

**AGENDA
REGULAR MEETING
FREDERICK COUNTY BOARD OF SUPERVISORS
WEDNESDAY, OCTOBER 8, 2014
7:00 P.M.
BOARD ROOM, COUNTY ADMINISTRATION BUILDING
107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

6:00 P.M. – Closed Session:

There will be a Closed Session Pursuant to Virginia Code Section 2.2-3711 (A) (1) and (7), Involving Discussion of a Personnel Matter and Involving Consultation with Legal Counsel and Briefing by Staff, Pertaining to a Legal Claim Against the County and Probable Litigation on Such Claim, the Claim and Probable Litigation Being Related to the Personnel Matter, Where Such Consultation or Briefing in an Open Meeting would Adversely Affect the Negotiating or Litigating Posture of the Board, the Matter Requiring the Provision of Legal Advice by Such Counsel.

7:00 P.M. – Regular Meeting - 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: E)

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

Board of Supervisors Comments

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

1. Regular Meeting, September 10, 2014.

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County Officials:

1. Life Saving Awards. **(See Attached)** ----- B
2. Employee of the Month Awards. **(See Attached)** ----- C
3. Committee Appointments. **(See Attached)** ----- D

Committee Reports:

1. Parks and Recreation Commission. **(See Attached)**----- E
2. Human Resources Committee. **(See Attached)**----- F
3. Finance Committee. **(See Attached)**----- G
4. Joint Finance Committee. **(See Attached)**----- H
5. Transportation Committee. **(See Attached)**----- I

Public Hearing:

1. Proposed School Bond Financings by the Board of Supervisors of the County of Frederick, Virginia. The Board of Supervisors (the "Board") of the County of Frederick, Virginia (the "County") will Hold a Public Hearing in Accordance with Section 15.2-2606 of the *Code of Virginia* of 1950, as Amended, on the Issuance of General Obligation School Bonds (the "Bonds") of the County in an Aggregate Principal Amount Not to Exceed \$15,000,000 to Finance Certain Capital Projects for Public School Purposes, Consisting Primarily of the Construction of a Replacement Middle School. A Resolution Authorizing the Issuance of the Bonds will be Considered by the Board of Supervisors at Its Meeting on Wednesday, October 8, 2014. All Interested Individuals are Invited to Attend and Present Oral or Written Comments. **(See Attached)**----- J
2. An Ordinance to Amend the Frederick County Code, Chapter 155, Taxation, Article XII Assessment for Electronic Summons System, Section 155-47 Assessment of Costs in Criminal and Traffic Cases for the Costs of an Electronic Summons System. 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

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in Conviction. The Proposed Fee would be Retained Locally to Pay for the Costs of Implementation and Maintenance of an Electronic Summons System. **(See Attached)**----- **K**

3. An Ordinance to Amend the Frederick County Code, Chapter 155, Taxation, Article VI Probate of Wills; Grants of Administration, Section 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. **(See Attached)**----- **L**

Planning Commission Business:

1. Rezoning #03-14 – Governors Hill - Proffer Revision. **(See Attached)** ----- **M**
2. Black Diamond Warehouse Site Plan (Stonewall Industrial Park). **(See Attached)**----- **N**

Board Liaison Reports (If Any)

Citizen Comments

Board of Supervisors Comments

Adjourn

A

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

REGULAR MEETING

September 10, 2014

A Regular Meeting of the Frederick County Board of Supervisors was held on Wednesday, September 10, 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 Lofton delivered the invocation.

PLEDGE OF ALLEGIANCE

Vice-Chairman DeHaven led the Pledge of Allegiance.

ADOPTION OF AGENDA – APPROVED AS AMENDED

County Administrator John R. Riley, Jr. advised he had one change to the agenda. He deleted the Parks and Recreation Commission Report from the agenda.

Upon a motion by Supervisor Hess, seconded by Supervisor Collins, 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:

- Resolution of Appreciation to Joy Shull-Gellner, Mayor and Council Member, Stephens City, Virginia – **Tab C**;
- Human Resources Committee Report – **Tab I**;
- Transportation Committee Report – **Tab M**; and
- Resolutions re: Road Abandonment of Route 9159 (Old Gainesboro School Road) – **Tab P**.

Upon a motion by Supervisor Collins, seconded by Vice-Chairman DeHaven, 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

CITIZEN COMMENTS

John P. Good, Jr., former chairman of the Land Use and Development Subcommittee, addressed the Board regarding the landscape ordinance, which was scheduled for discussion later on the agenda. He stated the proposal did not satisfy the suggestions of his subcommittee. He went on to say the committee's suggestions did not get reflected in the final product. He stated landscaping was a public safety issue because he had almost hit vehicles on two separate occasions due to his line of sight being obstructed by landscaping. He did not know what else to recommend to the Board. He went on to say the average person did not have exposure to this ordinance. He concluded by saying he would be willing to draft another version.

BOARD OF SUPERVISORS COMMENTS

There were no Board of Supervisors' comments.

COUNTY OFFICIALS

MINUTES - APPROVED

Upon a motion by Supervisor Hess, seconded by Supervisor Lofton, the Board approved the minutes from the August 12, 2014 special meeting 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 Fisher, seconded by Supervisor Wells, the Board approved the minutes from the August 12, 2014 work session with the Planning Commission 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 Lofton, the Board approved the minutes from the August 13, 2014 regular meeting 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 August 19, 2014 special meeting 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 Fisher, seconded by Supervisor Lofton, the Board approved the minutes from the August 19, 2014 work session with the Economic Development Authority 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

APPROVAL AND RATIFICATION OF ENTRY INTO A CONTRACT WITH SPRINGSTED, INCORPORATED FOR CONSULTANT SERVICES FOR RECRUITMENT AND HIRING OF A COUNTY ADMINISTRATOR - APPROVED

Upon a motion by Supervisor Fisher, seconded by Supervisor Collins, the Board approved the resolution approving the 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 contract on its behalf.

ADOPTED, this 10th September 2014.

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

VIRGINIA ASSOCIATION OF COUNTIES (VACO) DIRECTOR OF INTERGOVERNMENTAL AFFAIRS BEAU BLEVINS TO PRESENT VACO ACHIEVEMENT AWARD TO THE BOARD

Beau Blevins, Director of Intergovernmental Affairs for the Virginia Association of Counties, appeared before the Board to present a VACo Achievement Award to the Board for the Lake Holiday Dam Sanitary District project. This innovative program was the first VACo Achievement Award for Frederick County.

RESOLUTION OF APPRECIATION TO JOY SHULL-GELLNER, MAYOR AND COUNCIL MEMBER, STEPHENS CITY – APPROVED UNDER CONSENT AGENDA

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.

COMMITTEE APPOINTMENTS

APPOINTMENT OF ROBERT RHODES TO THE BOARD OF BUILDING APPEALS - APPROVED

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Wells, the Board appointed Robert Rhodes to the Board of Building Appeals. This is a five year appointment.

Term expires September 9, 2019.

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

REAPPOINTMENT OF MICHELLE LANDON TO THE SHAWNEELAND SANITARY DISTRICT ADVISORY COMMITTEE - APPROVED

Upon a motion by Supervisor Lofton, seconded by Supervisor Wells, the Board approved the reappointment of Michelle Landon to the Shawneeland Sanitary District Advisory Committee. This is a two year appointment. Term expires October 8, 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 MEMBERS TO THE ECONOMIC DEVELOPMENT AUTHORITY - APPROVED

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

appointed the following members to the Frederick County Economic Development Authority:

Doug C. Rinker	Term: 09/10/14 - 01/10/15
Gary A. Lofton	Term: 09/10/14 - 11/10/15
Richard G. Dick	Term: 11/10/12 - 11/10/16
Josh Phelps	Term: 09/10/14 - 11/10/16
Dennis McNutt	Term: 09/10/14 - 11/18/17
James L. Longerbeam	Term: 09/10/14 - 09/10/18
Bob Claytor	Term: 09/10/14 - 09/10/18

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	Abstain
Robert W. Wells	Aye

REQUEST FROM FREDERICK COUNTY SCHOOLS TO SCHEDULE PUBLIC HEARING DATE TO PARTICIPATE IN THE FALL 2014 VIRGINIA PUBLIC SCHOOL AUTHORITY (VPSA) BOND SALE - APPROVED

Administrator Riley advised this was a request from Frederick County Public Schools for the Board to schedule a public hearing on October 8, 2014 for the Fall 2014 VPSA bond sale.

The amount being sought this year is \$15 million.

Upon a motion by Supervisor Fisher, seconded by Supervisor Collins, the Board approved scheduling the public hearing for the October 8, 2014 meeting.

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 ROUND HILL FIRE AND RESCUE COMPANY FOR APPROPRIATION OF PROFFER FUNDS - APPROVED

Administrator Riley advised this was a request from the Round Hill Fire and Rescue Company for an appropriation of proffer funds in the amount of \$146,790.00 to be used pay the company's share of design costs for the new Fire Station and Event Center.

Upon a motion by Supervisor Hess, seconded by Vice-Chairman DeHaven, the Board approved the appropriation of proffer funds in the amount of \$146,790.

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 REFUND REQUEST AND SUPPLEMENTAL APPROPRIATION**

Administrator Riley advised this was a request from the Commissioner of the Revenue to authorize the Treasurer to refund New World Pasta Company, Inc. the amount of \$44,457.04 for adjustment to personal property taxes for tax year 2013 and adjustments to personal property taxes for tax year 2014. The refund is the 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. New World Pasta, Inc. is willing to have the refund applied to other balances due.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board approved the above refund request and supplemental appropriation.

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

PARKS AND RECREATION COMMISSION – REMOVED FROM THE AGENDA

HUMAN RESOURCES COMMITTEE – APPROVED UNDER CONSENT AGENDA

The HR Committee met in the First Floor Conference Room at 107 North Kent Street on Friday, August 1st, 2014 at 8:00 a.m. 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 Communications 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.

PUBLIC WORKS COMMITTEE – APPROVED

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:

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

1. **Carry Forward Request for Newspaper Recycling Services - APPROVED**

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 collection cans and hauling at no cost and paid Frederick County 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)**

Upon a motion by Supervisor Fisher, seconded by Supervisor Collins, the Board approved the purchase of 33 cans in the amount of \$14,850 and the carry forward of funds.

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

*****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 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)

CODE AND ORDINANCE COMMITTEE - APPROVED

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.

Upon a motion by Supervisor Collins, seconded by Supervisor Hess, the Board sent the proposed amendment forward for public hearing.

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

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.

Upon a motion by Supervisor Collins, seconded by Supervisor Hess, the Board sent the proposed amendment forward for public hearing.

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

*****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.

FINANCE COMMITTEE - APPROVED

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. – **NO ACTION TAKEN.**
3. The Public Works Director requests the following supplemental appropriations. These requests 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. - **APPROVED**
 - 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 the work to reconstruct the leachate holding pond. See attached, p. 10.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board approved the above requests 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 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. - **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

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. – **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

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. - **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

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.

**TRANSPORTATION COMMITTEE – APPROVED UNDER CONSENT
AGENDA**

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 a 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

PUBLIC HEARING

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; 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. - APPROVED

Administrator Riley advised this was a request from the Cedar Creek Battlefield Foundation for the 150th Anniversary of the Battle of Cedar Creek. Event to be held on October 18th and 19th, 2014 from 9:00 a.m. to 5:00 p.m. on the grounds of the Cedar Creek Battlefield

Foundation.

Chairman Shickle convened the public hearing.

There were no public comments.

Chairman Shickle closed the public hearing.

Upon a motion by Supervisor Lofton, seconded by Supervisor Fisher, the Board approved the outdoor festival permit application of Cedar Creek Battlefield Foundation.

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 (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. - APPROVED

Deputy Planning Director Michael Ruddy appeared before the Board regarding this item.

He advised this was a proposed expansion of the Sewer and Water Service Area to accommodate the fourth high school. The property is in the vicinity of Admiral Byrd Middle School and Evendale Elementary School and is part of the Senseny Eastern Frederick Area Plan. The proposed SWSA expansion is consistent with the Comprehensive Plan. He concluded by saying

the Planning Commission recommended approval.

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 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	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

OTHER PLANNING ITEMS

RESOLUTIONS RE: ROAD ABANDONMENT OF ROUTE 9159 (OLD GAINESBORO SCHOOL ROAD) – APPROVED UNDER CONSENT AGENDA

Resolution 1

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.

RESOLUTION APPROVED UNDER CONSENT AGENDA.

Resolution 2

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 52 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 Engineer of the Virginia Department of Transportation.

RESOLUTION APPROVED UNDER CONSENT AGENDA.

**WAIVER REQUESTS AND MASTER DEVELOPMENT PLAN REVIEW –
WRIGHT RENOVATIONS, INC. - APPROVED**

Zoning Administrator Mark Cheran appeared before the Board regarding this item. He advised this was a master development plan to re-subdivide two parcels with three existing dwellings to result in three parcels with a single dwelling on each. The property is zoned RP (Residential Performance) District and is located in the Red Bud Magisterial District. The application included six waiver requests, which required Board of Supervisors' action. The waiver requests were:

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.

He concluded by saying the Planning Commission reviewed this request and recommended approval of the waivers.

Mike Artz, Marsh and Legge, appeared before the Board on behalf of the application.

He reviewed the history of the creation of the two lots, which dated back to 1928 and 1929.

Upon a motion by Supervisor Collins, seconded by Supervisor Hess, the Board approved the waiver requests.

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

RESOLUTION RE: REQUEST TO FORWARD TO PUBLIC HEARING FOR SOUTHERN FREDERICK AREA PLAN – AN AMENDMENT TO THE 2030 COMPREHENSIVE PLAN; APPENDIX I – AREA PLANS. - APPROVED

Deputy Planning Director Michael Ruddy appeared before the Board regarding this item.

He stated the Board and Planning Commission held a work session on August 12, 2014 and discussed this proposed plan. He went on to say staff was seeking direction from the Board about sending the proposal forward for public hearing.

Upon a motion by Supervisor Fisher, seconded by Supervisor Lofton, the Board approved sending the Southern Frederick Area Plan forward for public hearing.

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:

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

**DISCUSSION – REVISIONS TO LANDSCAPING REQUIREMENTS –
BUSINESS FRIENDLY RECOMMENDATIONS – NO ACTION TAKEN.
BOARD CONSENSUS TO HOLD A WORK SESSION ON THIS TOPIC.**

Senior Planner Candice Perkins appeared before the Board regarding this item. She reviewed the history of this proposal from its original review by the Business Friendly Committee. The Development Review and Regulations Committee reviewed the Business Friendly recommendations at its September 2014, January 2014, and February 2014 meetings. The DRRC felt the requirements currently in place were appropriate. The Planning Commission discussed this ordinance at its April 2014 meeting. A representative from the Business Friendly Committee spoke during the meeting and the Planning Commission referred this back to the DRRC for further review. The DRRC discussed a proportional upgrade waiver, which would permit applicants proposing minimal upgrades to a property could seek a waiver of the landscaping requirements. The DRRC was satisfied with the proposed changes and forwarded the amendments to the Planning Commission for discussion. The Planning Commission discussed the proposed amendments and forwarded them to the Board for further discussion. She concluded by saying staff was seeking direction from the Board regarding a public hearing on this proposal.

Chairman Shickle stated he would like to see a list of areas where there was agreement and disagreement between the DRRC and the Business Friendly Committee.

Vice-Chairman DeHaven stated the changes proposed were positive, but there were some issues in the current ordinance that the Board should work to satisfy. He concluded by saying he was not ready for this to go to public hearing.

Supervisor Fisher agreed with Vice-Chairman DeHaven.

Supervisor Lofton stated he would like to be somewhere between where we are and having engineers providing us with solutions.

Administrator Riley suggested this discussion be handled in a work session format.

The Board's consensus was to hold a work session on this topic.

DISCUSSION – ZONING DISTRICT BUFFER WAIVERS – SENT FORWARD FOR PUBLIC HEARING.

Senior Planner Candice Perkins appeared before the Board regarding this item. She advised that staff received a request to revise the Zoning Ordinance to allow a landscape buffer waiver. The Development Review and Regulations Committee and the Planning Commission discussed this proposal and forwarded it to the Board of Supervisors. She concluded by saying staff was seeking direction from the Board regarding a public hearing on this proposed ordinance amendment.

Chairman Shickle suggested the proposed waiver have a time limit, such as five years.

Vice-Chairman DeHaven stated that was his thought also.

Supervisor Hess suggested the wording be clarified if the ordinance was going to contain a "sunshine" provision.

Chairman Shickle asked why RA property was not included in the chart titled Zoning of Adjoining Land.

Senior Planner Perkins responded it was in a separate provision under the chart, but she was not sure why it was not included in the chart itself.

Vice-Chairman DeHaven stated if staff could address the issues raised then the ordinance would be ready for public hearing.

Upon a motion by Supervisor Collins, seconded by Vice-Chairman DeHaven, the Board approved sending this amendment forward for public hearing.

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:

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

DISCUSSION – SCREENING FOR OUTDOOR STORAGE AREAS – SENT FORWARD FOR PUBLIC HEARING

Senior Planner Candice Perkins appeared before the Board regarding this item. She advised staff had received a request to revise the Zoning Ordinance to modify the screening requirements for outdoor storage areas. The proposal would eliminate the screening element when an outdoor storage area adjoins a property also utilized for outdoor storage. The Development Review and Regulations Committee and the Planning Commission agreed with the proposed changes and forwarded this item to the Board for further discussion.

Supervisor DeHaven asked what would happen if one of the uses were to change.

Senior Planner Perkins responded that could be problematic, but the screening could be put up at that time.

Chairman Shickle stated this appeared to be an example of buyer beware.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Wells, the Board sent this proposal forward for public hearing.

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:

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

BOARD LIAISON REPORTS

Chairman Shickle advised that he and Administrator Riley were trying to schedule a meeting of the Joint Finance Committee. The meeting topic would be the Joint Judicial Center. He extended an invitation to the other board members to attend once the meeting is set.

CITIZEN COMMENTS

Phil Willie, resident of Frederick County, stated he did not hear the name of the taxpayer receiving the refund earlier in the meeting and he thought that was important for the citizens to know. With regard to the buffer issue, he suggested that landowners be allowed to establish the buffer.

BOARD OF SUPERVISORS COMMENTS

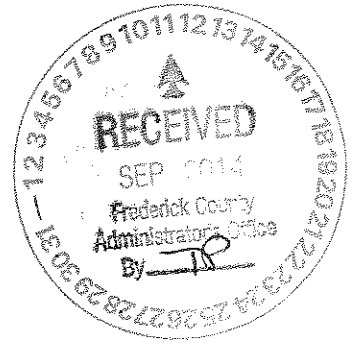
Supervisor Hess reported on his attendance at the open house held by the Virginia Tech's Alson H. Smith Jr. Agricultural Research and Extension Center. He complimented the event and the facility.

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. (8:14 P.M.)

B

September 9, 2014



Mr. John R. Riley, Jr.
Frederick Co. Administrator
107 N. Kent St.
Winchester, VA 22601

Dear Mr. Riley,

On August 21, 2014 my husband sustained a very serious accident at the Landfill Citizen Center on Landfill Road. In his attempt to dispose of a 4 x 4' piece of glass, the glass broke and severed his brachial artery and the muscle. I am happy to say that he is doing well after emergency surgery to repair them. He is now receiving occupational therapy to help regain full use of his arm. Fortunately, there was no nerve damage.

We wanted to take this opportunity to make you aware of the heroic work your employees did that day. Unfortunately, we do not have the names of all involved to thank each of them individually. However, we do want to mention Mr. Steve Frye and Mr. Tom Spencer. Mr. Frye was kind enough to stop in at the hospital to check on Dennis.

This was an emergent situation where others jumped in with belts and broom handles to apply a much needed tourniquet. Whoever the gentleman is that donated his belt, we owe him one! Others were at my side helping to console and reassure me that it was going to be okay.

Thank you does not seem adequate. All of those who helped that day are heroes to us. We will forever be indebted to them. Thankfully, Dennis was able to attend his son's wedding this past weekend and enjoy an already planned week at the beach. Their quick action helped save his life. God bless them all!

