may eliminate any of the above requirements on a minor site plan, if it is determined not to be warranted.**

D. E. Other information or statements may be required on the site plan by the Zoning Administrator to ensure that all requirements of the Frederick County Code are met.

E. F. All site plans shall conform with master development plans that have been approved for the land in question.

F. G. When required, deed restrictions, deeds of dedication, agreements, contracts, guaranties or other materials shall be submitted with the site plan.

Draft Landscaping Revisions

§ 165-802.04 Required improvements.

- A. All improvements and construction on the site shall conform with the approved site plan and the requirements of the Frederick County Code.
- B. The Zoning Administrator may require a bond with surety or other acceptable guaranties to insure the completion of required improvements. Such guaranties shall be in the estimated amount of the required improvements. Such guaranties shall be for a period of completion set by the Zoning Administrator with consultation with the applicant. Such guaranties shall be released when the required improvements have been completed.



Action:

BOARD OF SUPERVISORS: September 10, 2014 APPROVED DENIED

RESOLUTION

**DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING
REGARDING CHAPTER 165, ZONING**

**ARTICLE II – SUPPLEMENTARY USE REGULATIONS, PARKING,
BUFFERS, AND REGULATIONS FOR SPECIFIC USES
PART 202 OFF-STREET, PARKING, LOAD AND ACCESS
§165-202.01 OFF-STREET PARKING, PARKING LOTS
PART 203 – BUFFERS AND LANDSCAPING
§165-203.01 LANDSCAPING REQUIREMENTS**

**ARTICLE I – GENERAL PROVISIONS, AMENDMENTS, AND
CONDITIONAL USE PERMITS
PART 101 GENERAL PROVISIONS
§165-101.02 DEFINITIONS AND WORD USAGE**

**ARTICLE VIII – DEVELOPMENT PLANS AND APPROVALS
PART 802 – SITE PLANS
§165-802.03 SITE PLAN CONTENTS
§165-802.04 REQUIRED IMPROVEMENTS**

WHEREAS, the Board of Supervisors formed the Frederick County Business Climate Assessment Committee to evaluate the current processes and procedures being utilized by the County. The Committee’s final report was adopted by the Board of Supervisors in July, 2013. One recommendation contained in the report was a “complete review and re-evaluation of the Frederick County Buffers and Landscaping Ordinance to provide a well defined purpose to allow for flexibility in project site landscaping, tree preservation, and effective development buffers.”

WHEREAS, The Development Review and Regulations Committee (DRRC) reviewed the landscaping requirements at their September 2013, January 2014 and February 2014 meetings and the committee felt that the existing ordinance was appropriate. The DRRC did recommend that the parking lot landscaping requirements be moved into the main landscaping section. The DRRC then forwarded the change to the Planning Commission for discussion; and

WHEREAS, the Planning Commission discussed the proposed changes at their regularly scheduled meeting on April 2, 2014 and sent the landscaping ordinance back to the DRRC for further review; and

WHEREAS, The Development Review and Regulations Committee (DRRC) reviewed the landscaping requirements at their April 2014 and June 2014 meetings. The DRRC recommended approval of a proportional upgrade waiver and inclusion of minor site plan requirements and sent the revisions to the Planning Commission for discussion; and

WHEREAS, the Planning Commission discussed the proposed changes at their regularly scheduled meeting on August 20, 2014 and agreed with the proposed changes and requested addition of an allowance for the Zoning Administrator to waive minor site plan requirements; and

WHEREAS, the Board of Supervisors discussed the proposed revision at their regularly scheduled meeting on September 10, 2014; 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.

NOW, THEREFORE, BE IT REQUESTED by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to relocate the parking lot landscaping requirements to the main landscaping section, include requirements for minor site plans and allowances for landscaping waivers on minor site plans.