Sincerely,

Dennis + Kathy White

Dennis and Kathy White

Employee

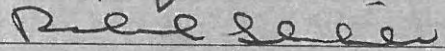
LIFE SAVING AWARD

AWARDED TO:

Jordan L. Oliver

**For Exceptional Service
August 21, 2014
Landfill Convenience Site
Public Works Department**


John R. Riley, Jr. County Administrator


Richard C. Shickle, Board of Supervisors' Chairman



Employee

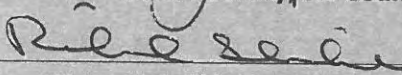
LIFE SAVING AWARD

AWARDED TO:

L. Tom Spencer

**For Exceptional Service
August 21, 2014
Landfill Convenience Site
Public Works Department**


John R. Riley, Jr. County Administrator


Richard C. Shickle, Board of Supervisors' Chairman



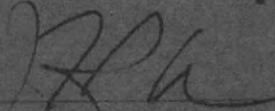
Citizen

LIFE SAVING AWARD

AWARDED TO:

Melvin Byrne

For Exceptional Service
August 21, 2014
Landfill Convenience Site
Public Works Department



John R. Riley, Jr. County Administrator



Richard C. Shickle, Board of Supervisors' Chairman



C

Employee of the Month Resolution

for:

Avery J. Kenney

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, Deputy Avery J. Kenney who serves in the Sheriff's Department was nominated for Employee of the Month; and,

WHEREAS, Deputy Avery J. Kenney is being recognized for his commitment to the County of Frederick; due to his high level of dedication, the life of a suicidal victim was spared on the 24th of August, 2014. Avery portrayed an exceptional act of compassion and willingness to assist those in the county; and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 8th day of October, 2014, that Deputy Avery J. Kenney is hereby recognized as the Frederick County Employee of the Month for September 2014; and,

BE IT FURTHER RESOLVED that the Board of Supervisors extends gratitude to Deputy Avery J. Kenney for his outstanding performance and dedicated service and wishes him continued success in future endeavors; and,

BE IT FURTHER RESOLVED, that Deputy Avery J. Kenney is hereby entitled to all of the rights and privileges associated with his award.

County of Frederick, VA
Board of Supervisors



Richard C. Shickle, Chairman

Dedication

County of Frederick

Employee of the Month

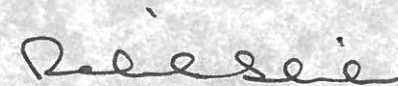
September 2014

Avery J. Kenney

Hardworking

Excellence

Professional



Richard C. Shickle
Chairman, Board of Supervisors

Employee of the Month Resolution

for:

Stephen D. Gregory

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, Deputy Stephen D. Gregory who serves in the Sheriff's Department was nominated for Employee of the Month; and,

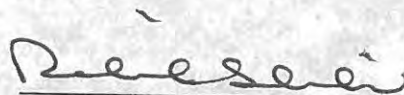
WHEREAS, Deputy Stephen D. Gregory is being recognized for his commitment to the County of Frederick; due to his high level of dedication, the life of a suicidal victim was spared on the 24th of August, 2014. Stephen portrayed an exceptional act of compassion and willingness to assist those in the county; and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 8th day of October, 2014, that Deputy Stephen D. Gregory is hereby recognized as the Frederick County Employee of the Month for September 2014; and,

BE IT FURTHER RESOLVED that the Board of Supervisors extends gratitude to Deputy Stephen D. Gregory for his outstanding performance and dedicated service and wishes him continued success in future endeavors; and,

BE IT FURTHER RESOLVED, that Deputy Stephen D. Gregory is hereby entitled to all of the rights and privileges associated with his award.

County of Frederick, VA
Board of Supervisors



Richard C. Shickle, Chairman

Dedication

County of Frederick

Employee of the Month


September 2014

Stephen D. Gregory

Hardworking

Excellence

Professional


Richard C. Shickle
Chairman, Board of Supervisors

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: Paula Nofsinger HR Director

From: Captain John Heflin

Date: 8-25-14

Subject: Employee of the Month

It's with great pleasure I'm nominating Deputy Avery Kenney and Deputy Stephen Gregory for Employee of the month for their life saving efforts on August 21st 2014.

On August 21st 2014 Deputy Kenney and Deputy Gregory were dispatched to a location in Frederick County to check the welfare of a suicidal subject. Once the Deputies arrived on the scene they received no answer at the front door and found the front door locked. They went around to the back of the residence and Deputy Kenney hoisted Deputy Gregory up so that he could look into the second floor bedroom, he saw a male unresponsive on the bed. Deputy Gregory was able to climb in the open window. Deputy Gregory then went to the front door to open it for Deputy Kenney. They checked on the unresponsive male in the bedroom and found that he was not in distress and not the person they were sent to check on. They continued to search the home and found the suicidal subject in the bathtub with a bungee cord wrapped around his neck several times. They removed the subject from the bathtub and found that he was not breathing and

had no pulse. The Deputies then started CPR and after 3 or 4 cycles of doing CPR the subject started breathing on his own. The Deputies had to also deal with the other subject that was unresponsive in the bed because he had awoken and started fighting with the Deputies and had to be secured so that they could do CPR on the other subject. The subject that Deputy Kenney and Deputy Gregory performed CPR on was transported to the Winchester Medical and admitted to their care.

If not for Deputy Kenney and Deputy Gregory's quick actions the subject would have died within minutes of them finding him.

Deputy Kenney and Deputy Gregory are dedicated employees that contribute to making Frederick County a safe place to live and work.

D



John R. Riley, Jr.
County Administrator

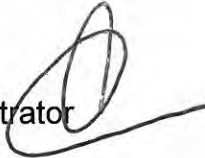
540/665-5666

Fax 540/667-0370

E-mail:

jriley@co.frederick.va.us

MEMORANDUM

TO: Board of Supervisors
FROM: John R. Riley, Jr., County Administrator 
DATE: October 2, 2014
RE: Committee Appointments

Listed below are the vacancies/appointments due through December, 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

Economic Development Authority (EDA)

Josh Phelps – County Representative
Winchester Metals, Inc.
195 Ebert Road
Winchester, VA 22603
Term Expires: 11/10/16

(Mr. Phelps informed staff he did not want to be appointed to the Economic Development Authority. Chairman Shickle appointed Stan Crockett to fill this seat and is seeking ratification by the Board.)

Richard G. Dick – County Representative
1600 Millwood Pike
Winchester, VA 22602
Term Expires: 11/10/16

(See Attached Resignation from Richard Dick effective January 1, 2015.)

Development Impact Model Oversight Committee

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

(Supervisor Lofton currently serves on the Development Impact Model Oversight Committee and is current member of Economic Development Authority (EDA) as well; therefore could serve in both capacities.)

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

SEPTEMBER 2014

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

No appointments remaining.

NOVEMBER 2014

Handley Regional Library Board

John R. Clawson – Frederick County Representative
220 Lynn Drive
Stephens City, VA 22655
Home: (540)336-6080
Term Expires: 11/30/14
Four year term

(Staff has been advised Mr. Clawson is willing to continue serving and the Handley Library Board would like him to remain if it is the desire of the Board. The County has 5 seats on the Handley Regional Library Board as a result of the Joint Agreement and Memorandum of Understanding with the City. As stated in the library by-laws, members may only serve two terms. Mr. Clawson has served one full term and is eligible for reappointment.)

DECEMBER 2014

Board of Equalization

James I. Brumback – County Representative
5699 Middle Road
Winchester, VA 22602
Home: (540)869-3724
Term Expires: 12/31/14
Three year term

(The Board of Equalization is composed of five members. Members must be free holders in the county. In October 2010, the Board of Supervisors appointed the Board of Equalization as a “permanent” board for subsequent reassessments. The original five members were appointed for the following terms: one member for a one-year term; one member for a two-year term; and three members for a three-year term. Going forward, all future appointments shall be for a three-year term. Recommendations for appointment/reappointment are made by the Board of Supervisors and submitted to the Judge of the Frederick County Circuit Court for final appointment.)

Chapter 10 Board

Jack Alkire – Frederick County Representative
P. O. Box 1175
Front Royal, VA 22630
Office: (540)665-6388
Term Expires: 12/31/14
Three year term

(Mr. Alkire was appointed at 07/25/12 Board Meeting to fill unexpired term of Fred Vondy who resigned. The Chapter 10 Board is composed of representatives from each of the jurisdictions within the planning district. The county has three seats on the Chapter 10 Board. Members serve a three year term and may only serve three consecutive terms.)

Board of Zoning Appeals

Bruce Carpenter – Gainesboro District Representative
455 Mountain Laurel Lane
Winchester, VA 22603
Home: (540)722-2827
Term Expires: 12/31/14
Five year term

*(There are seven members on the Board of Zoning Appeals. **Recommendations for appointment/reappointment are made by the Board of Supervisors and submitted to the Judge of the Frederick County Circuit Court for final appointment.**)*

JRR/tjp

Attachment

Richard G. Dick
1600 Millwood Pike
Winchester, VA 22602

September 24, 2014

Richard C. Shickle, Chairman
Frederick County Board of Supervisors
107 N. Kent Street
Winchester, VA 22601

Dear Chairman Shickle:

I wanted to take this opportunity to thank you and the Board for appointing me to the Frederick County Industrial Development Authority, Winchester-Frederick County Economic Development Commission, the Business Friendly Committee and, finally, the newly formed Economic Development Authority. As you know, I have thoroughly enjoyed serving on these authorities and commissions over the past several years. My commitment to seeing Frederick County succeed is unwavering.

It is now time, however, for me to step down and give someone else the opportunity to experience what I have had the opportunity to enjoy. Therefore, I am tendering my resignation from the EDA effective January 1, 2015.

Thank you again for the opportunity to serve the citizens of Frederick County.

Sincerely,



Richard G. Dick

E



MEMO

To: John R. Riley, Jr., County Administrator
From: Jason L. Robertson, Director, Parks & Recreation Dept.
Subject: Parks and Recreation Commission Action
Date: September 11, 2014

The Parks and Recreation Commission met on September 9, 2014. Members present were: Kevin Anderson, Patrick Anderson, Randy Carter, Marty Cybulski, Ronald Madagan and Charles Sandy, Jr.. Members absent were: Greg Brondos, Jr., and Christopher Collins

Items Requiring Board of Supervisors Action:

None

Submitted for Board Information Only:

1. Tree Removal Policy – No action taken due to lack of a motion.
2. Policy Changes – Athletic Field Use and Facility Rental Policies – Mr. Cybulski moved to accept the Athletic Field Use and Facility Rental policies as submitted, second by Mr. Longerbeam, motion carried unanimously (6-0). Please find attached copies of the approved policies.
3. Finance Committee - Fees and Charges – The Finance Committee recommended changing the FY 16 fees and charges as indicated on the attached fee chart, second by Mr. Madagan, motion carried unanimously (5-0).
4. Buildings and Grounds Committee – Proffered Snowden Bridge Site Plan – The Buildings and Grounds Committee recommended to endorse the site plan submitted, second by Mr. Cybulski, motion carried unanimously (5-0). Please find attached a copy of the approved site plan.

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

ATHLETIC FIELD USE

500.01

PURPOSE:

To allow the use of Frederick County Parks and Recreation maintained athletic fields by public groups and organizations.

GOAL:

To establish standardized fees and charges for the use of Frederick County Parks and Recreation Department athletic fields.

POLICY:

The following priorities have been established for athletic facilities use:

1. FCPRD programs
2. FCPRD co-sponsored programs
3. Frederick County Public School Activities
4. Others

SCHEDULING OF FACILITIES:

Fields are scheduled on a first come, first serve basis. No reservations will be confirmed until the fee has been paid.

Reservations for field use may be made after January 1st of each year and are limited to that calendar year. Reservations may be made between the hours of 8 a.m. and 5 p.m. Monday through Friday.

Special requests may be made to the Director for events which have to be booked more than one (1) year in advance (i.e., State Championships, etc.) or for tournaments held the prior year. These special request reservations must be made by December 15 of the prior year. All field reservation fees must be paid at the time of the special request.

All field reservations will be sold in two (2) hour blocks only.

Field Reservations requiring field prep (dragging, lining, lights) Monday through Friday must be made by 3 p.m. the day prior to the reservation. Field reservations for Saturday, Sunday, and Frederick County recognized holidays requiring field prep must be made one business days prior to the day reserved.

All weekend requests requiring field prep made within five business days or weekday requests made after 3pm the prior day will be at the discretion of the Superintendent of Parks, or his designee.

Reservations for Monday through Friday requiring no field prep may be made until 3 p.m. of the day requested. Weekend reservations requiring no field prep must be made by 3 p.m. on Friday.

FCPRD will perform the required field prep one time per day. Bases and pitching plates will be set by Park Staff. Fields typically are not dragged for scheduled practices.

Field playability for all FCPRD athletic fields will be determined by FCPRD staff. It is the responsibility of the field user to evacuate the field and seek a safe location after thunder has been heard, or lightning seen. The facility should remain evacuated until **30 minutes from the last sound of thunder or lightning seen.**

FEES:

Reservation fees vary with facility. The fee schedule is available upon request.

The entire fee must accompany each field reservation.

All payments for reservations must be delivered or mailed to FCPRD's main office. All reservations are subject to the regulations set forth in the policy on registration in regards to receipting, mail-in, etc.

Periodically, fees and charges are subject to change as economic factors dictate. Individuals, teams, groups, and organizations should contact FCPRD for current updated information.

There will be no charge for Frederick County Public Schools to use FCPRD fields except for field preparation.

An additional charge will be assessed for materials and labor used to make ballfields playable as a result of rain.

An additional fee for clean-up may be charged if necessary.

These charges will be determined by the Superintendent of Parks.

INSURANCE

Frederick County insurance guidelines are to be adhered to for all reservations. Insurance certificates listing Frederick County, Virginia as additionally insured are required for all contractors performing a medium or high risk business in the Frederick County Parks. If a contractor is performing a medium or high risk business in the Frederick County Community Centers or on Frederick County Public School property, the contractor will need to list Frederick County VA and the Frederick County Public Schools as additionally insured.

The contractor's insurance certificate will need to demonstrate coverage for public liability for no less than \$1 million per occurrence for bodily injury and a \$2 million annual aggregate. Coverage for property damage of \$200,000 for any one accident and an aggregate of \$500,000 is also required. This coverage requirement can be met by a policy with either separate limits as stated above or by one with a combined single limit for bodily injury and property damage of \$1 million per occurrence and a \$2 million annual aggregate will also meet this requirement.

HOURS OF AVAILABILITY:

Lighted fields are available from 9 a.m. to 11 p.m. Unlit fields are available from 9 a.m.-dusk. If you desire a field earlier or later you must make your request in writing for approval by the Superintendent of Parks.

OVERNIGHT TOURNAMENTS:

Overnight tournaments are scheduled only at Clearbrook Park, must be scheduled thirty days in advance, must conclude by 8 a.m. and the Park may only host one per month from May through September. Additional tournaments may be approved at the discretion of the Director or his designee.

Individuals or groups requesting over night tournament reservations must secure and provide a minimum of one (1) officer from the County Sheriff's Department or an approved security guard for the duration of the event.

FIELD CANCELLATION/REFUNDS:

All requests for refunds or cancellation must be made verbally or in writing to the FCPRD administrative offices five (5) business days prior to the reservation. A refund less a 20% administrative charge or full credit to your account will be given for all field cancellations. There will be no refunds given after this time unless the event is rained out and cannot be rescheduled by the department at another time.

Approved: May 2014

FACILITY RENTAL

500.19

PURPOSE:

To establish a procedure for patrons renting or leasing indoor or outdoor FCPRD facilities.

GOAL:

To standardize the process for facility rentals to improve customer service and to provide a pleasurable experience for all park visitors.

POLICY:

FCPRD has the following facilities available for rental: athletic fields, shelters, pools, gymnasiums, multi-purpose rooms, and open outdoor areas.

Any rental that meets at least one of the following criteria will be defined as a festival/special event; (1) monies will be collected (on or off Frederick County Property) to attend the activity, either as an admission fee or as a donation for fundraising purposes or, (2) the activity is open to the general public.

For rentals that are defined as a festival/event; the following criteria must be met before approval will be granted; (1) the person reserving the facilities must be at least 21 years of age, (2) the activity must be covered by a general liability insurance policy naming Frederick County, VA and or Frederick County Public Schools, Frederick County, VA as additionally insured in the appropriate amount; adequate coverage amounts will be provided upon request, and (3) individual or organization must have a Frederick County business or vendor license, and (4) security personnel may be required by the Director or designee depending upon the nature of the activity.

Any rental for the purpose of an athletic tournament must adhere to the applicable procedures outlined in the tournament packet.

For groups requesting space to hold walk-a-thons; the following guidelines have been established:

All requests for Sherando Park will be assigned the track at Sherando High School and the walking/5K trail located in the adjacent woods. A fee may be charged based on services and materials required of Frederick County Parks and Recreation Department. The Parks and Recreation Vendor Policy (#500.16) will be applicable.

For shelters and pools all facility reservations must be made one (1) business days in advance. Payment is due upon reservation. For community center reservations; requests must be made one (1) business day in advance and is based upon staff availability. For use of outdoor athletic fields; adhere to the procedures outlined in the Athletic Field Use Policy (#500.01).

Approved: May 2014

**Frederick County Parks Recreation
Proposed Fees and Charges
FY 2015-16**

Facility	Fee Description			Unit
		Resident Rate	Non-Resident Rate	
Baseball/Softball Field Reservations				
	Practice Rate	\$10.00*	\$15.00*	Hr.
	Game Rate	\$20.00**	\$25.00**	Hr./2 Hr. Minimum
	Tournament Rate (9AM-11PM)	\$150.00***	\$190.00***	Day-9:00 AM-11:00 PM
	*Increased \$2.00/hr. for Resident and Non-Resident			
	*Increased \$5.00/hr. for Resident, \$3.00/hr. Non-Resident			
	***Decreased \$60.00 per day for Resident, \$118.00 per day for Non-Resident			
Soccer Field Reservation Fee				
Sherando Fields 1-4	Field Use Rate	\$25.00*	\$40.00*	Hr./2 Hr. Minimum
Irrigated Fields	Additional lining beyond weekly lining	\$125.00**	\$125.00**	Day
	*Increased \$10.00/hr for Resident and Non-Resident			
	**Increased \$30.00 per lining for Resident and Non-Resident			
Soccer Field Reservation Fee				
Sherando 6,7	Field Use Rate	\$15.00*	\$25.00*	Hr./2 Hr. Minimum
Non-Irrigated	Additional lining beyond weekly lining	\$125.00**	\$125.00**	Day
	*Increased \$5.00/hr for Resident and Non-Resident			
	**Increased \$30.00 per lining for Resident and Non-Resident			
High School Baseball/Softball Field Reservation Fee				
Cosponsored Only	Practice Rate	\$ 10.00		Hr./1 Hr. Minimum
	Game Rate	\$ 20.00		Hr./2 Hr. Minimum
Open Space Rental Reservation				
	Fee	\$ 2.50	\$ 5.00	Hr./2 Hr. Minimum
	Acre	\$ 60.00	\$ 90.00	Day

**Frederick County Parks Recreation
Proposed Fees and Charges
FY 2015-16**

Facility	Fee Description			Unit
		Resident Rate	Non-Resident Rate	
Disc Golf Course		\$100.00	\$150.00	Day
Shelters				
Clearbrook Park	Lawrence (30)	\$39.00*	\$55.00*	Day
	Key Club (50-75)	\$50.00*	\$66.00*	Day
	JW Colonels (50-75)	\$50.00*	\$66.00*	Day
	Rubbermaid (50-75)	\$50.00*	\$66.00*	Day
	Antique Car Club (50-75)	\$50.00*	\$66.00*	Day
	Lions Club (100-150)	\$61.00*	\$77.00*	Day
	Kiwanis II (100-150)	\$61.00*	\$77.00*	Day
Sherando Park	Kiwanis I (200-300)	\$72.00*	\$88.00*	Day
	Lock Gazebo (35)	\$39.00*	\$55.00*	Day
	FFA (50-75)	\$50.00*	\$66.00*	Day
	Abex (50-75)	\$50.00*	\$66.00*	Day
	Ruritan (100-150)	\$61.00*	\$77.00*	Day
	Sandy (100-150)	\$61.00*	\$77.00*	Day
	Lions Club (200)	\$72.00*	\$88.00*	Day
	*Increased 10% per day for Resident and Non-Resident			
Paddleboat Fees				
Open weekends only	Ride	\$ 2.00	\$ 2.00	per person 1/2 hr.
Clearbrook Only				

**Frederick County Parks Recreation
Proposed Fees and Charges
FY 2015-16**

Facility	Fee Description			Unit
		Resident Rate	Non-Resident Rate	
SHS Community Center				
	Racquetball Courts-Adult/Student	\$ 7.00*	\$ 7.00*	Hr.
	Weight Room - Adult/Student	\$ 2.00*	\$ 2.00*	Hr.
	Rball & Weight Room Discount	20% Discount for 10 visits		
		*Increased \$1.00 hr. eliminated separate student rate		
	Multipurpose Room (40' x 40')			
	Full Room w/Kitchen	\$ 20.00	\$ 35.00	Hr./2 Hr. Minimum
Orchard View Community Center				
	Gym-Full	\$ 25.00	\$ 40.00	Hr./2 Hr. Minimum
Evendale Community Center				
	Gym-Full	\$ 25.00	\$ 40.00	Hr./2 Hr. Minimum
	Activity Room	\$ 15.00	\$ 30.00	Hr./2 Hr. Minimum
	Exercise Room	\$ 12.00	\$ 27.00	Hr./2 Hr. Minimum
	Gym Rental Discount	20% discount for all gym rentals of 50 hours or more - must be prepaid		
Gainesboro Community Center				
	Gym-Full	\$ 25.00	\$ 40.00	Hr./2 Hr. Minimum
	Activity Room	\$ 15.00	\$ 30.00	Hr./2 Hr. Minimum
	Exercise Room	\$ 12.00	\$ 27.00	Hr./2 Hr. Minimum
	Gym Rental Discount	20% discount for all gym rentals of 50 hours or more - must be prepaid		

**Frederick County Parks Recreation
Proposed Fees and Charges
FY 2015-16**

Facility	Fee Description			Unit
		Resident Rate	Non-Resident Rate	
Greenwood Mill Community Center				
	Gym-Full	\$ 25.00	\$ 40.00	Hr./2 Hr. Minimum
	Activity Room	\$ 15.00	\$ 30.00	Hr./2 Hr. Minimum
	Fitness Room - Adult/Student	\$ 2.00*	\$ 2.00*	Hr.
	Fitness Room Discount	20% discount for 10 visits		
	Gym Rental Discount	20% discount for all gym rentals of 50 hours or more - must be prepaid		
Swimming Pool		12-5 PM	Last Hour	
	2 & Under	Free	Free	
	3-11 yrs.	\$ 3.00*	\$1.00	
	12 & Over	\$ 4.00*	\$1.00	
	Pool Rental	\$ 200.00	\$ 250.00	
		<i>*Increased \$1.00 hr.</i>		
Fees effective January 1, 2015				

Snowden Bridge
Master Plan - Draft 2
Frederick County, Virginia



SCHOOL
SITE



August 6, 2013



F



County of Frederick

Paula A. Nofsinger
Director of Human Resources

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

TO: Board of Supervisors
FROM: HR Committee
DATE: September 30, 2014
SUBJECT: Human Resources Committee Report

The HR Committee met in the First Floor Conference Room at 107 North Kent Street on Friday, September 12th, 2014, at 8:00a.m. All members were present.

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

1. The HR Committee recommends approval for conversion of a part time position to a full time position. The HR Committee unanimously supported the request from Mr. Ed Strawsnyder, Public Works Director, to convert a part time position to a full time Office Assistant III position for the Inspections' Department. The funding request for the position was forwarded to the Finance Committee for consideration. (See attachment)
2. The HR Committee recommends approval for conversion of a part time position to a full time position. The HR Committee unanimously supported the request from Ms. Ellen Murphy, Commissioner of the Revenue, to convert a part time position to a full time Account Clerk I position for the Personal Property Department. The funding request for the position was forwarded to the Finance Committee for consideration. (See attachment)
3. The Committee recommends approval to begin the County's right sizing staffing project. (See attachment)
4. The Committee recommends approval of the revised HR Committee Charter. (See attachment)
5. The Committee recommends approval for Employee of the Month award.

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

1. None.


There being no further business, the meeting was adjourned.

The next HR Committee meeting is scheduled for Friday, October 10th, 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


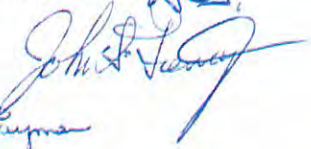
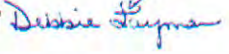


COUNTY of FREDERICK

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: September 12, 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.

This part time position was filled on August 12, 2013, working 37 hours per week. This was a full time position that ended with staff reductions on July 1, 2010.

It is my understanding that on July 1, 2015, all part time employees working 37 hours per week will receive health benefits.

The request to re-establish this full time position is due to the increase in permit activity which has resulted in fee increases of \$103,000 during the past four months (May, June, July & August) compared to the same period the previous year.

This position would start at a 3 Range in the pay scale, with a B-level salary of \$25,921.44, plus appropriate benefits. The Department was funded \$22,000 for part-time labor 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;



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@fcva.us



Date: September 15, 2014

To: Finance Committee
Human Resources Committee
Frederick County Board of Supervisors

From: Ellen E. Murphy, Commissioner of the Revenue

Re: Statistical Information – Personal Property
Supports Need for Jessica Veach to a Full Time Position

Although statistical data for count of work load is available in many sources, the following is personal property income data for 2010, 2011, 2012 and 2013 as suggested:

CY	2010	2011	2012	2013
	38,676,673	39,293,126	40,814,229	41,747,718
	-3,158,793	-3,142,737	-2,795,114	-3,983,232
	<u>3,683,084</u>	<u>3,672,614</u>	<u>3,861,325</u>	<u>4,778,002</u>
	39,200,964	39,823,003	41,880,440	42,542,488

Above numbers show original April book personal property TAX totals, less taxes abated, plus additional taxes billed on supplements.

As you can imagine, additional revenue is only generated at the efforts of staff to find, verify and tax such property. There comes a time when staff simply cannot stretch the day any further. Help is needed and Mrs. Veach has shown a wonderful work ethic and understanding of the process.

Your consideration is greatly appreciated!



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



September 3, 2014

TO: H R Committee
Paula Nofsinger, H R Director

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Supplemental Funding to change staff position

A handwritten signature in blue ink, reading "E. Murphy".

Please approve an increase in Commissioner of the Revenue salaries of \$14,700.00 for FY2015 to enable me to hire Jessica Veach as a full time personal property clerk. Mrs. Veach is currently part time and these funds will enable her to work on a full time basis.

Since we first hired Mrs. Veach as part time in November 2013 we have found her to be extremely helpful, attentive to the taxpayers and willing to learn not only her assigned tasks but anything else in the department to be of assistance.

She has received praise from both her Supervisor and from the general public. It would be to the county's advantage as well as my department to have her working more hours.

Your approval will be greatly appreciated.



County of Frederick

Paula A. Nofsinger
Director of Human Resources

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

To: Human Resources Committee
From: Paula Nofsinger *Paula Nofsinger*
Subject: Approval to begin Right Sizing Study
Date: September 29, 2014

Last fall during our current year's budget cycle, Mr. Chuck Dehaven, our Finance Committee Chair, provided a memo dated November 12, 2013, that assisted in providing budget direction to aid staff in prioritizing budget requests. One of the directives was to consult with an outside firm to conduct an analysis of appropriate staffing levels by department in order to predict needs and develop a plan to ensure right sizing as the County moves forward.

With the full support of Mr. Riley, I am respectfully asking this Committee to recommend to the Board of Supervisors that we begin this right sizing study. The funds to pay for this study have been budgeted and are available from County Administration's professional services budget line item.

By potentially beginning this study now, we anticipate having the results of this study to assist us with any considerations for staffing levels during the 2015-2016 budget cycle.

Thank you for your support and please let me know if you have any questions.



COUNTY of FREDERICK

Board of Supervisors

540/665-5666

540/667-0370 fax

Richard C. Shickle - Chairman

Charles S. DeHaven, Jr. - Vice Chairman

Stonewall District

Gary A. Lofton

Back Creek District

Robert A. Hess

Gainesboro District

Robert W. Wells
Opequon District
Christopher E. Collins
Red Bud District
Gene E. Fisher
Shawnee District

November 12, 2013

John R. Riley, Jr.
107 N. Kent Street
Winchester, VA 22601

Dear John;

In an attempt to help find budget direction and aid staff in appropriately prioritizing budget requests and suitably recommending proposed budget cuts or allocating resources, I offer the following recommendations.

We would all like to see a reduction, but it is anticipated that the property tax rates will remain constant.

The annual use of up to 4.3 million of fund balance funding would continue to be considered to balance the FY 2015 budget.

We should attempt to allocate new funding with the schools on a basis consistent with the current funding allocation.

The independent salary survey expected to be completed in early 2014 should help to quantify our compensation and benefit package needs. Developing a plan and setting goals to address identified needs should be a budget priority.

We should consult with an outside firm to conduct an analysis of appropriate staffing levels by department in order to predict needs and develop a plan to insure right sizing as we move forward.

There is a desire to identify and quantify deferred capital investments to accomplish the development of a prioritized plan to catch up on these issues.

Sincerely,

Chuck DeHaven

Frederick County Board of Supervisor's

Human Resources Committee Charter

I. Organization

There shall be a committee of the Board of Supervisors ("Board") of Frederick County, Virginia ("County") known as the Human Resources Committee ("Committee"). The Committee shall be comprised of three (3) members of the Board of Supervisors who will be appointed by the Chairman of the Board, with one appointed as Chair, and three (3) citizen members as appointed by the Chairman of the Board. This Charter shall govern the Committee with regard to its duties and responsibilities. The goal of the Committee shall be to promote programs, policies, and practices that attract and retain qualified employees.

II. Purpose

The primary function of the Committee is to assist the Board in fulfilling its oversight responsibilities by reviewing and evaluating the human resources programs, policies, and procedures of the County. The Committee's primary duties and responsibilities are as follows:

- To serve as an independent and objective party to monitor the human resources programs and policies of the County.
- To review and appraise the County's efforts to attract and retain a qualified and productive employee workforce.

The Committee will primarily fulfill these responsibilities by carrying out the activities enumerated in Section IV of this Charter.

III. Meetings

The Committee shall meet at least twelve (12) times annually or more or less frequently as circumstances dictate. The Chairman of the Board, the Chair of the Committee, or a majority of the Committee members may call or cancel meetings of the Committee. The Chair of the Committee shall prepare or approve an agenda in advance of each meeting. The County Administrator and the Director or Directors with the responsibilities for human resources shall be invited to all meetings. Other management officials and counsel to the Board may be invited as necessary. With the exception of Directors, the Chair may excuse any non-Committee members from attendance at any meeting or portion of any meeting.

IV. Responsibilities

The Committee shall have the following duties and responsibilities:

A. Human Resources

1. Review and advise the Board of Supervisors and senior management of the County with respect to human resources initiatives, policies and procedures, including activities relating to recruiting, retention and training of employees, as well as employee relations in general.

2. Establish, review, and recommend the County's compensation strategy to ensure that rewards are commensurate with County success and the creation of value for its employees, and that the strategy supports the achievement of the County's objectives. Review and recommend salary grade structures and guidelines, incentive plans, and merit plans, including the cumulative effect of awards made pursuant to such plans. Report the results of the review and any recommended action by the Committee to the Board of Supervisors for final approval.

3. Review the unclassified compensation plans to ensure that the County attracts, retains and rewards qualified Directors and other key employees, and that their interests are aligned with the long-term interests of the County. Report the results of such review to the Board of Supervisors.

4. Review and approve the major benefit plans and programs of the County to ensure that they support the County's objectives. Report the results of such review and any recommended action by the Committee to the Board of Supervisors.

5. Obtain advice and assistance from internal or external accounting, legal or other consultants to provide advice to the Committee on matters under its purview, including an annual independent review of the County's compensation and benefit plans and programs. The Committee shall recommend to the Board the fees and terms of engagement of those rendering external advice to the Committee.

6. Review annually the County's results and compliance with employee grievances and equal opportunity claims, and report the results of such review to the Board of Supervisors.

B. Other Duties Related to Review, Reports and Improvement Procedures

1. Review and reassess annually the adequacy of this Charter, and conduct an annual self-assessment of this Committee's performance.

2. Prepare minutes of all meetings of the Committee, and report to the Board on the matters discussed at each Committee meeting, as appropriate.

3. Perform any other activities consistent with this Charter, the County's goals, objectives and governing law, as the Committee or the Board deems necessary or appropriate.

Frederick County Board of Supervisor's
Human Resources Committee Charter

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IV. Responsibilities

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Human Resources

Review and advise the Board of Supervisors and senior management of the County with respect to human resources initiatives, policies and procedures, including activities relating to recruiting, retention and training of employees, as well as employee relations in general.

Compensation Plan Review

Prepare, review, and recommend the County's compensation strategy to ensure that rewards are commensurate with County success and the creation of value for its employees, and that the strategy supports the achievement of the County's objectives.

Review and recommend salary grade structures and guidelines, incentive plans, and merit plans, including the cumulative effect of awards made pursuant to such plans. Report the results of the review and any recommended action by the Committee to the Board of Supervisors for final approval.

Review the unclassified compensation plans to ensure that the County attracts, retains and rewards qualified Directors and other key employees, and that their interests are aligned with the long-term interests of the County. Report the results of such review to the Board of Supervisors.

Staffing Plan Review

Prepare, review, and recommend the County's staffing strategy to ensure that the County is adequately staffed to support of the County's goals in providing outstanding service to its citizens and aligned with the long-term interests of the County.

Review and recommend staffing plans and guidelines to recommend any action by the Committee to the Board of Supervisors for final approval.

Health and Welfare Plans

Review and approve the major benefit plans and programs of the County to ensure that they support the County's objectives. Report the results of such review and any recommended action by the Committee to the Board of Supervisors.

Compliance Review

Obtain advice and assistance from internal or external accounting, legal or other consultants to provide advice to the Committee on matters under its purview, including an annual independent review of the County's compensation and benefit plans and programs. The Committee shall recommend to the Board the fees and terms of engagement of those rendering external advice to the Committee.

Review annually the County's results and compliance with employee grievances and equal opportunity claims, and report the results of such review to the Board of Supervisors.

Other Duties Related to Review, Reports and Improvement Procedures

Review and reassess annually the adequacy of this Charter, and conduct an annual self-assessment of this Committee's performance.

Prepare minutes of all meetings of the Committee, and report to the Board on the matters discussed at each Committee meeting, as appropriate.

Perform any other activities consistent with this Charter, the County's goals, objectives and governing law, as the Committee or the Board deems necessary or appropriate.

G



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: September 29, 2014
SUBJECT: Finance Committee Report and Recommendations

The Finance Committee met in the First Floor Conference Room at 107 North Kent Street on Monday, September 29, 2014 at 8:00 a.m. Non-voting liaison C. William Orndoff was absent.

(b) Items 3 and 4 were approved under consent agenda.

1. The Finance Director presents FY 2014 Year End financial information. See attached, p. 4 – 20. No action required.
2. The Transportation Director requests to advertise for public hearing a Development Projects Fund supplemental appropriation in the amount of \$8,136,700 for the construction of Snowden Bridge Boulevard. The project will be funded through VDOT revenue sharing and matching developer funds. See attached memo, p. 21. The committee recommends advertising for public hearing.
3. (b) The Sheriff requests a General Fund supplemental appropriation in the amount of \$659,32. This amount represents a reimbursement for an extradition. No local funds required. See attached memo, p. 22.
4. (b) The Sheriff requests a General Fund supplemental appropriation in the amount of \$33,347. This amount represents a DMV grant for alcohol enforcement. See attached information, p. 23 – 24.

5. The Sheriff requests a General Fund supplemental appropriation in the amount of \$175,000. This amount represents funds needed for increased part time needs for court bailiffs with the addition of three judges. Local funds are required. See attached letter, p. 25 – 26. The committee recommends approval.
6. The Sheriff requests a General Fund supplemental appropriation in the amount of \$284,781 in order to purchase (10) ten vehicles and associated equipment. Local funds are required. See attached letter, p. 27. The committee recommends approval.
7. The EDA Executive Director requests an EDA Fund and a General Fund supplemental appropriations in the amount of \$375,000. This amount represents EDA Incentives remaining in FY 2014. See attached memo, p. 28. Item was postponed.
8. The School Director of Finance requests a General Fund and School Operating Fund supplemental appropriations in the amount of \$108,938.58. This amount represents designated funds received during FY 2014. See attached memo, p. 29. The committee recommends approval.
9. The School Director of Finance requests a General Fund supplemental appropriation in the amount of \$542,593.92 and a School Capital Projects Fund supplemental appropriation in the amount of \$722,202.80. These amounts represent unspent, unobligated FY 2014 funds remaining at year end to be used for capital maintenance needs. See attached memo, p. 29. The committee recommends approval.
10. The School Director of Finance provides FY 2014 Year End Financial Reports. See attached, p. 30 – 56. No action required.
11. The Public Works Director requests a General Fund supplemental appropriation in the amount of \$11,843 in order to convert a part time position to a full time Office Assistant III position. Also required is a transfer in the amount of \$14,920 from currently budgeted part time funds. Local funds are required. The position has been approved by

the HR Committee. See attached memo, p. 57 – 58. The committee recommends approval.

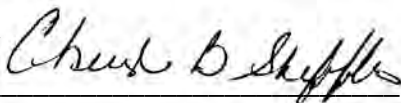
12. The Commissioner of the Revenue requests a General Fund supplemental appropriation in the amount of \$14,393 in order convert a part time position to a full time Account Clerk I position. Also required is a transfer in the amount of \$11,264 from the currently budgeted part time funds. Local funds are required. The position has been approved by the HR Committee. See attached memo, p. 59 – 61. The committee recommends approval.
13. The Finance/Audit Committee charter adopted by the Board of Supervisors requires an annual review and reassessment. See attached charter, p. 62 – 64. The committee recommends approval of the charter with no changes.

INFORMATION ONLY

1. The Finance Director provides a Fund 10 Transfer Report for August. See attached, p. 65.
2. The Finance Director provides financial statements for the month ending August 31, 2014. See attached, p. 66 – 76.
3. The Finance Director provides an FY 2015 Fund Balance Report for the period ending September 16, 2014. See attached, p. 77.

Respectfully submitted,

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

By 
Cheryl B. Shiffler, Finance Director

County of Frederick

Year Ended June 30, 2014



In Summary, what are the County's year-end General Fund numbers?

• Actual Revenues	143,439,508
• Actual Expenditures	<u>137,351,377</u>
	6,088,131

Revenue and Expenditure detail on following slides

Budgeted Revenue

	FY13 ACTUAL	FY14 BUDGETED	FY14 ACTUAL	FY14 VARIANCE
*Property Taxes	91,274,000	87,168,379	94,293,572	7,125,193
Other Local Taxes	29,933,428	28,429,460	31,369,406	2,939,946
Permits / Fees	1,214,052	971,610	1,338,782	367,172
Fines / Forfeitures	387,848	280,000	368,396	88,396
Rev. from Use of Prop.	446,272	168,609	155,718	(12,891)
Charges for Services	2,212,738	2,312,630	2,099,935	(212,695)
Miscellaneous	640,548	275,395	304,021	28,626
Recovered Costs	2,175,749	971,622	3,533,122	2,561,500
State	8,658,232	9,699,928	7,571,443	(2,128,485)
Federal	224,656	17,399	2,405,113	2,387,714
TOTALS	137,167,523	130,295,032	143,439,508	13,144,476

*Includes reimbursement for PPTRA.

Property Taxes

	FY 13 ACTUAL	FY 14 BUDGETED	FY 14 ACTUAL	FY 14 VARIANCE
Real Estate	44,657,302	43,250,000	45,894,827	2,644,827
Public Service	2,296,440	1,500,000	1,973,794	473,794
Personal Property	37,183,850	36,343,379	39,010,200	2,666,821
Machinery and Tools	5,616,692	4,800,000	5,749,474	949,474
Penalties / Interest	1,211,857	1,000,000	1,334,063	334,063
Admin Fees - Treasurer	307,860	275,000	331,214	56,214
TOTALS	91,274,000	87,168,379	94,293,572	7,125,193

*Includes state reimbursement for PPTRA.