Passed this 10th day of September, 2014 by the following recorded vote:

This resolution was approved by the following recorded vote:

| | | | |
|------------------------------|-------|-------------------------|-------|
| Richard C. Shickle, Chairman | _____ | Gary A. Lofton | _____ |
| Robert A. Hess | _____ | Charles S. DeHaven, Jr. | _____ |
| Gene E. Fisher | _____ | Christopher E. Collins | _____ |
| Robert W. Wells | _____ | | |

A COPY ATTEST

John R. Riley, Jr.
Frederick County Administrator

T



MEMORANDUM

TO: Frederick County Board of Supervisors
FROM: Candice E. Perkins, AICP, Senior Planner *CEP*
SUBJECT: Zoning District Buffer Waivers
DATE: September 2, 2014

Staff has received a request to revise the Zoning Ordinance to include a zoning district buffer waiver that allows the Board of Supervisors to eliminate or modify the buffer, if the adjoining land is designated in the adopted Comprehensive Plan for a use which would not require a buffer. The waiver as drafted would require support from the adjacent property owner.

This item was discussed by the Development Review and Regulations Committee (DRRC) at their June 26, 2014 meeting. The DRRC endorsed the proposed revision as drafted and recommended it be sent to the Planning Commission for discussion. The Planning Commission discussed the request at their August 20, 2014 meeting. Commission members were in favor of reducing the amount of buffers to lessen the impact on developers, but were concerned about possible repercussions with future property transitions and suggested the need for a signed agreement between the two property owners. They noted that despite the fact the two adjoining property owners may now get along and share a vision, it doesn't guarantee that situation into the future. A standard form, or some form of County record, were considered as ways to make sure the future adjacent property owners know about any waivers granted. Commissioners agreed that any flexibility which can be provided within the ordinance relative to buffers is good and they were in favor of this amendment, but working out the details was the next challenge, especially as attention moves toward mixed uses in future developments. (Commissioner Oates abstained from discussion; Commissioners Crockett and Dunlap were absent.)

The attached document shows the existing ordinance with the proposed changes supported by the DRRC (with strikethroughs for text eliminated and bold italic for text added). This item is presented for discussion. **Staff is seeking direction from the Board of Supervisors on this Zoning Ordinance text amendment;** attached is a resolution directing the item to public hearing should the Board of Supervisors deem it appropriate.

Attachments:

- 1. Revised ordinance with additions shown in bold underlined italics.**
- 2. Graphic**
- 3. Resolution**

Buffer - Waiver

| | | | | | | | | | | | | |
|-----|---|---|---|---|---|---|---|---|---|---|---|---|
| RP | - | - | - | - | A | A | A | A | A | A | A | A |
| R4 | - | - | - | - | A | A | A | A | A | A | A | A |
| R5 | - | - | - | - | A | A | A | A | A | A | A | A |
| MH1 | C | C | C | - | B | B | B | B | B | A | A | C |
| B1 | B | B | B | B | - | - | A | A | A | A | A | B |
| B2 | B | B | B | B | - | - | - | A | A | A | A | B |
| B3 | C | C | C | C | B | - | - | - | - | - | - | C |
| OM | C | C | C | C | B | B | - | - | - | - | - | C |
| M1 | C | C | C | C | B | B | - | - | - | - | - | C |
| M2 | C | C | C | C | B | B | B | B | B | - | - | C |
| EM | C | C | C | C | B | B | B | B | B | - | - | C |
| MS | C | C | C | C | B | B | B | B | B | B | C | - |

- (2) If a lot being developed is adjacent to developed land which would normally be required to be provided with a buffer but which does not contain the buffer, the required buffer shall be provided on the lot being developed. The buffer to be provided shall be of the larger category required on either the lot being developed or the adjacent land. Such buffer shall be in place of the buffer normally required on the lot being developed. The buffer may include required setbacks or buffers provided on the adjacent land.