Other Local Taxes

	FY13 ACTUAL	FY14 BUDGETED	FY14 ACTUAL	FY14 VARIANCE
Sales Tax	11,039,176	11,462,440	12,081,490	619,050
Communications Tax	1,381,781	1,300,000	1,358,270	58,270
Utility Taxes	3,062,954	2,950,000	3,137,815	187,815
Business License	5,937,867	5,000,000	5,993,996	993,996
Motor Vehicle Decals	2,269,990	2,075,000	2,367,696	292,696
Bank Stock & Franchise	351,832	300,000	448,167	148,167
Taxes on Wills & Recordation	1,254,738	979,000	1,154,855	175,855
Meals & Room Taxes	4,592,244	4,320,000	4,786,113	466,113
Street Lights/Star Fort Fees	42,845	43,020	41,004	(2,016)
TOTALS	29,933,428	28,429,460	31,369,406	2,939,946

Permits / Fees

	FY13 ACTUAL	FY14 BUDGETED	FY14 ACTUAL	FY14 VARIANCE
Dog License	41,088	40,000	44,438	4,438
Land Use Application Fees	7,325	6,500	4,800	(1,700)
Development Review Fees	382,026	215,760	345,891	130,131
Building Permits	594,874	515,000	718,729	203,729
Transfer fees	2,515	0	2,525	2,525
Electrical Permits	58,311	60,000	75,979	15,979
Plumbing Permits	10,155	20,000	11,749	(8,251)
Mechanical Permits	51,870	50,000	51,337	1,337
Sign Permits	3,112	2,500	3,668	1,168
Permits – Fire and Rescue	1,765	850	1,690	840
Land Disturbance Permits	59,860	60,000	65,740	5,740
2% State Fees	502	0	9,286	9,286
Transfer Develop. Rights	0	0	2,350	2,350
Septic Hauler/Sewage Install.	650	1000	600	(400)
TOTALS	1,214,052	971,610	1,338,782	367,172

Unspent Budgeted Expenditures by category

	FY13 ACTUAL	FY14 AMENDED		
		BUDGET	FY14 ACTUAL	FY14 VARIANCE
Administration	9,245,731	10,070,478	9,386,137	684,341
Judicial	2,004,289	2,291,846	2,079,056	212,790
Public Safety	25,365,932	29,666,650	28,098,641	1,568,009
Public Works	3,627,132	4,566,543	4,168,001	398,542
Health / Welfare	6,547,404	6,938,816	6,628,243	310,573
Community College	56,493	56,493	56,493	0
Parks, Rec. & Cultural	4,888,472	5,380,964	5,000,981	379,983
Community Development	1,707,290	3,881,421	3,389,330	492,091
Transfers	77,541,790	79,632,958	78,544,495	1,088,463
TOTAL	130,984,532	142,486,169	137,351,377	5,134,792

Detail presented on following pages.

Budgeted Expenditures by department

ADMINISTRATION	FY13 ACTUAL	FY14 AMENDED		FY14 VARIANCE
		BUDGET	FY14 ACTUAL	
Board of Supervisors	229,550	259,582	236,873	22,709
County Administrator	582,586	616,574	608,991	7,583
County Attorney	205,904	231,982	228,949	3,033
Human Resources	309,441	321,688	311,105	10,583
Independent Auditor	63,500	66,000	63,500	2,500
Comm. of Revenue	1,096,406	1,176,320	1,164,960	11,360
Reassessment	157,943	228,699	153,088	75,611
Treasurer	1,056,895	1,162,635	1,099,543	63,092
Finance	689,146	723,805	719,538	4,267
IT /GIS	1,193,319	1,511,355	1,392,951	118,404
MIS	489,167	515,942	488,935	27,007
Other	2,906,623	2,993,028	2,687,588	305,440
Electoral Board	114,584	106,137	83,279	22,858
Registrar	150,666	156,731	146,837	9,894
SUBTOTAL	9,245,731	10,070,478	9,386,137	684,341

Budgeted Expenditures by department

JUDICIAL	FY13 ACTUAL	FY14 AMENDED		FY14 VARIANCE
		BUDGET	FY14 ACTUAL	
Circuit Court	60,150	60,300	56,589	3,711
Gen. District Court	13,893	16,293	11,497	4,796
J&D Court	15,325	19,717	13,557	6,160
Clerk	629,993	696,706	640,686	56,020
Law Library	11,634	12,000	10,748	1,252
Comm. Attorney	1,152,232	1,356,003	1,243,437	112,566
Victim Witness	121,063	130,827	102,542	28,285
SUBTOTAL	2,004,289	2,291,846	2,079,056	212,790

Budgeted Expenditures by department

PUBLIC SAFETY	FY13 ACTUAL	FY14 AMENDED		FY14 VARIANCE
		BUDGET	FY14 ACTUAL	
Sheriff	10,989,045	12,183,481	11,688,811	494,670
Vol. Fire Depts.	867,127	1,031,265	878,192	153,073
Ambul. / Rescue	444,864	806,793	737,392	69,401
Jail / Juv. Detention	4,595,256	5,151,343	4,862,277	289,066
Juvenile Court	121,321	145,417	121,287	24,130
Inspections	991,264	1,132,931	1,084,946	47,985
Fire & Rescue	6,295,055	7,685,406	7,379,101	306,305
Public Comm.	1,062,000	1,530,014	1,346,635	183,379
SUBTOTAL	25,365,932	29,666,650	28,098,641	1,568,009

Budgeted Expenditures by department

PUBLIC WORKS	FY13 ACTUAL	FY14 AMENDED		FY14 VARIANCE
		BUDGET	FY14 ACTUAL	
Road Admn.	13,382	20,475	13,279	7,196
Street Lights/Star Ft	33,275	43,020	36,094	6,926
Engineering	322,953	352,678	338,548	14,130
Refuse Collection	1,060,125	1,631,753	1,500,737	131,016
Refuse Disposal	331,654	375,000	328,772	46,228
Litter Control Grant	10,065	12,172	6,351	5,821
Maintenance Admn.	504,155	558,837	537,885	20,952
County Ofc. Bldg.	882,221	1,005,163	878,044	127,119
Animal Shelter	469,302	567,445	528,291	39,154
SUBTOTAL	3,627,132	4,566,543	4,168,001	398,542

Budgeted Expenditures by department

HEALTH/WELFARE	FY13 ACTUAL	FY14 AMENDED		FY14 VARIANCE
		BUDGET	FY14 ACTUAL	
Local Health Dept.	301,959	301,959	301,959	0
Ch. 10 Board	318,263	318,263	318,263	0
Social Services	5,369,471	5,777,664	5,449,958	327,706
Area on Aging	60,930	60,930	60,930	0
Prop. Tax Relief	496,782	480,000	497,133	(17,133)
SUBTOTAL	6,547,404	6,938,816	6,628,243	310,573

Budgeted Expenditures by department

COMMUNITY COLLEGE	FY13 ACTUAL	FY14 AMENDED		FY14 VARIANCE
		BUDGET	FY14 ACTUAL	
Community College	56,493	56,493	56,493	0
SUBTOTAL	56,493	56,493	56,493	0

PARKS, REC & CUL	FY13 ACTUAL	FY14 AMENDED		FY14 VARIANCE
		BUDGET	FY14 ACTUAL	
Parks/Rec. Admn.	481,122	556,188	534,136	22,052
Parks Maintenance	1,486,413	1,597,888	1,494,662	103,226
RecCtr/Playgrnds	1,385,909	1,590,532	1,426,779	163,753
Clearbrook Park	390,367	382,454	349,561	32,893
Sherando Park	303,305	427,546	369,793	57,753
Regional Library	841,356	826,356	826,050	306
SUBTOTAL	4,888,472	5,380,964	5,000,981	379,983

Budgeted Expenditures by department

COMMUNITY DEV	FY13 ACTUAL	FY14 AMENDED		FY14 VARIANCE
		BUDGET	FY14 ACTUAL	
Planning	983,162	1,086,871	1,009,298	77,573
EDC	478,722	2,521,707	2,125,344	396,363
Zoning Board	1,961	6,175	2,859	3,316
Building Appeals	0	550	0	550
NSV Reg. Comm.	43,622	43,622	43,622	-
Gypsy Moth	0	0	0	-
Soil & Water	7,650	7,650	7,650	-
Agriculture	192,173	214,846	200,557	14,289
SUBTOTAL	1,707,290	3,881,421	3,389,330	492,091

Budgeted Expenditures by department

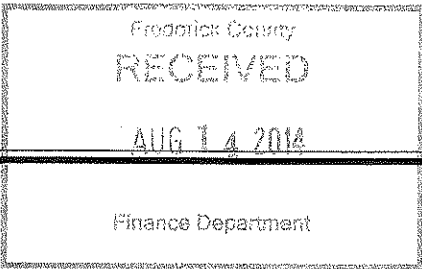
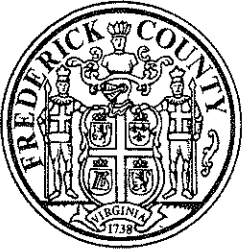
TRANSFERS	FY13 ACTUAL	FY14 AMENDED		FY14 VARIANCE
		BUDGET	FY14 ACTUAL	
School Transfers	74,483,200	76,470,257	75,709,276	760,981
County Debt & Unemployment Claims	2,366,360	2,561,645	2,367,570	194,075
Other	692,230	601,056	467,649	133,407
SUBTOTAL	77,541,790	79,632,958	78,544,495	1,088,463
GRAND TOTAL	130,984,532	142,486,169	137,351,377	5,134,792

General Fund Unreserved Fund Balance

\$38.3 million

(Includes a reduction of \$4.3 used to balance FY 2015 budget and FY 2015 supplemental appropriations.)





COUNTY of FREDERICK

Department of Planning and Development

540/665-5651

FAX: 540/665-6395

MEMORANDUM

TO: Finance Committee
FROM: John A. Bishop AICP, Deputy Director - Transportation *JAB*
RE: Snowden Bridge Boulevard Revenue Sharing Project
DATE: August 13, 2014

Staff is seeking creation of a budget line item and appropriation of \$8,136,700 for the construction of Snowden Bridge Boulevard from Route 11 to approximately .1 miles west of Milburn Road which includes a bridge over the CSX railroad tracks.

This project will be funded through a VDOT revenue sharing award of \$4,068,350 and matching funds provided by the developers of the Graystone rezoning 09-09 and 03-12. The VDOT award is a reimbursement award meaning funds must be expended and then submitted to VDOT for reimbursement.

The project management agreement with VDOT has been executed and the partnership agreement with the developers is being finalized. No project expenditures will take place until both agreements are in place.

Staff is seeking a recommendation to the Board of Supervisors regarding the creation of the budget line item and appropriation.

JAB/pd

4-027-012270-5413-000-009 \$ 8,136,700
3-027-019110-0001 \$ 4,068,350
3-027-024040-0001 \$ 4,068,350

Finance

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 : Reimbursement
DATE : September 12, 2014

Attached please find checks from the Circuit Court of Virginia totaling \$659.32. This amount represents reimbursement for extraditions conducted in August. We are requesting this amount to be posted to revenue line 3-010-019110-0058. A copy of this memo will be sent to the Finance Department requesting appropriation into 3102-5506-000-001.

Thank you.

RTW/asw

C.S. 9/15/14

Purpose: Virginia's Highway Safety Program Sub Grantees use this form to certify and assure that they will fully comply with all terms of the Highway Safety Grant Agreement.

Instructions: Sub Grantees must read the contract, complete all applicable information on the first page, initial the subsequent pages, and return all pages to the Department of Motor Vehicles.

This Highway Safety Grant Agreement is entered into between the Virginia Department of Motor Vehicles (hereinafter "Department"), 2300 West Broad Street, Richmond, Virginia 23220, and the following:

Sub Grantee: Frederick County
 Project Title: Selective Enforcement - Alcohol
 Project Number/CFDA Number: 154AL-2015-55175-5914-20.607
 Grant Award Amount: \$33,347.00

Source of funds obligated to this award: U.S. Department of Transportation National Highway Traffic Safety Administration
 Period of Performance for this project (hereinafter "Grant Period"): From October 1, 2014, or the date the Highway Safety Grant Agreement is signed by the Director, Virginia Highway Safety Office (whichever is later) through September 30, 2015. Allow 21 days for the Department to complete its review and signature. **FINAL VOUCHER IS DUE ON OR BEFORE NOVEMBER 5, 2015.**

In performing its responsibilities under this Highway Safety Grant Agreement, the Sub Grantee certifies and assures that it will fully comply with the following:

- Applicable Department regulations and policies and state and federal laws, regulations, and policies
- Statement of Work and Special Conditions and an Approved Budget, included with this Highway Safety Grant Agreement
- General Terms and Conditions, also included with this Highway Safety Grant Agreement

Sub Grantee's signature below indicates that the Sub Grantee has read, understands and agrees to fully comply with all terms and conditions of this Highway Safety Grant Agreement without alteration. This Highway Safety Grant Agreement (hereinafter "Grant Agreement"), consisting of this certification; the attached Statement of Work and Special Conditions; the attached General Terms and Conditions; the attached Project Budget; the Sub Grantee's proposal; and the letter awarding the grant to the Sub Grantee constitutes the entire agreement between the Department and the Sub Grantee, supersedes any prior oral or written agreement between the parties and may not be modified except by written agreement as provided herein. Where any conflict arises between terms, the following is the order of governance of one term over another: (1) applicable Department regulations and policies, except where superseded by federal laws, regulations, or policies (2) applicable state laws, regulations, and policies, except where superseded by federal laws, regulations, or policies; (3) applicable federal laws, regulations, and policies; (4) Statement of Work and Special Conditions; (5) General Terms and Conditions; (6) Project Budget; (7) Sub Grantee's proposal; and (8) grant award letter.

SIGNATURES OF AUTHORIZED APPROVING OFFICIALS

For Sub Grantee: _____ **For Virginia Department of Motor Vehicles:** _____
 Name and Title of Project Director (print) John Saunders
 Director, Virginia Highway Safety Office (print)

Signature _____ Date _____ Signature _____ Date _____

Name and Title of Authorized Approving Official (print) _____
 Sub Grantee's DUNS Number _____

Does your locality/legal entity expend \$500,000 or more annually in total federal funds? (check one) Yes No



Department of Motor Vehicles
Grant Budget Lines

Date Run: 09- JUL- 2014

154AL- 2015 - 55175 - 5914 - Frederick County

PM: Doug Stader

Project Director Initials _____ Date

Category	Line Item Desc	Qty	Individual Cost	Total Cost	Fed Fund Amount	Matching Funds
Personnel	Overtime funds for Deputies working enhanced DUI enforcement.	650	40.00	26,000.00	26,000.00	0.00
Other Direct Costs	Fuel, Propane, Oil & Maintenance County vehicles	1	16,673.50	16,673.50	0.00	16,673.50
Equipment	5-Alco Sensor III preliminary breath testing devices	5	315.00	1,575.00	1,575.00	0.00
Equipment	Python III Radar units	3	1,825.00	5,475.00	5,475.00	0.00
Equipment	6 pack each of rechargeable LED safety flares	3	99.00	297.00	297.00	0.00
			Total:	50,020.50	33,347.00	16,673.50

Appropriation/Budget Lines:

3102-1005-000-000 \$ 26,000⁰⁰
3102-5409-000-000 \$ 7,347⁰⁰

\$ 33,347⁰⁰

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

September 18, 2014

Ms. Cheryl Shiffler, Director of Finance
Finance Committee

Dear Ms. Shiffler:

I am requesting a supplement in the amount of \$175,000.00 to our part time budget line of 3102-1003-000-000.

This request is being necessitated by the addition of 3 more judges to the bench. In consultation with Judge Athey and the Clerks of the Court, it appears that the number of courts, serving Frederick County, will nearly double with the additional judges. Virginia state law mandates that the Sheriff provide, at a minimum, two bailiffs for each Circuit court and one bailiff for each General District court and one for each Juvenile and Domestic Relations court. When a jury is required for Circuit court the number of bailiffs needed increases to three. We currently have eight fulltime and five part time deputies assigned to work Court Security and Civil Process. These deputies are responsible for the security of the Judge and the courtroom, the movement of inmates within the courthouse, the fingerprinting and photographing of inmates as well as the service of approximately 20,000 civil papers per year, the transport of inmates within state, extradition of out of state inmates, transport of mental health persons as well as transport of juveniles.

In fiscal 2013-2014, the Frederick County Sheriff's Office was budgeted \$40,000 for part time help. Through transfer of funds, we expended \$111,561.41. The only part time employees utilized by the Sheriff's Office are assigned to Court Security and Civil Process. In fiscal 2014-2015 we were appropriated \$53,000 for part time help.

Letter: Ms. Shiffler
Page 2

The uncertainty of the future number of courts and court days, coupled with the current fiscal picture, suggests that the best approach would be to cover the additional courts and requirements associated with them, with part time personnel. This approach would allow us to have a better idea of what future needs might be and whether or not it will be necessary to add additional full time personnel to cover those requirements through the budget cycle.

Any consideration this request can be given would be greatly appreciated.

Sincerely,

A handwritten signature in black ink that reads "Robert T. Williamson". The signature is written in a cursive style with a large initial "R" and "W".

Robert T. Williamson, Sheriff

RTW/asw

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

September 17, 2014

Ms. Cheryl Shiffler, Director of Finance
Finance Committee

Dear Ms. Shiffler:

We are requesting a supplemental appropriation in the amount of \$284,781.00. This funding will be for the purchase of 10 vehicles and equipment needed for the vehicles.

In our budget for FY 14/15 we requested funding to replace 28 vehicles. We were given funding to replace 14 vehicles with a discussion to come back and ask for a supplement to purchase additional vehicles. We have removed 27 vehicles with high mileage and increased maintenance costs from the fleet and those vehicles will be sold at public auction however, we are still operating 17 vehicles with each having an excess of 120,000 miles. Average monthly mileage for a patrol vehicle is 1,900-2,000 miles. By replacing 10 vehicles with high mileage, our fleet will be mainly comprised with vehicles having less than 100,000 miles resulting in less maintenance costs.

Any consideration you may give this request is greatly appreciated.

Sincerely,

Robert T. Williamson, Sheriff

RTW/asw

DATE September 4, 2014

TO: Cheryl Shiffler
Frederick County Finance Director

FROM: Patrick Barker, CEcD
Executive Director

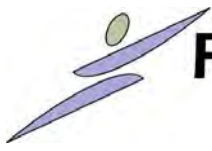
RE: Carryover Request for FY 14

The Economic Development Authority is requesting to carryover \$375,000.00 from FY14 remaining in line item 10-8102-5600-000-001, EDA Incentives, to our FY15 budget for the same line item

These funds represent the balance of funds

These monies are future installments of the Local Economic Development Incentive Grants for business expansions. All projects have executed Performance Agreements.

Thank you for your consideration.



Frederick County Public Schools

... to ensure all students an excellent education

Executive Director of Finance

fryel@frederick.k12.va.us

DATE: September 3, 2014

TO: Cheryl Shiffler, Director of Finance – County of Frederick

FROM: Lisa K. Frye, Executive Director of Finance - FCPS

SUBJECT: FY15 Budget Items for Consideration by the Board of Supervisors

At their meeting, September 2, 2014, the School Board approved the following budget adjustments which are subject to consideration and approval by the Board of Supervisors. Please include the following requests for FY2015 budget adjustments on the agenda for the County Finance Committee meeting scheduled for September 29, 2014. Also, the financial reports for FY2014 are provided in this packet as an information item.

I. Budget adjustment for the school operating fund

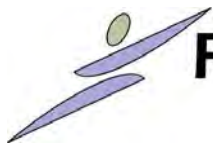
A FY2015 budget adjustment to the school operating fund is requested for \$108,938.58, which represents funds received during FY2014 and are to be used for their specified purposes including mentor teacher programs, algebra readiness program, and other miscellaneous purposes.

II. Budget adjustment for school capital projects fund

The school board is requesting a FY2015 budget adjustment to the school capital projects fund for \$722,202.80, which represents the total of the un-obligated surplus of \$542,593.92 in the school operating fund plus \$179,608.88 in additional carryforward dollars in the capital projects fund. Approval of this request will provide appropriation for capital maintenance needs for the school division.

Attachment (1) – FY2014 Financial Report

C: David T. Sovine, Ed.D., Superintendent
John R. Riley, County Administrator



Frederick County Public Schools

... to ensure all students an excellent education

Executive Director of Finance

fryel@frederick.k12.va.us

DATE: September 2, 2014

TO: School Board Members
David T. Sovine, Ed.D., Superintendent of Schools

FROM: Lisa K. Frye, Executive Director of Finance *Lisa K. Frye*

SUBJECT: **Financial Reports for Fiscal Year 2013-14**

Attached are the year-end financial reports for fiscal year 2013-14. As of the date of this report, the financials are unaudited. Included are the statements of operations for all funds managed by the school system. This report summarizes the key activities within each fund.

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<u>Fund</u>	<u>Report</u>
School Operating Fund	Page 3
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Please refer to the respective financial statement as you proceed through the text.

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School Operating Fund

The unobligated surplus for the fiscal year 2014 school operating fund is \$542,594, which is 0.40% of the \$134,315,947 total operating fund budget.

Key factors contributing to the school operating fund surplus are shown in the chart below.

	Budget	Actual	Variance
State Sales Tax Funding	\$ 13,747,701	\$ 13,300,059	(\$ 447,642)
Wage and benefit savings due to vacancy savings and turnover	\$ 108,866,115	\$ 108,371,594	\$ 494,521
Energy/utility savings	\$ 3,763,996	\$ 3,583,265	\$ 180,732
Budget savings – schools and departments	\$ 13,801,167	\$ 13,460,974	\$ 340,193 <i>\$59,787 schools \$280,406 depts.</i>
All other unobligated variances			<u>(\$ 25,210)</u>
Remaining Unobligated Surplus for FY 2014			\$ 542,594

The original (beginning) budget for the school operating fund for FY 2014 was \$134,000,043. Adjustments of \$315,904 were approved and resulted in the current budget balance of \$134,315,947. The adjustments included encumbrance and carryforward grant receipts from FY 2013.

FY 2014 revenues in the school operating fund were \$133,122,067, and expenses totaled \$132,470,535. Obligations in the amount of \$108,939 for certain restricted programs are reserved for reappropriation to FY 2015, resulting in a FY 2014 unobligated surplus of \$542,594.

The remaining portion of this section explains the financial activity and resulting variances.

Understanding the Operating Fund Variances

The financial statement for the School Operating Fund is presented in a format reflecting two components of financial activity: unrestricted and restricted programs. The majority of the school division's programs and operations are funded by state and local funds in the unrestricted component. While the school division must maintain minimum standards of quality with a mandated local match in most cases, the local school board deploys those funds with discretion and in line with its planning goals. Therefore, the expenditures in this component are referred to as unrestricted.

The restricted program section shows the financial activity of grant funds received by the school division for specific use on designated programs within the division. The budget and related financial activity align with the grant award amounts and spending period, creating budget to actual variances which tend to be misunderstood as local surpluses or deficits. For this reason, the format shown is designed to assist the reader with the distinction between the two.

School Operating Fund – Continued

Unrestricted Revenues and Expenditures

Unrestricted revenues exceeded expenditures by \$671,117 [line 11]. The variance for each revenue source and expenditure category is described in the following text. This amount is offset by the \$19,584 deficit in the restricted program section [line 14] resulting in the total operating fund surplus of \$651,533 [line 15].

Unrestricted Revenues: \$127,650,155 [line 6]

Local Sources [line 1]

- \$939,671 in miscellaneous local revenue was received, including fees and charges to students and the public, as well as billings to other agencies, gifts and donations, rebates and refunds, and rental charges for the use of school division facilities. Funds received from these sources were less than projected by \$83,120, of which about half is due to the non-payment of lease obligations by a tenant.

Commonwealth [line 2]

- \$65,661,997 in state revenues were received including Standards of Quality (SOQ) funding, sales tax receipts, incentive funding, categorical funding, lottery funds, and some miscellaneous funds were less than budgeted by \$393,043.
- SOQ funding was less than budgeted by \$28,864 due to lower than projected enrollment for the school year.
- Sales tax funding was less than budgeted by \$447,642 due to lower sales tax collections received by the Commonwealth than was planned by the Virginia Department of Taxation.
- Other state revenues were greater than budgeted by \$83,463.

Federal Government [line 3]

- \$5,262 in unrestricted, federal program revenues were received. A small amount of funding is provided each year based on the amount of federal land in the county.

Local Government [lines 4-5]

- \$61,043,225 was received from the County's General Fund, including prior year funding rolled over into the current year to satisfy carry-forward encumbrance obligations and the current year commitment by the local governing body for the School Operating Fund.

Unrestricted Expenditures: \$126,979,038 [line 10]

Instruction [line 7]

- \$95,040,226 was expended for instructional purposes and includes costs incurred for classroom instruction, student support services, library and media services, instructional support services, and school administrative offices in the areas of regular education, special education, vocational education, gifted education, and the other categories of instruction. Seventy-five percent of all expenditures are in this category. The positive variance of \$418,471 is attributable to expenditure savings throughout the schools and instructional departments.

Instructional and Administrative Technology [line 8]

- \$5,601,832 was expended for costs associated with division technology, whether for instructional, administrative, or operational categories. The \$11,764 positive variance is the net of all personnel and operational expenditures.

Support Services [line 9]

- \$26,336,980 was expended for costs associated with supporting the operations of the school division, including administration, services related to students' attendance and health, transporting students, and maintaining facilities. The \$572,751 positive variance is the net of all personnel and operational expenditures, including \$180,732 in energy savings.
- Administration, Attendance and Health – The costs associated with the health services as well as the executive, finance, public information, human resources, and other administrative departments resulted in a savings of \$191,925 in all types of expenditures. The largest variances occurred due to personnel turnover and lower than expected legal fees, contracted services, and supplies.
- Transportation – The costs associated with transporting students and maintaining school buses resulted in a \$20,031 positive variance due to a savings in contracted services.
- Operations and Maintenance – The costs associated with maintaining the division's facilities resulted in a \$355,340 positive variance in the maintenance function, and a \$9,744 positive variance was realized in the facility planning category. While savings were realized throughout all types of expenditures, notable variances occurred in contracted facility activities and electricity expenses due to installed lighting projects and conservation efforts. Utility expenses comprise a significant portion of this function.

Restricted program revenues and expenditures are shown in lines 12 and 13. In some programs, local dollars are either required or provided. Expenditures exceeded revenues by \$19,584. [line 14]

FY 2014 Unrestricted Surplus (Revenues in Excess of Expenditures) \$542,594 [lines 15-17]

The total surplus for FY2014 of \$651,533 is reduced by the amount of revenue received for a special purpose, but has not yet been encumbered. These funds are considered obligations against the surplus funds, total \$108,939, and include: 1) \$471 for the VA Star program, 2) \$71,653 for SOL Algebra Readiness, 3) \$30,000 for the Apple Federal Credit Union mentor teacher program, and 4) \$6,814 for the E-Rate program. A separate appropriation request will be submitted for these amounts to be approved by the Board of Supervisors. The unobligated surplus for FY2014 is \$542,594.

Restricted Programs [line 18]

Restricted Programs provide funding for specific programs or initiatives. The majority of the restricted revenues are based upon certain student populations or capabilities. Restricted program funding is associated with specific spending criteria as well as reporting criteria. The vast majority of restricted revenues come from the federal government, but a few are from state or miscellaneous sources. Restricted program revenues totaled \$5,471,912 for FY 2014, and program expenditures totaled \$5,491,496. The resulting negative balance of \$19,584 represents a small amount of additional local funding toward those specific program budgets.

- The restricted programs include: eRate telecommunications, state mandates in the area of educational services to special needs students, and federally-funded programs including such grants as Titles I, II, III, IV, VI-B, and vocational education. The fiscal year for the federal grants extends beyond the local June 30 fiscal year, and any remaining grant balances for active grants are eligible for expenditure in the next fiscal year. The variance is the remaining appropriation associated with the grant award amount and does not contribute to or reduce the remaining unobligated surplus.

Frederick County Public Schools
School Operating Fund
 Year Ended June 30, 2014

	[a] 2012-13 Actual*	[b] 2013-14 Original Budget	[c] 2013-14 Adjusted Budget	[d] 2013-14 Actual*	[e] Variance from Adj. Budget
SUMMARY					
Revenue from Local/Other Sources	\$ 1,091,422	\$ 1,305,211	\$ 1,308,022	\$ 1,105,550	\$ (202,472)
Revenue from the Commonwealth	\$ 65,552,134	\$ 67,262,558	\$ 67,047,571	\$ 66,525,232	\$ (522,339)
Revenue from the Federal Government	\$ 5,196,638	\$ 4,704,953	\$ 4,917,129	\$ 4,448,061	\$ (469,068)
Revenue from Local Governing Body	\$ 61,215,266	\$ 60,727,321	\$ 61,043,225	\$ 61,043,225	\$ -
[A] TOTAL REVENUES	\$ 133,055,460	\$ 134,000,043	\$ 134,315,947	\$ 133,122,067	\$ (1,193,879)
Instruction	\$ 94,475,031	\$ 95,327,983	\$ 95,458,697	\$ 95,040,226	\$ 418,471
Instruction - Restricted Programs	6,189,297	6,306,244	6,333,923	5,491,496	842,426
Technology - Instructional & Administrative	5,461,085	5,310,431	5,613,596	5,601,832	11,764
Support Services	26,032,153	27,055,385	26,909,731	26,336,980	572,751
[B] TOTAL EXPENDITURES	\$ 132,157,566	\$ 134,000,043	\$ 134,315,947	\$ 132,470,535	\$ 1,845,412
* Actual fiscal year expenditures includes encumbrances					
[C] REVENUE OVER EXPENDITURES	\$ 897,895	\$ -	\$ -	\$ 651,533	\$ 651,533
[D] Obligated Funds-Special Programs	\$ 97,012			\$ 108,939	
[E] LOCAL FUNDS UNOBLIGATED AT JUNE 30	\$ 800,883			\$ 542,594	
[F] Percentage Surplus of Total Budget	0.60%			0.40%	

Unrestricted Revenues					
[1] Revenue from Local Sources	\$ 993,522	\$ 1,111,054	\$ 1,022,790	\$ 939,671	\$ (83,120)
[2] Revenue from Commonwealth	\$ 64,692,202	\$ 65,956,728	\$ 66,055,040	\$ 65,661,997	\$ (393,043)
a Standards of Quality (SOQ)	47,236,103	47,055,938	47,055,938	47,027,074	(28,864)
b Sales Tax	13,102,993	13,747,701	13,747,701	13,300,059	(447,642)
c Incentive Accounts	1,121,305	1,992,249	1,992,249	1,987,927	(4,322)
d Categorical	72,893	86,655	86,655	79,971	(6,684)
e Lottery-Funded Programs	3,016,402	2,976,685	2,976,685	3,021,344	44,659
f Miscellaneous State	142,506	97,500	195,812	245,622	49,809
[3] Revenue from Federal Government	\$ 4,358	\$ 5,002	\$ 5,002	\$ 5,262	\$ 260
[4] Transfers/ CarryOver/ Prior Year Encumbrances	\$ 1,593,804	\$ -	\$ 315,904	\$ 315,904	\$ -
[5] Local Funds -Board of Supervisors	\$ 59,621,462	\$ 60,727,321	\$ 60,727,321	\$ 60,727,321	\$ -
[6] Total Unrestricted Revenues	\$ 126,905,349	\$ 127,800,105	\$ 128,126,057	\$ 127,650,155	\$ (475,903)

Unrestricted Expenditures					
[7] Instruction	\$ 94,475,031	\$ 95,327,983	\$ 95,458,697	\$ 95,040,226	\$ 418,471
a Regular education	70,866,669	70,924,579	71,142,672	71,187,086	(44,414)
b Special education	14,883,422	15,420,790	15,244,634	15,023,196	221,438
c Vocational education	6,496,101	6,720,724	6,820,632	6,629,442	191,190
d Gifted education	725,409	775,229	777,666	769,927	7,739
e Other education	1,343,165	1,348,648	1,398,825	1,361,989	36,836
f Summer School	19,264	23,750	23,750	18,068	5,682
g Adult education	141,002	114,265	50,518	34,278	16,240
h Non-regular school day	-	-	-	16,240	(16,240)
[8] Instructional & Administrative Technology	\$ 5,461,085	\$ 5,310,431	\$ 5,613,596	\$ 5,601,832	\$ 11,764
a Instructional technology	823,536	1,204,701	1,197,759	1,196,662	1,096
b Instructional support technology	3,159,027	2,554,967	2,681,686	2,694,015	(12,329)
c Administrative technology	1,478,522	1,550,764	1,734,151	1,711,154	22,997
[9] Support Services	\$ 26,032,153	\$ 27,055,385	\$ 26,909,731	\$ 26,336,980	\$ 572,751
a Administration, Attendance & Health	5,670,074	5,869,055	5,840,249	5,648,324	191,925
b Pupil Transportation Services	8,045,868	8,247,089	8,295,572	8,275,541	20,031
c Operation and Maintenance	11,672,880	12,317,322	12,168,123	11,812,783	355,340
d Facilities	140,896	200,411	184,280	174,535	9,744
e Fund Transfers	502,436	421,508	421,508	425,797	(4,289)
[10] Unrestricted Expenditures	\$ 125,968,269	\$ 127,693,799	\$ 127,982,024	\$ 126,979,038	\$ 1,002,985
[11] Unrestricted Revenue Over/(Under) Expense	\$ 937,080			\$ 671,117	

Restricted Programs					
[12] Total Restricted Revenues	\$ 6,150,111	\$ 6,199,938	\$ 6,189,889	\$ 5,471,912	\$ (717,977)
[13] Total Restricted Expenditures	\$ 6,189,297	\$ 6,306,244	\$ 6,333,923	\$ 5,491,496	\$ 842,426
[14] Restricted Revenue Over/(Under) Expense	\$ (39,186)			\$ (19,584)	
[15] All Revenue Over/(Under) Expense	\$ 897,895			\$ 651,533	
[16] Obligated Funds-Special Programs	97,012			108,939	
[17] LOCAL FUNDS UNRESTRICTED AND UNOBLIGATED AT JUNE 30	\$ 800,883			\$ 542,594	

Supplementary Information Regarding Restricted Programs

Restricted Programs		2013-2014	2013-2014	2013-2014
		Revenue	Expenditures	Variance
a	eRate Program	\$ 74,124	\$ 67,310	\$ 6,814
b	Regional Juvenile Detention Center	375,023	373,057	1,965
c	Special Education - In-Jail	79,323	79,323	-
d	Early Reading Intervention	272,299	270,264	2,035
e	SOL Algebra Readiness	111,138	139,100	(27,962)
f	Other Special State Programs	25,452	88,001	(62,549)
g	Bridges to Success - Apple Federal Credit Union	30,000	11,579	18,421
h	Title I, Part A	1,299,576	1,299,576	-
i	Title I, Part D	89,645	89,645	-
j	Title I, School Choice	4,100	4,100	-
k	Title II, Part A Improve Teacher Quality	282,767	282,467	300
l	Title II, Ed Tech	-	-	-
m	Title II, Part D	3,100	-	3,100
n	Title III LEP	50,387	50,387	-
o	Title VI-B	2,493,573	2,493,573	-
p	Title VI-B Preschool	41,161	-	41,161
q	Perkins Vocational	155,542	148,592	6,950
r	Miscellaneous Federal	22,947	26,486	(3,538)
s	Emergency Generator Grant	61,755	68,036	(6,281)
[18]	Total Restricted Programs	\$ 5,471,912	\$ 5,491,496	\$ (19,584)

RECAPITULATION:

Year Ended June 30, 2014

	[a]	[b]	[c]	[d]	[e]
	2012-13	2013-14	2013-14	2013-14	Variance
	Actual*	Original	Adjusted	Actual*	from
		Budget	Budget		Adj. Budget
[19] TOTAL REVENUES	\$ 133,055,460	\$ 134,000,043	\$ 134,315,947	\$ 133,122,067	\$ (1,193,879)
[20] TOTAL EXPENDITURES	\$ 132,157,566	\$ 134,000,043	\$ 134,315,947	\$ 132,470,535	\$ 1,845,412
[21] REVENUE OVER EXPENDITURES	\$ 897,895	\$ -	\$ -	\$ 651,533	\$ 651,533
[22] Obligated Funds-Special Programs	97,012			108,939	
[23] LOCAL FUNDS UNOBLIGATED AT JUNE 30	\$ 800,883			\$ 542,594	
[24] Percentage Surplus of Total Budget	0.60%			0.40%	

* Actual fiscal year expenditures includes encumbrances

School Nutrition Fund

The food service operation finished the FY 2014 with revenues in excess of expenditures of \$140,726, which increases the fund balance to \$1,343,327. Of this fund balance, \$210,365 is the value of inventory at year end and is categorized as non-spendable. The School Nutrition Services Program served meals over 172 days, eight days less than the budget due to inclement weather.

Even though the fund realized a profit in FY 2014, revenue was less than expected due to a decline in the number of students buying meals and eight less serving days. Expenditures were significantly less than expected for the associated number of meals served. Two expense categories were targeted for increased operational efficiency. First, a focused effort was placed on standardized menu planning and the use of prepackaged items. Second, staff productivity rates were enhanced by adjusting to service levels.

1,183,655 lunches and 251,665 breakfasts were served throughout the 2013-2014 school year, which were 151,357 less meals than budgeted. The lunch prices for a full meal were \$2.30 for elementary, \$2.55 for middle, and \$2.55 regular lunch/\$2.65 pizza lunch for high school students. Other items were sold on an à la carte basis. The division food service operation produced an average of 14.46 meals per labor hour – 8,733 equivalent meals daily.

Revenue Variances:

Compared to budget, revenues were \$398,829 less than expected. The variance is the net result of two main components: meal sales (including breakfast and lunch) and federal meal reimbursement through the National School Lunch Program.

- Lunch and breakfast sales for full-priced meals were \$266,430 lower than expected. This variance is attributed to eight fewer serving days and the less than expected number of students participating who pay full price for meals. À la carte/other sales were lower than expected by \$21,546.
- Federal and state subsidies were \$150,288 less than planned. This decrease in revenue reflects fewer serving days and changes in student meal participation patterns. Free and reduced eligibility decreased from 35.1% in June 2013 to 34.6% in June 2014.

Expenditure Variances:

Compared to budget, expenditures were \$1,655,495 less than expected. The variance is the result of the following:

- Labor cost was \$239,731 less than planned. About 11,263 less labor hours (or 63 per serving day) were worked due to increased productivity and realigning labor hours to the number of meals served.
- Food and supply costs were \$696,914 less than planned. Management efforts were made to reduce the cost of the average meal resulting in an average food cost per meal of \$1.21 for FY 2014. This was a \$0.30 decreased cost per meal compared to the budget.
- Contracted services, utilities, travel, and other miscellaneous expenses ended the year with a positive variance of \$25,699.
- Capital outlay represents the purchase of new or replacement equipment. The negative variance of \$13,278 was due to the purchase of a steamer at Sherando High School.
- \$706,429 represents appropriation of prior year fund balance. The excess appropriation is carried forward to be used if needed.