- (3) Whenever land is to be developed in the B-1 (Neighborhood, Business) or B-2 (Business, General) Zoning District that is adjacent to land primarily used for residential use in the RA (Rural Areas) Zoning District, a B Category buffer shall be provided on the land to be developed. The Board of Supervisors may grant a waiver to reduce the required buffer distance requirements with the consent of the adjacent (affected) property owners. Should a waiver be granted by the Board of Supervisors, the distance requirements of § 165-203.02D(1)(a) may be reduced, provided the full screening requirements of this section are met.

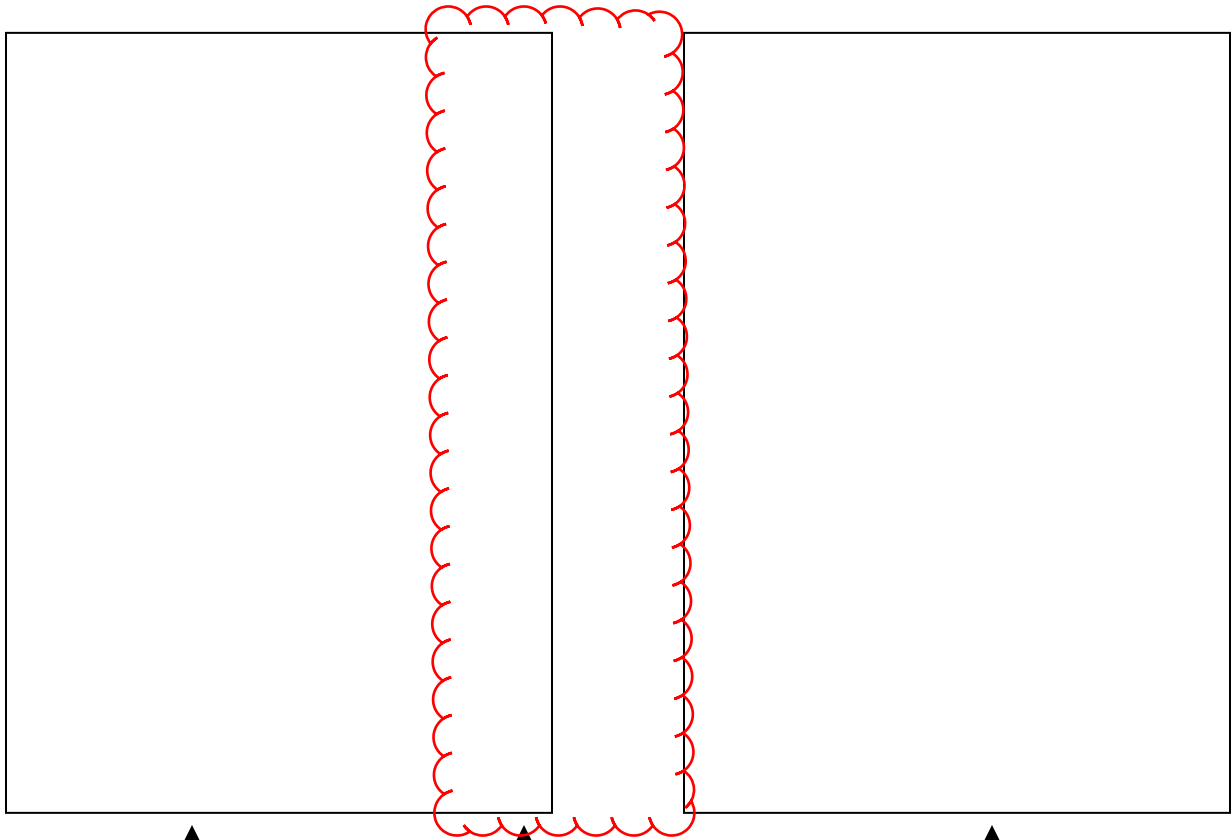
- (4) Whenever land is to be developed in the B3, OM, M1 or M2 Zoning District that is adjacent to land primarily used for residential purposes in the RA Rural Areas Zoning District, a C Category buffer shall be provided on the land to be developed.