Frederick County Public Schools
School Nutrition Fund
Year Ended June 30, 2014

	[a]	[b]	[c]	[d]	[e]
	<u>Actual</u>	<u>Actual</u>	<u>Adjusted</u>	<u>Actual</u>	<u>Variance</u>
	<u>2011-2012</u>	<u>2012-2013</u>	<u>Budget</u>	<u>2013-2014</u>	<u>from</u>
			<u>2013-2014</u>		<u>Adj Budget</u>
[1] Beginning Balance July 1*	\$ 1,548,297	\$ 1,510,004	\$ 1,115,940	\$ 1,202,601	\$ 86,661
Revenues:					
[2] Interest on Bank Deposits	\$ 4,103	\$ 3,125	\$ 3,448	\$ 2,484	\$ (964)
[3] Type A Lunches	1,790,515	1,569,601	1,732,657	1,485,516	(247,141)
[4] Breakfast Program	116,940	96,170	109,253	89,964	(19,289)
[5] All Other Sales and Adults	578,179	515,618	594,289	572,743	(21,546)
[6] Other Receipts	57,589	84,970	51,956	92,356	40,400
[7] State School Food Payments	94,601	99,079	101,463	91,725	(9,738)
[8] Federal Meals Reimbursement	2,165,867	2,283,597	2,415,921	2,275,371	(140,550)
[9] Transfers From School Operating	-	-	-	-	-
[10] Total Revenues	\$ 4,807,794	\$ 4,652,160	\$ 5,008,987	\$ 4,610,158	\$ (398,829)
Expenditures:					
[11] Salaries	\$ 1,777,889	\$ 1,836,709	\$ 1,926,270	\$ 1,742,933	\$ 183,337
[12] Fringe Benefits	579,372	624,847	663,925	607,530	56,395
[13] Contractual Services	44,950	48,632	66,493	47,626	18,867
[14] Utilities, Travel and Misc	49,525	50,580	54,118	47,286	6,832
[15] Food and Supplies	2,368,367	2,366,980	2,662,692	1,965,778	696,914
[16] Capital Outlay	25,982	31,816	45,000	58,278	(13,278)
[17] Appropriation Fund Bal. - Prior Year	-	-	706,429	-	706,429
[18] Total Expenditures	\$ 4,846,087	\$ 4,959,563	\$ 6,124,927	\$ 4,469,432	\$ 1,655,495
[19] Revenue Over / (Under) Expenditures	\$ (38,293)	\$ (307,404)	\$ -	\$ 140,726	
[20] Balance June 30	<u>\$ 1,510,004</u>	<u>\$ 1,202,601</u>	<u>\$ -</u>	<u>\$ 1,343,327</u>	

* Beginning and ending balances include inventory valuation.

School Textbook Fund

The textbook fund finished the year with an increase of \$260,370, bringing the fund balance to \$1,415,471. The primary source of revenue for this fund comes from the Standards of Quality funding provided by the Commonwealth. The state funds require a local match equal to the composite index percentage.

Beginning fund balance for the School Textbook Fund was \$1,155,102. Revenues plus the beginning fund balance total available funds of \$2,327,125. For FY 2014, state funds of \$745,103 plus \$421,529 in local matching funds, and miscellaneous receipts for interest and fees totaled \$1,172,023 in revenue.

Textbook purchases were made for replacements of worn textbooks, new language arts textbooks for grades kindergarten through 5, and new advanced placement world history for two high schools. Total expenditures on textbooks and related expenditures equaled \$911,653 for the year – less than planned due to savings on shipping costs and flat enrollment growth. A small portion of the expense total is for a clerical position attributable to maintaining the textbook inventory.

The textbook fund balance increases and decreases over time as it supports the year-to-year disbursements driven by the timing of required textbook adoptions.

Frederick County Public Schools
School Textbook Fund
Year Ended June 30, 2014

	[a] 2011-12 Actual*	[b] 2012-13 Actual*	[c] 2013-14 Budget	[d] 2013-14 Actual*	[e] Variance
[1] Balance July 1	\$ 1,704,857	\$ 1,411,930	\$ 976,250	\$ 1,155,102	\$ 178,852
Revenues:					
[2] Interest on Bank Deposits	\$ 4,827	\$ 2,372	\$ 5,000	\$ 2,803	\$ (2,197)
[3] Sale of Textbooks/ Lost Fees	5,391	2,310	6,500	2,588	(3,912)
[4] Misc Revenue	-	-	-	-	-
[5] State Reimbursements	324,073	745,564	749,021	745,103	(3,918)
[6] Transfers From Other Funds	201,391	421,717	421,658	421,529	(129)
[7] Total Revenues	\$ 535,682	\$ 1,171,964	\$ 1,182,179	\$ 1,172,023	\$ (10,156)
Expenditures:					
[8] Salaries	\$ 19,035	\$ 20,377	\$ 22,010	\$ 17,813	\$ 4,197
[9] Fringe Benefits	6,428	7,165	7,410	6,534	876
[10] Contractual Services	-	-	-	-	-
[11] Payments to Publishers	815,723	1,401,250	1,023,291	887,306	135,985
[12] Planned Carryforward to Next Year	-	-	1,105,718	-	1,105,718
[13] Total Expenditures	\$ 841,185	\$ 1,428,792	\$ 2,158,429	\$ 911,653	\$ 1,246,776
[14] Revenues Over / (Under) Expenditures	\$ (305,503)	\$ (256,829)	\$ (976,250)	\$ 260,370	\$ 1,236,620
[15] Balance June 30	<u>\$ 1,399,354</u>	<u>\$ 1,155,102</u>	<u>\$ -</u>	<u>\$ 1,415,471</u>	

* Actual fiscal year expenditures include encumbrances

School Capital Projects Fund

The school capital projects fund is a separate fund intended for the purchase of capital items that are not provided for in the annual school operating fund. This fund typically receives revenue from the local governing body through direct appropriation or through the transfer of funds from prior year remaining balances in the school operating fund. Additionally, in FY 2014, funds were transferred from the school debt service fund to support high priority school capital projects.

\$20,957 in fund balance plus \$127,671 in outstanding encumbrances was carried forward from FY 2013 to provide the FY 2014 beginning fund balance. The beginning fund balance plus a transfer of \$1,846,631 from the operating and debt service funds provided \$1,955,259 of FY 2014 available funds to spend. During FY 2014, expenditures and encumbrances totaled \$1,215,650 for various major maintenance projects; including chiller replacement at Robert E. Aylor Middle School, security enhancements at multiple schools, track resurfacing at Millbrook High School, information technology hardware upgrades, school bus replacement purchases, divisionwide crisis management software, and equipment purchases for full-day kindergarten.

The resulting balance of \$779,609 will be carried forward into FY 2015.

Items listed above should be budgeted in the operating fund because they are part of the larger scope of the annual operating responsibilities of the school division. Restoration of such funding in the operating budget will allow for this fund to return to the practice of using it for special projects outside the norm of the operating fund, yet also not large enough for the construction fund.

Frederick County Public Schools
School Capital Projects Fund
 Year Ended June 30, 2014

	[a]	[b]	[c]	[d]	[e]
	2011-12 Actual*	2012-13 Actual*	2013-14 Budget	2013-14 Actual*	Variance from Adjusted Budget
[1] Balance July 1	\$ 303,528	\$ 442,256	\$ 100,000	\$ 148,628	\$ 48,628
Revenues:					
[2] Other Receipts					
[3] Local Funds - Frederick County	\$ 297,116	\$ 1,128,002	\$ 800,883	\$ 800,883	\$ -
[4] Transfers from Other Funds	985,123	267,115	1,082,640	1,045,748	(36,892)
[5] Transfers- Encumbrances from prior year	-	-	127,671	-	(127,671)
					0
Total Revenues	\$ 1,282,239	\$ 1,395,117	\$ 2,011,194	\$ 1,846,631	(164,563)
Expenditures:					
[6] Capital Outlay	\$ 1,491,532	\$ 1,816,416	\$ 2,111,194	\$ 1,215,650	\$ 895,544
[7] Total Expenditures	\$ 1,491,532	\$ 1,816,416	\$ 2,111,194	\$ 1,215,650	\$ 895,544
[8] Fund Balance June 30	\$ 94,235	\$ 20,957	\$ -	\$ 779,609	

* Actual fiscal year amounts include encumbrances.

Construction Fund

The active construction projects for FY 2014 were:

- final construction and opening of the new transportation facility;
- final construction of Amherst Street/Fox Drive traffic light and JWMS parking lot improvement;
- land acquisition and design services for the fourth high school and replacement for FCMS;
- construction of additional rooms for full-day kindergarten at Bass-Hoover, Stonewall, Evendale, and Redbud Run Elementary Schools, and
- completion of the renovation of JWHS walls and façade.

A summary of each project's financial activity is shown below and is provided in a different format on the financial statement.

Transportation Facility:

Beginning project amount	\$ 17,205,000.00
Expenditures through June 30, 2014	\$(17,195,171.00)
O/S Encumbrances @ June 30, 2014	\$(5,000.00)
Remaining project balance	<u>\$ 4,829.00</u>

Cash received – bond proceeds	\$ 15,843,205.00
Cash received – premium proceeds	\$ 925,788.15
Cash received – interest earnings	\$ 53,662.20
Cash received – other sources	\$ 359,568.38
Cash disbursed for project	\$(17,177,223.73)
Accounts Payable @ June 30, 2014	\$ 0.00
Cash/A/P balance @June 30, 2014	<u>\$ 5,000.00</u>

Replacement FCMS:

Beginning project amount	\$ 49,500,000.00
Expenditures through June 30, 2014	\$(2,272,196.06)
O/S Encumbrances @ June 30, 2014	\$(998,939.18)
Remaining project balance	<u>\$46,228,864.76</u>

Cash received – bond proceeds	\$ 7,042,355.00
Cash received – premium proceeds	\$ 442,024.42
Cash received – interest earnings	\$ 24,606.36
Cash received – easement proceeds	\$ 120,000.00
Cash transferred to other sources	\$(2,199,765.29)
Cash disbursed for project	\$(1,990,396.83)
Accounts Payable @ June 30, 2014	<u>\$(281,799.23)</u>
Cash/A/P balance @June 30, 2014	<u>\$ 3,157,024.43</u>

Fourth High School:

Beginning project amount	\$ 4,800,000.00
Expenditures through June 30, 2014	\$(2,419,111.20)
O/S Encumbrances @ June 30, 2014	<u>\$(2,065,257.00)</u>
Remaining project balance	<u>\$ 315,631.80</u>

Cash received – bond proceeds	\$ 2,734,850.00
Cash received – premium proceed	\$ 209,216.97
Cash received – interest earnings	\$ 2,813.37
Cash transferred-undesignated fund	\$ 1,300,000.00
Cash received from other projects	\$ 230,199.17
Cash disbursed for project	\$(2,397,686.20)
Accounts Payable @ June 30, 2014	<u>\$(21,425.00)</u>
Cash/A/P balance @June 30, 2014	<u>\$ 2,057,968.31</u>

JWMS Parking Lot:

Beginning project amount	\$ 600,000.00
Expenditures through June 30, 2014	\$(597,227.05)
O/S Encumbrances @ June 30, 2014	\$(0.00)
Remaining project balance	<u>\$ 2,772.95</u>

Cash received – proffers proceeds	\$ 600,000.00
Cash transferred to other sources	\$(2,772.95)
Cash disbursed for project	\$(597,227.05)
Accounts Payable @ June 30, 2014	\$ 0.00
Cash/ A/P balance as of June 30, 2014	<u>\$ 0.00</u>

James Wood High School:

Beginning project amount	\$ 1,500,000.00
Expenditures through June 30, 2014	\$(1,370,160.01)
O/S Encumbrances @ June 30, 2014	\$ 0.00
Remaining project balance	<u>\$ 129,839.99</u>

Cash received – bond proceeds	\$ 1,286,150.00
Cash received – premium proceeds	\$ 105,857.26
Cash received – interest earnings	\$ 399.80
Cash transferred to other sources	\$(22,247.05)
Cash disbursed for project	\$(1,370,160.01)
Accounts Payable @ June 30, 2014	<u>\$(0.00)</u>
Cash/ A/P balance as of June 30, 2014	<u>\$ 0.00</u>

Elementary Additions:

Beginning project amount	\$ 6,100,000.00
Expenditures through June 30, 2014	\$(5,801,760.73)
O/S Encumbrances @ June 30, 2014	\$(0.00)
Remaining project balance	<u>\$ 298,239.27</u>

Cash received – bond proceeds	\$ 5,635,755.00
Cash received – premium proceed	\$ 452,140.19
Cash received – interest earnings	\$ 4,193.95
Cash received from other projects	\$ 7,912.85
Cash disbursed for project	\$(5,599,188.34)
Accounts Payable @ June 30, 2014	<u>\$(202,572.39)</u>
Cash/ A/P balance as of June 30, 2014	<u>\$ 298,241.26</u>

Frederick County Public Schools
Construction Funds
 Year Ended June 30, 2014

	[a] <u>Project Budget</u>	[b] <u>Prior Years' Receipts</u>	[c] <u>2013-2014 Actual Receipts</u>	[d] <u>Cummulative Project Receipts</u>
[1] Balance July 1			\$ 4,155,525	
Revenues:				
[2] Interest Income	\$ -	\$ 41,605	\$ 5,380	\$ 46,985
[3] Proceeds from Bond Sale	34,205,000	20,823,106	9,415,000	30,238,106
[4] Other Receipts	-	1,296,205	692,563	1,988,768
[5] Transfers from Other Projects/Funds	-	2,900,000	-	2,900,000
[6] Total Revenues	\$ 34,205,000	\$ 25,060,916	\$ 10,112,943	\$ 35,173,859

	[a] <u>Project Budget</u>	[b] <u>Prior Years' Expenditures</u>	[c] <u>2013-2014 Actual</u>	[d] <u>Cummulative Project Expenditures</u>	[e] <u>Outstanding Encumbrances</u>	[f] <u>Remaining Project Balance</u>
Expenditures:						
[7] New Transportation Facility	\$ 17,205,000	\$ 16,717,790	\$ 477,381	\$ 17,195,171	\$ 5,000	\$ 4,829
[8] JWMS Parking Lot	600,000	588,877	8,350	597,227	-	2,773
[9] JWHS Wall Renovations	1,500,000	1,341,909	28,251	1,370,160	-	129,840
[10] Replacement FCMS	49,500,000	825,258	1,446,938	2,272,196	998,939	46,228,865
[11] Elementary School Additions	6,100,000	1,339,239	4,462,521	5,801,761	-	298,239
[12] Fourth High School - land & design	4,800,000	92,320	2,326,791	2,419,111	2,065,257	315,632
[13] Total Expenditures	\$ 79,705,000	\$ 20,905,393	\$ 8,750,233	\$ 29,655,626	\$ 3,069,196	\$ 46,980,178
[14] Balance June 30			<u>\$ 5,518,235</u>			

;

Debt Service Fund

The year-end balance in the debt service fund is \$922,736. The fund balance is carried forward to offset the local share of debt service in the next fiscal year.

During the fiscal year, FCPS received \$276,080 from the federal government as an interest rebate subsidy for the Qualified School Construction Bonds (QSCB) program and \$13,580,403 from the county for debt service obligations and administrative expenses. A transfer of \$1,045,748 representing excess monies in the debt service fund were transferred to the school capital projects fund to help with major maintenance project purchases. Debt was refinanced reducing interest payments owed; therefore, interest expense savings were realized which helped contribute to the fund balance of \$922,736.

As of June 30, 2014, there were 33 active debt issues. The total principal and interest payments, along with the management fees for the debt issues, totaled \$12,953,905.

A summary of the outstanding indebtedness is shown below.

Outstanding debt at June 30, 2013	\$ 103,501,182
New debt incurred during FY 2014	\$ 9,415,000 *
Principal payments on existing debt during FY 2014	<u>(\$ 8,978,905)</u>
Outstanding debt at June 30, 2014	<u>\$ 103,937,277</u>

** During FY 2014, FCPS participated in the fall 2013 and spring 2014 Virginia Public School Authority (VPSA) bond sales for \$5,025,000 and \$4,390,000 respectively. These borrowings were used to fund the construction of elementary school additions at Bass-Hoover, Evendale, Redbud Run, and Stonewall elementary schools, as well as the architectural design of the replacement Frederick County Middle School and the fourth high school.*

Frederick County Public Schools
Debt Service Fund
 Year Ended June 30, 2014

	[a]	[b]	[c]	[d]	[e]
	2011-12 Actual	2012-13 Actual	2013-14 Adjusted Budget	2013-14 Actual	Variance from Adjusted Budget
[1] Balance July 1	\$ 80,400	\$ 21,049	\$ -	\$ 20,158	\$ 20,158
Revenues:					
[2] Federal - QSCB	\$ 137,181	\$ 284,559	\$ 297,500	\$ 276,080	\$ (21,420)
[3] Local Funds - Frederick County	14,626,151	14,626,151	14,657,201	14,626,151	(31,050)
[4] Transfers from Other Funds					
[5] Total Revenues	\$ 14,763,332	\$ 14,910,710	\$ 14,954,701	\$ 14,902,231	\$ (52,470)
Expenditures:					
[6] Principal Payments	\$ 8,874,628	\$ 9,056,755	\$ 8,978,905	\$ 8,978,905	\$ -
[7] Interest Payments	4,948,631	4,869,297	4,868,156	3,961,150	907,006
[8] Miscellaneous	14,300	12,950	25,000	13,850	11,150
[9] Total Expenditures	\$ 13,837,559	\$ 13,939,002	\$ 13,872,061	\$ 12,953,905	\$ 918,156
[10] Transfers to Other Funds	\$ 985,123	\$ 972,599	\$ 1,082,640	\$ 1,045,748	
[11] Balance June 30	\$ 21,049	\$ 20,158	\$ -	\$ 922,736	

Insurance Reserve Fund

The insurance reserve fund accounts for the premiums received and health claims paid for participating employees. The fund balance is generated from medical and dental premiums paid by the school system and employees exceeding insurance carrier payments for those claims. Likewise, the fund balance could decrease for claims exceeding premiums paid. A range for projected claims expense and health care utilization is prepared by the insurance carrier. Premiums are set within the projected range.

The health insurance program provided coverage for about 1,751 FCPS employees and retirees plus their dependents. The program includes three medical plan options, one vision, and one dental plan—all provided by Anthem. The three medical plan options are known as KeyCare 300, KeyCare 30, and the Health Savings Account (HSA) plan.

Column [e] shows the current year activity compared to expected and maximum levels shown in columns [c] and [d]. Medical and dental claims and other expenses for FY 2014 were \$14,327,847, below the expected level of \$16,316,553. The insurance reserve fund year-end balance increased by \$1,310,177 to an ending balance of \$3,622,668. The fund balance equates to just about three months of claims activity. The fund balance is assigned to support future health claims.

Columns [f] and [g] provide a range of activity projected for FY 2015. It is important to maintain a fund balance sufficient to support claims which may reach maximum liability.

Frederick County Public Schools
Insurance Reserve Fund
Year Ended June 30, 2014

	[a]	[b]	[c]	[d]	[e]	[f]	[g]	
	<u>Actual</u>	<u>Actual</u>	<u>Expected</u>	<u>Maximum</u>	<u>Actual</u>	<u>Expected</u>	<u>Maximum</u>	
	<u>2011-2012</u>	<u>2012-2013</u>	<u>Activity</u>	<u>Claim</u>	<u>2013-2014</u>	<u>Activity</u>	<u>Claim</u>	
			<u>2013-14</u>	<u>Liability</u>		<u>2014-15</u>	<u>Liability</u>	
				<u>2013-14</u>			<u>2014-15</u>	
[1] Balance July 1	\$ 2,504,322	\$ 2,340,363	\$ 2,312,491	\$ 2,312,491	\$ 2,312,491	\$ 3,622,668	\$ 3,622,668	[1]
Revenues:								
[2] Interest on Bank Deposits	\$ 13,240	\$ 9,281	\$ -	\$ -	\$ 11,775	\$ 10,979	\$ 10,979	[2]
[3] Health Insurance Premiums	14,208,262	14,765,127	16,393,139	16,393,139	15,616,995	16,103,513	16,103,513	[3]
[4] Donations/Grants/Other			-	-	9,254			[4]
[5] Total Revenues	\$ 14,221,502	\$ 14,774,408	\$ 16,393,139	\$ 16,393,139	\$ 15,638,024	\$ 16,114,492	\$ 16,114,492	[5]
Expenditures:								
[6] Contracted Activities	\$ 23,195	\$ 12,221	\$ 50,000	\$ 50,000	\$ 6,456	\$ 50,000	\$ 50,000	[6]
[7] Supplies			-	-	5,218	-	-	[7]
[8] Health Care Claims	13,469,031	13,927,856	15,310,501	17,207,058	13,430,301	15,030,642	17,226,336	[8]
[9] Dental Claims	893,235	862,203	956,052	956,052	885,873	959,359	959,359	[9]
[10] Total Expenditures	\$ 14,385,461	\$ 14,802,280	\$ 16,316,553	\$ 18,213,110	\$ 14,327,847	\$ 16,040,001	\$ 18,235,695	[10]
[11] Revenues Over (Under) Expenditures	\$ (163,959)	\$ (27,872)	\$ 76,586	\$ (1,819,971)	\$ 1,310,177	\$ 74,491	\$ (2,121,203)	[11]
[12] Balance June 30	\$ 2,340,363	\$ 2,312,491	\$ 2,389,077	\$ 492,520	\$ 3,622,668	\$ 3,697,159	\$ 1,501,465	[12]

Northwestern Regional Educational Programs (NREP) Funds

Frederick County Public Schools is the fiscal agent for the NREP program. The school divisions of Winchester City and Frederick and Clarke Counties fund the program along with some federal and state dollars. The NREP program provides intense services to multiple disabled students, emotionally disabled students, autistic students, hearing impaired students, deaf/blind students, and preschoolers with various disabilities. The program also provides outreach services to daycares and homes, as well as occupational, physical, and speech therapy services.

Total revenues were \$4,456,455 and were \$52,840 less than budgeted. This amount represents a reduction in the localities' contributions due to the distribution of the FY 2013 surplus of \$54,495, as well as positive variances in interest earnings of \$1,494 and tuition payments of \$160. Expenditure savings of \$529,175 were realized throughout the year. The residual surplus is \$220,262, which will be credited back in part or in whole to the localities in FY 2015. The residual surplus was generated from personnel vacancy savings and reduced contracted services costs for occupational, physical, and speech therapies, autism, and safety and security services.

The NREP textbook fund concluded the year with a fund balance of \$13,409. The fund balance is accumulated over time and is assigned to future disbursements driven by textbook adoption requirements.

Frederick County Public Schools
Northwestern Regional Educational Programs (NREP) Funds
 Year Ended June 30, 2014

	[a]	[b]	[c]	[d]	[e]
	2011-12 Actual	2012-13 Actual	2013-14 Adjusted Budget	2013-14 Actual	Variance from Adj. Budget
OPERATING FUND					
Balance at July 1	\$ 294,363	\$ 218,333	\$ 310,567	\$ 54,495	\$ (256,072)
REVENUES:					
[1] Interest	\$ 2,171	\$ 1,467	\$ -	\$ 1,494	\$ 1,494
[2] Tuition	12,025	9,598	7,400	7,560	160
[3] Revenue from Commonwealth	26,000	26,000	26,000	26,000	-
[4] Revenue from Federal Government	-	-	-	-	-
[5] Local Funds -- Frederick County, Winchester City, and Clarke County	-	-	-	-	-
	<u>3,901,535</u>	<u>4,143,693</u>	<u>4,475,895</u>	<u>4,421,400</u>	<u>(54,495)</u>
[6] TOTAL REVENUES	\$ 3,941,731	\$ 4,180,758	\$ 4,509,295	\$ 4,456,455	\$ (52,840)
EXPENDITURES:					
[7] Instruction	\$ 3,289,457	\$ 3,556,788	\$ 3,955,359	\$ 3,493,474	\$ 461,885
[8] Administration, Attendance & Health	164,191	176,353	179,387	177,625	1,763
[9] Pupil Transportation Services	-	-	-	-	-
[10] Operations and Maintenance	505,231	538,429	610,220	544,694	65,525
[11] Food Services	-	-	-	-	-
[12] Fund Transfers/Contingency	10,000	23,952	25,000	25,000	-
[13] Technology	48,883	49,073	49,896	49,895	1
	<u>4,017,761</u>	<u>4,344,596</u>	<u>4,819,862</u>	<u>4,290,687</u>	<u>529,175</u>
[14] TOTAL EXPENDITURES	\$ 4,017,761	\$ 4,344,596	\$ 4,819,862	\$ 4,290,687	\$ 529,175
[15] Balance at June 30	<u>\$ 218,333</u>	<u>\$ 54,495</u>	<u>\$ -</u>	<u>\$ 220,262</u>	
* Actual fiscal year expenditures include outstanding encumbrances at year end.					
TEXTBOOK FUND					
Balance at July 1	\$ 36,062	\$ 20,283	\$ -	\$ 25	\$ 25
REVENUES:					
[1] Interest	\$ 130	\$ 24	\$ -	\$ 48	\$ 48
[2] Transfers from NREP Operating Fund	10,000	23,952	50,000	25,000	(25,000)
	<u>10,130</u>	<u>23,976</u>	<u>50,000</u>	<u>25,048</u>	<u>(24,952)</u>
[3] TOTAL REVENUES	\$ 10,130	\$ 23,976	\$ 50,000	\$ 25,048	\$ (24,952)
EXPENDITURES:					
[4] Payments for textbooks	\$ 25,908	\$ 44,234	\$ 50,000	\$ 11,664	\$ 38,336
	<u>25,908</u>	<u>44,234</u>	<u>50,000</u>	<u>11,664</u>	<u>38,336</u>
[5] TOTAL EXPENDITURES	\$ 25,908	\$ 44,234	\$ 50,000	\$ 11,664	\$ 38,336
Balance at June 30	<u>\$ 20,283</u>	<u>\$ 25</u>	<u>\$ -</u>	<u>\$ 13,409</u>	

Consolidated Services Fund

The consolidated services fund accounts for the transaction activity associated with building services provided to county buildings and the Handley Regional Library, as well as vehicle services provided to the school division and outside agencies. FY 2014 was the second year of accounting for the vehicle services within this enterprise fund.

The new transportation facility opened December 2012. The facility is located on Route 522 south, is equipped for fleet maintenance services, and is currently providing those services to the school division, county offices and departments, and volunteer fire and rescue stations. The facility operations include vehicle repairs, tire changing, washing and fueling, and inspections. The facility is staffed by heavy-duty and light-duty mechanics. Most of the service mechanics hold Automotive Service Excellence (ASE) certifications in their respective fields. Fleet services are billed to user agencies on a cost recovery basis. The charges are comprised of full recovery of all direct and indirect expenses associated with the service provided. The facility is also equipped for efficient fueling services to users.

FY 2014 revenue and transfers were \$2,971,065 and expenses totaled \$2,898,133. The positive variance of \$72,932 was primarily due to savings realized in utilities.

Frederick County Public Schools
Consolidated Services Fund
Year Ended June 30, 2014

	[a]	[b]	[c]	[d]	[e]
	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2013-2014</u>	<u>Variance</u>
	<u>Actual</u>	<u>Actual</u>	<u>Adjusted</u>	<u>Actual</u>	<u>from</u>
			<u>Budget</u>		<u>Adj. Budget</u>
Balance July 1	\$ -	-	-	\$ 232,220	
[1] Revenue:					
[2] Building Services					
Billings to Regional Library Board	\$ 7,178	\$ 210	\$ 7,200	\$ 5,435	\$ (1,765)
Billings to County Government	7,614	9,590	7,800	3,053	(4,747)
Sub-total Building Services	<u>\$ 14,792</u>	<u>\$ 9,800</u>	<u>\$ 15,000</u>	<u>\$ 8,488</u>	<u>\$ (6,512)</u>
[3] Vehicle Services					
Billings to FCPS	\$ -	\$2,459,703	\$2,860,113	\$ 2,714,744	\$ (145,369)
Billings to Outside Agencies	-	101,746	224,887	243,544	18,657
Other Receipts	-	57,209	-	-	-
Sub-total Vehicle Services	<u>\$ -</u>	<u>\$2,618,658</u>	<u>\$3,085,000</u>	<u>\$ 2,958,288</u>	<u>\$ (126,712)</u>
[4] Transfers from School Operating Fund	<u>\$ -</u>	<u>\$ 54,132</u>	<u>\$ -</u>	<u>\$ 4,289</u>	<u>\$ 4,289</u>
[5] Total Receipts	<u>\$ 14,792</u>	<u>\$2,682,590</u>	<u>\$3,100,000</u>	<u>\$ 2,971,065</u>	<u>\$ (128,935)</u>
[6] Expenditures:					
[7] Building Services					
County Administration Building	\$ 7,075	\$ 4,237	\$ 7,700	\$ 1,152	\$ 6,548
Bowman Regional Library	7,178	210	7,200	5,435	1,765
Other Agencies	539	5,352	100	2,084	(1,984)
Sub-total Building Services	<u>\$ 14,792</u>	<u>\$ 9,799</u>	<u>\$ 15,000</u>	<u>\$ 8,671</u>	<u>\$ 6,329</u>
[8] Vehicle Services					
Salaries	\$ -	\$ 610,009	\$ 650,251	\$ 638,096	\$ 12,155
Fringe Benefits	-	218,163	230,904	229,546	1,358
Purchased Services	-	67,187	11,687	46,044	(34,357)
Other Charges	-	80,103	182,534	104,054	78,480
Materials and Supplies	-	1,697,330	2,009,624	1,870,615	139,009
Capital Outlay	-	-	-	1,107	(1,107)
Sub-total Vehicle Services	<u>\$ -</u>	<u>\$2,672,791</u>	<u>\$3,085,000</u>	<u>\$ 2,889,462</u>	<u>\$ 195,538</u>
[9] Total Expenditures	<u>\$ 14,792</u>	<u>\$2,682,590</u>	<u>\$3,100,000</u>	<u>\$ 2,898,133</u>	<u>\$ 201,867</u>
[10] Revenues Over/ (Under) Expenditures	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 72,932</u>	
[11] Beginning Inventory	\$ -	\$ 201,032		\$ 232,220	
[12] Adjustment - Yearend Inventory Valuation	-	31,188		72,932	
[13] Ending Inventory	<u>\$ -</u>	<u>\$ 232,220</u>		<u>\$ 305,152</u>	
[14] Balance June 30	<u><u>\$ -</u></u>	<u><u>\$ 232,220</u></u>		<u><u>\$ 305,152</u></u>	

Special Grants Fund

The special grants fund is a fiduciary fund which accounts for the transaction activity associated with the special grants or programs for which Frederick County Public Schools is the fiscal agent. These grants may be multi-year or multi-jurisdictional grants and fall outside of the typical K-12 programs for FCPS.

In FY 2014, this fund recorded activity associated with the conclusion of two grants and programs. The Teaching American History Grant and Regional Adult Education Program were finalized during the fiscal year and have no residual funds included in the June 30, 2014, fund balance.

Active grants and programs include the Chain of Checks and a miscellaneous donation for the benefit of low-income students. The year-end fund balance of \$12,471 includes respective balances of \$12,307 for Chain of Checks and \$164 for the low-income program, both of which are expected to be expended in FY 2015.

Frederick County Public Schools
Special Grants Fund
Year Ended June 30, 2014

	[a]	[b]	[c]	[d]
	2011-12 Actual	2012-13 Actual	2013-14 Adjusted Budget	2013-14 Actual
Balance July 1	\$ 41,500	\$ 20,898	\$ 31,113	\$ 31,113
REVENUES:				
[1] Donations and Grants	\$ -	\$ 27,072	\$ 510	\$ 510
Fees from Business & Industry	\$ 44,178	\$ 4,134	\$ -	\$ -
Tuition Payments from Localities	121,781	155,489	-	-
Revenue from the Commonwealth	243,672	93,903	-	-
Revenue from the Federal Government	259,643	-	-	-
[2] Sub-total Regional Adult Ed. Revenues	<u>\$ 669,274</u>	<u>\$ 253,525</u>	<u>\$ -</u>	<u>\$ -</u>
[3] Federal Grant - Teaching American History	<u>\$ 304,006</u>	<u>\$ 429,029</u>	<u>\$ 37,582</u>	<u>\$ 34,040</u>
[4] TOTAL REVENUES	<u>\$ 973,280</u>	<u>\$ 709,626</u>	<u>\$ 38,092</u>	<u>\$ 34,550</u>
EXPENDITURES:				
[5] Chain of Checks	\$ -	\$ 2,881	\$ 20,120	\$ 7,813
[6] At Risk/Low Income	-	-	510	346
[7] Teacher of the Year	-	-	4,072	4,072
[8] Regional Adult Education	689,876	268,133	6,290	6,290
[9] Teaching American History	304,006	428,397	37,704	34,671
[10] TOTAL EXPENDITURES	<u>\$ 993,882</u>	<u>\$ 699,411</u>	<u>\$ 68,695</u>	<u>\$ 53,192</u>
[11] Balance June 30	<u><u>\$ 20,898</u></u>	<u><u>\$ 31,113</u></u>	<u><u>\$ 510</u></u>	<u><u>\$ 12,471</u></u>

Fiduciary Funds

The school division maintains a private-purpose endowment fund and a private-purpose income fund. The endowment fund activity includes contributions and management expenses associated with the principal or corpus. The income fund activity includes miscellaneous restricted donations, interest postings, disbursements, and fund transfers. Fund balances are brought forward each year into the next fiscal period.

The fund balance at June 30, 2014, is comprised of the following:

	Private-Purpose Endowment Balance	Private-Purpose Income Fund Balance
Armstrong Foundation	\$ 226,159	\$3,516
Olin Larrick	\$ 1,703	\$ 7
Laura Bates	\$ 12,533	\$ 52
Harriet S. Sides	\$ 9,381	\$ 0
Della Stine	\$ 13,464	\$ 15
Clyde & Alfretta Logan Scholarship	N/A	\$7,500
Bright Futures Program	N/A	\$ 8,434
Teacher of the Year	N/A	\$ 1,500
Total	\$ 263,240	\$21,024

Private-Purpose Endowment Funds

- Armstrong Foundation Scholarship Fund—This fund accounts for funds provided by the Armstrong Foundation. Earnings are used to provide scholarships to deserving students of the Frederick County, Virginia schools.
- Olin Larrick Trust Fund—This fund accounts for funds provided through a private donor. Earnings on fund assets may be used to provide a scholarship to a deserving student of the Frederick County, Virginia schools.
- Laura Bates Trust Fund—This fund accounts for funds provided by a private donor. Investment earnings on fund assets may be used to construct a nondenominational chapel at Middletown School.
- Harriet S. Sides Trust Fund—This fund accounts for funds provided by a private donor. The trust was developed to use the investment earnings to purchase textbooks. The earnings are transferred to the textbook fund yearly.
- Della Stine Scholarship—This fund accounts for funds provided by a private donor. Earnings on fund assets may be used to provide a scholarship to a deserving student who attended Dowell J. Howard Learning Center.

Private-Purpose Income Fund

- These funds are used for the restricted purpose as prescribed by the donor.

Frederick County Public Schools
Fiduciary Funds
Year Ended June 30, 2014

	[a]	[b]	[c]	[d]
	<u>FY12-13 Private-Purpose Endowment</u>	<u>FY12-13 Private-Purpose Income</u>	<u>FY13-14 Private-Purpose Endowment</u>	<u>FY13-14 Private-Purpose Income</u>
[1] Balance July 1	\$ 241,968	\$ -	\$ 252,113	\$ 27
REVENUES:				
[2] Interest on Bank Accounts	\$ 13,467	\$ 7,044	\$ -	\$ 584
[3] Interest on Investments	-	-	1,878	-
[4] Donations and Grants	-	-	13,464	20,005
[5] Transfers from Other Funds	-	-	-	4,000
[6] Investment Earnings	-	-	-	-
[7] TOTAL REVENUES	\$ 13,467	\$ 7,044	\$ 15,343	\$ 24,589
EXPENDITURES:				
[8] Scholarship Payments	\$ -	\$ 7,000	\$ -	\$ 8,500
[9] Other Expenses	3,321	-	216	-
[10] Other Operating Supplies	-	-	-	2,571
[11] Transfers to Other Funds	-	17	4,000	21
[12] TOTAL EXPENDITURES	\$ 3,321	\$ 7,017	\$ 4,216	\$ 11,092
[13] Balance June 30	<u>\$ 252,113</u>	<u>\$ 27</u>	<u>\$ 263,240</u>	<u>\$ 13,524</u>

POSITION: INSPECTIONS OFFICE ASSISTANT III

enter highlighted fields FY15 rates: 7.65% \$ 9,120 10.61% 1.32% 0.10

	SALARY	FICA	MEDICAL/DENTAL	VRS	GROUP LIFE	WORK COMP	TOTAL COST
		2001	2005	2002	2006	2011	
12 months	25,922.00	1,983.03	9,120.00	2,750.32	342.17	25.92	40,143.45
11 months	23,761.83	1,817.78	8,360.00	2,521.13	313.66	23.76	36,798.16
10 months	21,601.67	1,652.53	7,600.00	2,291.94	285.14	21.60	33,452.87
9 months	19,441.50	1,487.27	6,840.00	2,062.74	256.63	19.44	30,107.59
8 months	17,281.33	1,322.02	6,080.00	1,833.55	228.11	17.28	26,762.30
7 months	15,121.17	1,156.77	5,320.00	1,604.36	199.60	15.12	23,417.01
6 months	12,961.00	991.52	4,560.00	1,375.16	171.09	12.96	20,071.72
5 months	10,800.83	826.26	3,800.00	1,145.97	142.57	10.80	16,726.44
4 months	8,640.67	661.01	3,040.00	916.77	114.06	8.64	13,381.15
3 months	6,480.50	495.76	2,280.00	687.58	85.54	6.48	10,035.86
2 months	4,320.33	330.51	1,520.00	458.39	57.03	4.32	6,690.57
1 month	2,160.17	165.25	760.00	229.19	28.51	2.16	3,345.29

FY15 BUDGETED PART TIME	\$	22,000
*FY15 ESTIMATE PART TIME REMAINING	\$	14,920
*FULL TIME COSTS - 8 MONTHS (includes fringes)	\$	26,763
FY15 SUPPLEMENT NEEDED	\$	11,843

*Note - based on November hire.



MEMORANDUM

TO: Harvey E. Strawsnyder Jr., Director of Public Works *HES*
THRU: John S. Trenary, Building Code Official *John S. Trenary*
FROM: Debbie Layman, Office Manager *Debbie Layman*
SUBJECT: Office Assistant III – Full Time Position
DATE: September 12, 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.

This part time position was filled on August 12, 2013, working 37 hours per week. This was a full time position that ended with staff reductions on July 1, 2010.

It is my understanding that on July 1, 2015, all part time employees working 37 hours per week will receive health benefits.

The request to re-establish this full time position is due to the increase in permit activity which has resulted in fee increases of \$103,000 during the past four months (May, June, July & August) compared to the same period the previous year.

This position would start at a 3 Range in the pay scale, with a B-level salary of \$25,921.44, plus appropriate benefits. The Department was funded \$22,000 for part-time labor 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;

12. The Commissioner of the Revenue requests a General Fund supplemental appropriation in the amount of \$14,393 in order to convert a part time position to a full time Account Clerk I position. Also required is a transfer in the amount of \$11,264 from currently budgeted part time funds. Local funds are required. The position has been approved by the HR Committee. See attached memo, p. 59 - 61.

POSITION: COR ACCOUNT CLERK I

enter highlighted fields	FY15 rates:	7.65%	\$	9,120	10.61%	1.32%	0.10
	SALARY FICA		MEDICAL/DENTAL	VRS	GROUP LIFE	WORK COMP	TOTAL COST
	2001	2005	2002	2006	2011		
12 months	24,536.00	1,877.00	9,120.00	2,603.27	323.88	24.54	38,484.68
11 months	22,491.33	1,720.59	8,360.00	2,386.33	296.89	22.49	35,277.63
10 months	20,446.67	1,564.17	7,600.00	2,169.39	269.90	20.45	32,070.57
9 months	18,402.00	1,407.75	6,840.00	1,952.45	242.91	18.40	28,863.51
8 months	16,357.33	1,251.34	6,080.00	1,735.51	215.92	16.36	25,656.46
7 months	14,312.67	1,094.92	5,320.00	1,518.57	188.93	14.31	22,449.40
6 months	12,268.00	938.50	4,560.00	1,301.63	161.94	12.27	19,242.34
5 months	10,223.33	782.09	3,800.00	1,084.70	134.95	10.22	16,035.29
4 months	8,178.67	625.67	3,040.00	867.76	107.96	8.18	12,828.23
3 months	6,134.00	469.25	2,280.00	650.82	80.97	6.13	9,621.17
2 months	4,089.33	312.83	1,520.00	433.88	53.98	4.09	6,414.11
1 month	2,044.67	156.42	760.00	216.94	26.99	2.04	3,207.06

FY15 BUDGETED PART TIME	\$	18,000
*FY15 ESTIMATE PART TIME REMAINING	\$	11,264
*FULL TIME COSTS - 8 MONTHS (includes fringes)	\$	25,657
FY15 SUPPLEMENT NEEDED	\$	14,393

*Note - based on November hire.