- (5) Whenever land is to be developed in the MS Zoning District that is adjacent to land primarily used for residential purposes in the RA (Rural Areas) Zoning District, a C Category buffer shall be provided on the land to be developed. Whenever land is to be developed in the MS Zoning District that is adjacent to all other land zoned RA (Rural Areas) Zoning District, the requirements for buffer and screening shall be provided in accordance with §165-402.07 of this chapter.

- (6) The Zoning Administrator may waive any or all of the requirements for the zoning district buffers on a particular site plan when all uses shown on the site plan are allowed in the zoning district in which the development is occurring and in the adjoining zoning districts.
- (7) The Zoning Administrator may waive, reduce and/or modify buffer yard requirements (distance and landscaping) if in his opinion the topography of the lot providing the buffer yard and the lot being protected is such that the required yard would not be effective. The buffer may also be modified to maintain highway sight distances.
- (8) Land proposed to be developed in the OM (Office-Manufacturing Park), the M1 Light Industrial District and the M2 Industrial General District may be permitted to have a reduced buffer distance that is consistent with the required side or rear building setback line, provided that the following requirements are met:
 - (a) The property to be developed with a reduced buffer distance is part of an approved master planned industrial park.
 - (b) There are no primary or accessory uses within the reduced buffer distance area, including driveways, access drives, outdoor storage areas, parking areas, staging areas, loading areas and outdoor dumpster areas. All-weather surface fire lanes necessary to meet the requirements of Chapter 90, Fire Prevention, of the Code of Frederick County, Virginia, shall be exempt from this performance standard.
 - (c) A full screen is required to be created within the reduced buffer distance area which shall be comprised of a continuous earth berm that is six feet higher in elevation than the highest elevation within the reduced buffer distance area and a double row of evergreen trees that are a minimum of six feet in height and planted a maximum of eight feet from center to center.
- (9) Proposed developments required to provide buffers and screening as determined by § 165-203.02D(1)(b) of this chapter may be permitted to establish a common shared buffer and screening easement with the adjoining property. The common shared buffer and screening easement shall include all components of a full screen which shall be clearly indicated on a site design plan. A legal agreement signed by all appropriate property owners shall be provided to the Department of Planning and Development and shall be maintained with the approved site design plan. This agreement shall describe the location of the required buffer within each property, the number and type of the plantings to be provided and a statement regarding the maintenance responsibility for this easement. The required buffer distance may be reduced by 50% for a common shared buffer easement if existing vegetation achieves the functions of a full screen.
- (10) When a flex-tech development is split by a zoning district line, the Zoning Administrator may allow for a reduction of the distance buffer and the relocation of the screening requirements. Such modifications shall be allowed at the Zoning Administrators discretion, provided that all of the following conditions are met:
 - (a) The zoning district boundary line for which the modification is requested is internal to the land contained within the master development plan.

- (b) The required landscape screen is relocated to the perimeter of the flex-tech development. This relocated landscape screen shall contain the same plantings that would have been required had the screen been placed along the zoning district boundary line.
- (11) Whenever land is to be developed in the B1, B2, B3, OM, M1 or M2 Zoning District that is adjacent to a railroad right-of-way that has property zoned B1, B2, B3, OM, M1 or M2 on the opposite side, zoning district buffers shall not be required. In the event that residential uses are located on the opposite side of the railroad right-of-way, a zoning district buffer as required by § 165-203.02D shall be provided. In the event that a zoning district buffer is required, the width of the railroad right-of-way may be counted towards the required zoning district buffer distance.
- (12) **The Board of Supervisors may grant a waiver to eliminate or modify a required buffer with the consent of the adjacent (affected) property owners when the adjoining land is designated in the adopted Comprehensive Plan for a use which would not require a buffer between the land under site plan and the adjoining property.**

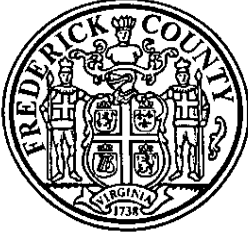
**Zoning District Buffer
Waiver Detail**



Property Zoned M1

Category C Buffer waived
With adjacent owner's consent

Property Zoned RA but planned
for future industrial



Action:

BOARD OF SUPERVISORS: September 10, 2014 APPROVED DENIED

RESOLUTION

**DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING
REGARDING CHAPTER 165, ZONING**

**PART 203 – BUFFERS AND LANDSCAPING
ARTICLE II – SUPPLEMENTARY USE REGULATIONS, PARKING,
BUFFERS AND REGULATIONS FOR SPECIFIC USES**

WHEREAS, the Frederick County Planning Department has received a request to include a zoning district buffer waiver that allows the Board of Supervisors to eliminate or modify a zoning district buffer, if the adjoining land is designated for a similar zoning district in the adopted Comprehensive Plan which would not require a buffer; and

WHEREAS, The Development Review and Regulations Committee (DRRC) reviewed the change at their June 26, 2014 meeting and recommended that the change be forwarded to the Planning Commission and Board of Supervisors; and

WHEREAS, the Planning Commission discussed the proposed change at their regularly scheduled meeting on August 20, 2014 and agreed with the proposed revision; and

WHEREAS, the Board of Supervisors discussed the proposed change at their regularly scheduled meeting on September 10, 2014; 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.

NOW, THEREFORE, BE IT REQUESTED by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to include a zoning district buffer waiver that allows the Board of Supervisors to eliminate or modify a zoning district buffer, if the adjoining land is designated for a similar zoning district in the adopted Comprehensive Plan which would not require a buffer.

Passed this 10th day of September, 2014 by the following recorded vote:

This resolution was approved by the following recorded vote:

| | | | |
|------------------------------|-------|-------------------------|-------|
| Richard C. Shickle, Chairman | _____ | Gary A. Lofton | _____ |
| Robert A. Hess | _____ | Charles S. DeHaven, Jr. | _____ |
| Gene E. Fisher | _____ | Christopher E. Collins | _____ |
| Robert W. Wells | _____ | | |

A COPY ATTEST

John R. Riley, Jr.
Frederick County Administrator

U



MEMORANDUM

TO: Frederick County Board of Supervisors
FROM: Candice E. Perkins, AICP, Senior Planner
SUBJECT: Screening for Outdoor Storage Areas
DATE: September 2, 2014

Staff has received a request to revise the Zoning Ordinance to modify the screening requirements for outdoor storage areas. The current ordinance requires that all outdoor storage areas be completely screened from the view of road and street right-of-way and from surrounding properties by a fence, wall, mound or screening (landscaping).

Staff has prepared a revision that would eliminate the screening element when an outdoor storage area adjoins a property also utilized for outdoor storage; screening shall not be required for their common property lines. Other amendments include surface material specifications and a landscaping exemption.

The DRRC discussed the request at their June meeting; the DRRC was agreed with the change and sent the amendment forward to the Planning Commission for discussion. The Planning Commission discussed this request at their August 20, 2014 meeting. An issue was raised concerning a situation where a property owner in an industrial area desires to redevelop their property from outdoor storage to usable property. In this particular scenario, the property which converted the use would be required to install screening on their property. An observation was made that once a building is constructed for a particular purpose in an industrial area, the use rarely changes; however, if this occurs, the parcels are still both located within an industrially-zoned area. Comments were made about excessive and redundant screening between properties within some of the existing industrial parks. Commission members believed the proposed amendment was appropriate. (Commissioner Oates abstained from discussion; Commissioners Crockett and Dunlap were absent from the meeting.)

The attached document shows the existing ordinance with the proposed changes supported by the DRRC (with strikethroughs for text eliminated and bold italic for text added). This item is presented for discussion. **Staff is seeking direction from the Board of Supervisors on this Zoning Ordinance text amendment;** attached is a resolution directing the item to public hearing should the Board of Supervisors deem it appropriate.

Attachments: **1. Revised ordinance with additions shown in bold underlined italics.**
 2. Graphic
 3. Resolution

CEP/pd/rsa

Article II
SUPPLEMENTARY USE REGULATIONS, PARKING, BUFFERS, AND REGULATIONS FOR SPECIFIC USES

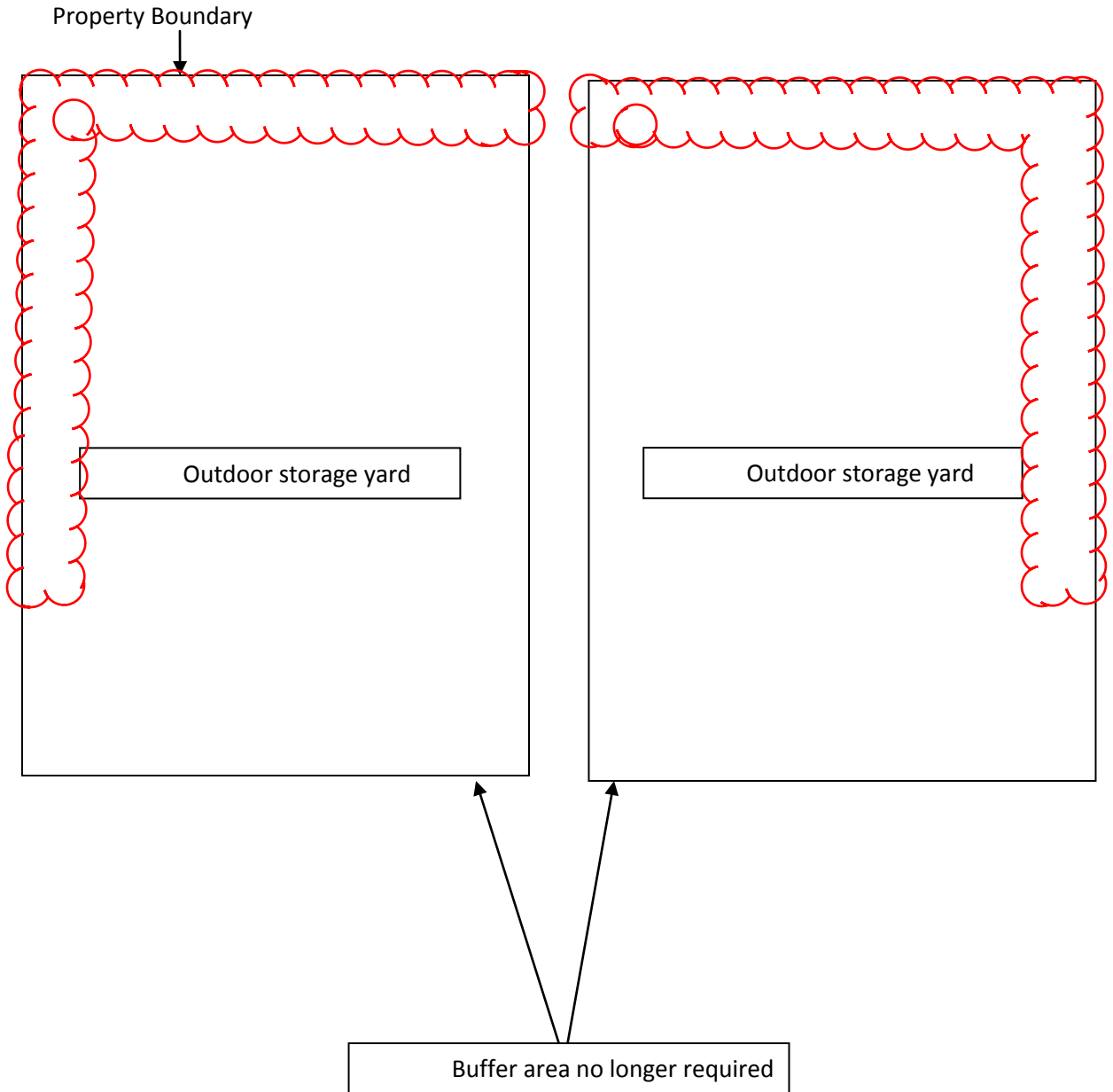
Part 201 – Supplementary Use Regulations

§ 165-201.10 Outdoor storage and processing.

The outdoor storage or processing of products, equipment or raw materials is allowed in the business and industrial districts or in association with business uses allowed in any other zoning district only if the outdoor storage is directly associated with the primary uses of the property.

- A. In such cases, the outdoor storage or processing shall be completely screened from the view of road and street right-of-way and from surrounding properties by a six foot tall opaque fence, wall, berm or by screening, or evergreen screen. In no case shall chain link fencing with slats be utilized for screening.
 - 1. When an outdoor storage area adjoins a property also utilized for outdoor storage, screening shall not be required for their common property lines.
- B. Outdoor storage surface areas shall consist of asphalt, concrete, stone, gravel or any other impervious surface approved by the Zoning Administrator.
- B. C. Such outdoor storage and processing shall not be permitted in any required front setback yard.
- C. D. The Zoning Administrator may require that the storage of hazardous materials or any materials which may contribute to contaminated runoff be fully enclosed. Where such materials are stored outdoors, they shall be contained within an impervious structure designed to contain spillage or contaminated runoff.
- D. E. The display of vehicles for sale by a vehicle dealer or nursery stock by a commercial nursery, along with other products for sale that are normally displayed outdoors, shall be exempt from the above requirements.
- E. F. Agricultural and forestry operations shall be exempted from the above requirements.
- F. G. Such requirements shall not apply to motor vehicle parking and loading areas.
- H. Landscaping shall not be required for impervious areas designated for outdoor storage.

Outdoor Storage Requirements





Action:

BOARD OF SUPERVISORS: September 10, 2014 APPROVED DENIED

RESOLUTION

**DIRECTING THE PLANNING COMMISSION TO HOLD A PUBLIC HEARING
REGARDING CHAPTER 165, ZONING**

**PART 201 – SUPPLEMENTARY USE REGULATIONS
ARTICLE II – SUPPLEMENTARY USE REGULATIONS, PARKING,
BUFFERS, AND REGULATIONS FOR SPECIFIC USES
§165-201.10 OUTDOOR STORAGE AND PROCESSING**

WHEREAS, the Frederick County Planning Department has received a request to modify the screening requirements for outdoor storage areas to eliminate the screening requirement when an outdoor storage area adjoins a property also utilized for outdoor storage; and

WHEREAS, The Development Review and Regulations Committee (DRRC) reviewed the change at their June 2014 meeting and recommended that the revision be forwarded to the Planning Commission and Board of Supervisors; and

WHEREAS, the Planning Commission discussed the proposed revision at their regularly scheduled meeting on August 20, 2014 and agreed with the proposed revision; and

WHEREAS, the Board of Supervisors discussed the proposed revision at their regularly scheduled meeting on September 10, 2014; 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.

NOW, THEREFORE, BE IT REQUESTED by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to eliminate the screening requirement when an outdoor storage area adjoins a property also utilized for outdoor storage.

Passed this 10th day of September, 2014 by the following recorded vote:

This resolution was approved by the following recorded vote:

| | | | |
|------------------------------|-------|-------------------------|-------|
| Richard C. Shickle, Chairman | _____ | Gary A. Lofton | _____ |
| Robert A. Hess | _____ | Charles S. DeHaven, Jr. | _____ |
| Gene E. Fisher | _____ | Christopher E. Collins | _____ |
| Robert W. Wells | _____ | | |

A COPY ATTEST

John R. Riley, Jr.
Frederick County Administrator