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@fcva.us



Date: September 15, 2014

To: Finance Committee
 Human Resources Committee
 Frederick County Board of Supervisors

From: Ellen E. Murphy, Commissioner of the Revenue

Re: Statistical Information – Personal Property
 Supports Need for Jessica Veach to a Full Time Position

Although statistical data for count of work load is available in many sources, the following is personal property income data for 2010, 2011, 2012 and 2013 as suggested:

CY	2010	2011	2012	2013
	38,676,673	39,293,126	40,814,229	41,747,718
	-3,158,793	-3,142,737	-2,795,114	-3,983,232
	3,683,084	3,672,614	3,861,325	4,778,002
	39,200,964	39,823,003	41,880,440	42,542,488

Above numbers show original April book personal property TAX totals, less taxes abated, plus additional taxes billed on supplements.

As you can imagine, additional revenue is only generated at the efforts of staff to find, verify and tax such property. There comes a time when staff simply cannot stretch the day any further. Help is needed and Mrs. Veach has shown a wonderful work ethic and understanding of the process.

Your consideration is greatly appreciated!



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



September 3, 2014

TO: H R Committee
Paula Nofsinger, H R Director

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Supplemental Funding to change staff position

Please approve an increase in Commissioner of the Revenue salaries of \$14,700.00 for FY2015 to enable me to hire Jessica Veach as a full time personal property clerk. Mrs. Veach is currently part time and these funds will enable her to work on a full time basis.

Since we first hired Mrs. Veach as part time in November 2013 we have found her to be extremely helpful, attentive to the taxpayers and willing to learn not only her assigned tasks but anything else in the department to be of assistance.

She has received praise from both her Supervisor and from the general public. It would be to the county's advantage as well as my department to have her working more hours.

Your approval will be greatly appreciated.

Frederick County Board of Supervisor's

Finance/Audit Committee Charter

I. Organization

There shall be a committee of the Board of Supervisors ("Board") of Frederick County, Virginia ("County") known as the Finance Committee ("Committee"). The Committee shall be comprised of three (3) members of the Board of Supervisors who will be appointed by the Chairman of the Board, with one appointed as Chair, three (3) citizen members as appointed by the Chairman of the Board, and two (2) non-voting liaisons: the County Treasurer and the County Commissioner of the Revenue. The Finance Director will serve as secretary of the Committee with the duties including preparing agendas and reports to the Board. This Charter shall govern the Committee with regard to its duties and responsibilities. The goal of the Committee shall be to provide oversight for all financial policies, procurement policy, financial planning, risk management, debt issuance, budget development and other fiscal related issues.

II. Purpose

The primary function of the Committee is to review matters of a financial nature including proposed changes to fiscal/procurement policies and the review and recommendation for matters of a financial nature coming forward to the Board including, but not limited to, supplemental appropriations, transfers and contracts. The Committee's primary duties and responsibilities are as follows:

- To provide to the Board means for determining the manner in which policies, programs, and resources authorized by the Board are being deployed by management consistent with the intent of the Board and in compliance with all appropriate statutes, ordinances, and directives.
- Develop and submit reports, draft policies and/or recommendations regarding audits and the finances of the County to the full Board for its consideration.
- To serve as the Audit Committee to assist the Board in carrying out its oversight responsibilities by reviewing financial information provided in the County's annual financial report.

The Committee will primarily fulfill these responsibilities by carrying out the activities enumerated in Section IV of this Charter.

III. Meetings and Quorum

The Committee shall meet monthly or more or less frequently as circumstances dictate. The Chairman of the Board, the Chair of the Committee, or a majority of the Committee members may call or cancel meetings of the Committee. The Chair of the Committee shall prepare or approve an agenda in advance of each meeting. The County Administrator and the Director(s) with the responsibilities for finance shall be invited to all meetings. Other management officials and counsel to the Board may be invited as necessary. With the exception of Directors, the Chair may excuse any non-Committee members from attendance at any meeting or portion of any meeting. A majority of

the total Committee composition shall constitute a quorum for the purposes of conducting the business of the Committee.

IV. Responsibilities

The Committee shall have the following duties and responsibilities:

A. Finance

1. Review and advise the Board and senior management of the County with respect to finance initiatives, policies and procedures, including activities relating to procurement.

2. Provide direction during the preparation of the annual budget. Review the County Administrator's final budget proposal and provide recommendations to the Board with respect to those proposals including tax rates and fees.

3. Review and advise the Board on supplemental appropriation requests, transfers and change orders as dictated by policy.

4. Review the budgetary and financial implications of management's tactical and strategic plans.

5. Review periodic or interim budget and/or financial statements to ensure the County is operating within approved financial and budgetary allocations and that the County is appropriately safeguarding its financial resources.

B. Audit

1. Perform independent review and execute oversight of the financial reporting process, internal controls and independent auditors.

2. Provide a forum separate from management in which auditors and other interested parties can discuss the annual audit.

3. Meet with the external auditors during the entrance and exit conferences and at other times as needed or upon request of the external auditors. Review and approve the annual external audit engagement letter.

4. Manage the County's internal audit function including review and approval of the internal annual audit work plan, reports and recommendations. The internal auditor shall report functionally to the Chair of the committee or designee. The Committee chair, along with the County Administrator and Finance Director, shall conduct annual evaluations of the auditor's performance. The Committee Chairman shall participate in decisions regarding the appointment of the internal auditor and the acceptance of the internal audit plan.

C. Other Duties Related to Review, Reports and Improvement Procedures

1. Review and reassess annually the adequacy of this Charter, and conduct an annual self-assessment of this Committee's performance.

2. Report all meetings of the Committee to the Board on the matters discussed at each Committee meeting, as appropriate.

3. Perform any other activities consistent with this Charter, the County's goals, objectives and governing law, as the Committee or the Board deems necessary or appropriate.

Original: Adopted by Board of Supervisors 1/25/2012

Revisions:

9/9/2013: reduced Board of Supervisor representatives from four (4) to three (3)

DATE	DEPARTMENT/GENERAL FUND	REASON FOR TRANSFER	FROM	TO	ACCT	CODE	AMOUNT
8/13/2014	INFORMATION TECHNOLOGY	BALANCE LINE ITEM	1220	3005	000	002	(6,820.00)
	INFORMATION TECHNOLOGY		1220	8007	000	000	6,820.00
8/15/2014	FIRE AND RESCUE	TUITION	3505	5506	000	000	(10,000.00)
	FIRE AND RESCUE		3505	2013	000	000	10,000.00
8/18/2014	TREASURER	LEGAL EXPENSES ON REAL ESTATE SALE	1213	3002	000	002	(20,500.00)
	TREASURER		1213	3002	000	000	20,500.00
8/20/2014	INFORMATION TECHNOLOGY	PAY PICTOMETRY INVOICE	1220	3005	000	002	(33,726.00)
	INFORMATION TECHNOLOGY		1220	3002	000	000	33,726.00
8/27/2014	INFORMATION TECHNOLOGY	TECHNOLOGY CLASS	1220	3002	000	000	(6,042.00)
	INFORMATION TECHNOLOGY		1220	5506	000	000	6,042.00
8/28/2014	HUMAN RESOURCES	IPMA HR DIRECTOR'S RETREAT	1203	5401	000	000	(75.00)
	HUMAN RESOURCES		1203	5506	000	000	75.00
8/29/2014	HUMAN RESOURCES	PURCHASE HRNETSOURCE	1203	3007	000	000	(3,085.00)
	HUMAN RESOURCES		1203	5413	000	000	3,085.00
9/3/2014	BOARD OF SUPERVISORS	REPAIR/REPLACEMENT PROJECTOR EQUIP.BOS ROOM	1101	5401	000	000	7,000.00
	OTHER		1224	3002	000	000	(7,000.00)

County of Frederick
General Fund
August 31, 2014

ASSETS	FY15 <u>8/31/14</u>	FY14 <u>8/31/13</u>	Increase <u>(Decrease)</u>
Cash and Cash Equivalents	48,935,761.59	44,767,653.43	4,168,108.16 *A
Petty Cash	1,555.00	1,555.00	0.00
Receivables:			
Taxes, Commonwealth, Reimb. P/P	41,699,937.32	40,391,638.54	1,308,298.78
Streetlights	17,120.25	17,002.59	117.66
Commonwealth, Federal, 45 day Taxes	40,649.84	59,563.86	(18,914.02)
Due from Fred. Co. San. Auth.	734,939.23	734,939.23	0.00
Prepaid Postage	1,858.34	5,270.51	(3,412.17)
GL controls (est.rev / est. exp)	<u>(6,270,483.06)</u>	<u>(5,621,599.70)</u>	<u>(648,883.36)</u> (1) Attached
TOTAL ASSETS	<u>85,161,338.51</u>	<u>80,356,023.46</u>	<u>4,805,315.05</u>
LIABILITIES			
Accrued Liabilities	0.00	453,059.12	(453,059.12) *B
Performance Bonds Payable	443,179.35	375,683.13	67,496.22
Taxes Collected in Advance	76,563.23	314,396.75	(237,833.52)
Deferred Revenue	<u>41,746,569.02</u>	<u>40,448,433.55</u>	<u>1,298,135.47</u> *C
TOTAL LIABILITIES	42,266,311.60	41,591,572.55	674,739.05
EQUITY			
Fund Balance			
Reserved:			
Encumbrance School	(109,448.47)	0.00	(109,448.47)
Encumbrance General Fund	351,871.57	1,068,067.88	(716,196.31) (2) Attached
Conservation Easement	2,135.00	2,135.00	0.00
Peg Grant	244,254.00	190,138.00	54,116.00
Prepaid Items	949.63	949.63	0.00
Advances	734,939.23	734,939.23	0.00
Employee Benefits	93,120.82	93,120.82	0.00
Courthouse ADA Fees	222,145.76	177,748.15	44,397.61
Historical Markers	17,283.35	17,244.80	38.55
Transportation Reserve	0.00	377,396.00	(377,396.00) *D
Animal Shelter	335,530.02	335,530.02	0.00
Proffers	4,170,570.67	2,843,610.60	1,326,960.07 (3) Attached
Economic Development Incentive	550,000.00	550,000.00	0.00
Star Fort Fees	0.00	0.00	0.00
VDOT Revenue Sharing	436,270.00	436,270.00	0.00
Undesignated Adjusted Fund Balance	<u>35,845,405.33</u>	<u>31,937,300.78</u>	<u>3,908,104.55</u> (4) Attached
TOTAL EQUITY	<u>42,895,026.91</u>	<u>38,764,450.91</u>	<u>4,130,576.00</u>
TOTAL LIAB. & EQUITY	<u>85,161,338.51</u>	<u>80,356,023.46</u>	<u>4,805,315.05</u>

NOTES:

*A The cash increase can be attributed to an increase in fund balance.

*B Health insurance deposits were moved to the Health Insurance Fund July 1, 2014.

*C Deferred revenue includes taxes receivable, street lights, misc.charges, dog tags, and motor vehicle registration fees.

*D The \$377,396 balance was transferred to the Project Development Fund for various road projects.

BALANCE SHEET

(1) GL Controls	FY15	FY14	Inc/(Decrease)
Est.Revenue	138,308,377	128,874,407	9,433,970
Appropriations	(58,805,279)	(55,408,931)	(3,396,349)
Est.Tr.to Other fds	(86,125,452)	(80,155,144)	(5,970,308)
Encumbrances	351,872	1,068,068	(716,196)
	(6,270,483)	(5,621,600)	(648,883)

(2) General Fund Purchase Orders Outstanding @8/31/14

DEPARTMENT	Amount	Description
Commonwealth's Attorney	61,211.64	Criminal Case Management System
Fire & Rescue	1,114.51	Motorola Radios
	1,500.00	APX Dual Band&VHF Radio System
	33,508.56	2014 Ford F250
	816.00	Misc.Scott Parts for Inhouse Repair
	3,958.25	Advantage Learning Management System
IT	2,100.00	Phone System Equipment
	15,056.89	Dell Kase Applications
	8,954.00	Dell Kase Licensing
	4,425.00	Batteries for Backup Servers
Parks	13,989.20	Chemicals for Pools
	30,750.00	Resurface Sherado Pool
	9,940.00	Toro Workman Utility Vehicle
	21,400.00	Repair Electrical Systems at Clearbrook and Sherando
	12,000.00	Rose Hill Park Engineering Service
	4,245.20	Staff Uniforms
	4,295.00	Tree Animated Lighting
	3,996.00	Event Shirts for Half Marathon
	18,960.00	Program Uniforms
Refuse Collection	5,960.00	Concrete Wall/Slab for Gainesboro Citizens Site
	24,718.00	2015 Ford Superduty Pickup
Sheriff	19,853.88	Sungard OSSI Software
	7,070.00	Python Radar Package
	4,625.00	Radar Recorder With Bluetooth
	6,504.00	Body Armour
	23,301.25	Ammunition
	3,749.95	Dell Precision Desktop Computer
Treasurer	3,869.24	Envelopes
Total	351,871.57	

(3)Proffer Information	SCHOOLS	PARKS	FIRE & RESCUE	Designated Other Projects	TOTAL
Balance @8/31/14	2,245,305.93	387,660.93	548,501.57	989,102.24	4,170,570.67

Designated Other Projects Detail

Administration	189,462.24
Bridges	600.00
Historic Preservation	99,000.00
Library	72,712.00
Rt.50 Trans.Imp.	10,000.00
Rt. 50 Rezoning	25,000.00
Rt. 656 & 657 Imp.	25,000.00
RT.277	162,375.00
Sheriff	36,953.00
Solid Waste	12,000.00
Stop Lights	26,000.00
BPG Properties/Rt.11 Corridor	330,000.00
Total	989,102.24

Other proffers @8/31/14

(4) Fund Balance Adjusted	
Ending Balance 8/31/14	38,527,631.72
Revenue 8/14	9,399,247.81
Expenditures 8/14	(10,467,414.65)
Transfers 8/14	(1,617,059.55)
8/14 Adjusted Fund Balance	35,842,405.33

County of Frederick
 Comparative Statement of Revenues, Expenditures
 and Changes in Fund Balance
 August 31, 2014

REVENUES:	<u>Appropriated</u>	FY15 8/31/2014 <u>Actual</u>	FY14 8/31/2013 <u>Actual</u>	YTD Actual <u>Variance</u>
General Property Taxes	93,490,226.00	3,263,739.06	3,242,831.03	20,908.03 (1)
Other local taxes	30,213,611.00	865,267.96	1,135,204.95	(269,936.99) (2)
Permits & Privilege fees	1,248,473.00	308,417.76	254,710.94	53,706.82 (3)
Revenue from use of money and property	131,780.00	41,706.76	34,757.00	6,949.76 (4)
Charges for Services	2,372,232.00	394,267.89	403,861.07	(9,593.18)
Miscellaneous	491,706.00	94,908.67	52,692.87	42,215.80
Recovered Costs	1,601,074.00	640,565.04	303,124.97	337,440.07 (5)
Intergovernmental:				
Commonwealth	8,712,775.00	3,790,374.67	3,468,780.31	321,594.36 (6)
Federal	43,500.00	0.00	7,987.97	(7,987.97) (7)
Transfers	.	0.00	0.00	0.00
TOTAL REVENUES	138,305,377.00	9,399,247.81	8,903,951.11	495,296.70
 EXPENDITURES:				
General Administration	9,092,711.81	1,293,079.18	1,124,193.20	168,885.98
Judicial Administration	2,372,824.69	313,447.49	316,681.54	(3,234.05)
Public Safety	29,375,559.62	5,416,985.74	5,693,941.87	(276,956.13)
Public Works	4,253,177.12	435,621.12	448,762.64	(13,141.52)
Health and Welfare	7,227,185.00	1,187,113.83	1,006,172.23	180,941.60
Education	56,000.00	14,000.00	14,123.25	(123.25)
Parks, Recreation, Culture	5,742,632.19	1,027,656.74	999,908.74	27,748.00
Community Development	2,452,290.10	776,510.55	288,900.43	487,610.12
TOTAL EXPENDITURES	60,572,380.53	10,464,414.65	9,892,683.90	571,730.75 (8)
 OTHER FINANCING SOURCES (USES):				
Operating transfers from / to	84,358,351.10	1,617,059.55	384,812.78	1,232,246.77 (9)
Excess (deficiency)of revenues & other sources over expenditures & other uses	(6,625,354.63)	(2,682,226.39)	(1,373,545.57)	1,308,680.82
 Fund Balance per General Ledger		38,527,631.72	33,310,846.35	5,216,785.37
Fund Balance Adjusted to reflect Income Statement@8/31/14		35,845,405.33	31,937,300.78	3,908,104.55

(1)General Property Taxes	FY15	FY14	Increase/Decrease
Real Estate Taxes	1,200,246	1,222,766	(22,520)
Public Services	-	-	-
Personal Property	1,943,834	1,912,121	31,714
Penalties and Interest	38,928	52,000	(13,072)
Credit Card Chgs./Delinq.Advertising	(16,643)	(14,798)	(1,845)
Adm.Fees For Liens&Distress	97,373	70,742	26,631
	3,263,739	3,242,831	20,908

(2) Other Local Taxes

Utility Taxes	128,097.56	252,723.38	(124,625.82)
Business Licenses	126,031.62	269,734.60	(143,702.98)
Auto Rental Tax	11,043.73	7,840.26	3,203.47
Motor Vehicle Licenses Fees	26,432.17	32,151.88	(5,719.71)
Recordation Taxes	225,747.03	234,759.17	(9,012.14)
Meals Tax	323,058.57	302,866.12	20,192.45
Lodging Tax	24,139.03	34,218.04	(10,079.01)
Street Lights	538.25	727.50	(189.25)
Star Fort Fees	180.00	184.00	(4.00)
Total	865,267.96	1,135,204.95	(269,936.99)

(3)Permits&Privileges

Dog Licenses	10,462.00	7,815.00	2,647.00
Transfer Fees	486.90	463.27	23.63
Development Review Fees	72,439.50	67,559.20	4,880.30
Building Permits	167,037.13	140,027.75	27,009.38
2% State Fees	3,729.73	3,154.22	575.51
Electrical Permits	10,947.00	11,386.00	(439.00)
Plumbing Permits	1,890.00	1,480.00	410.00
Mechanical Permits	8,842.50	6,715.50	2,127.00
Sign Permits	350.00	510.00	(160.00)
Permits for Commercial Burning	50.00	-	50.00
Explosive Storage Permits	300.00	-	300.00
Blasting Permits	75.00	90.00	(15.00)
Land Disturbance Permits	31,508.00	14,860.00	16,648.00
Sewage Installation License	300.00	-	300.00
Transfer Development Rights	-	650.00	(650.00)
Total	308,417.76	254,710.94	53,706.82

(4) Revenue from use of

Money	37,887.90	30,073.19	7,814.71
Property	3,818.86	4,683.81	(864.95)
Total	41,706.76	34,757.00	6,949.76

(5) Recovered Costs	FY15	FY14	Increase/Decrease
Worker's Comp	200.00	200.00	-
Reimbursement Circuit Court	1,399.28	2,130.68	(731.40)
Clarke County Container Fees	7,737.98	9,001.24	(1,263.26)
City of Winchester Container Fees	8,110.50	7,099.26	1,011.24
Refuse Disposal Fees	13,001.62	13,549.54	(547.92)
Recycling Revenue	9,612.90	25,290.58	(15,677.68)
Container Fees Bowman Library	284.38	137.52	146.86
Restitution Victim Witness	2,174.00	4,735.90	(2,561.90)
Reimb.of Expenses Gen.District Court	5,448.17	4,458.82	989.35
Reimb.Task Force	16,069.72	5,097.38	10,972.34
Sign Deposits Planning	(50.00)	200.00	(250.00)
Reimbursement-Construction Projects	385,799.69	-	385,799.69
Comcast PEG Grant	17,741.25	15,749.60	1,991.65
Proffer-Other	449.50	5,000.00	(4,550.50)
Fire School Programs	10,305.00	11,671.00	(1,366.00)
Proffer Sovereign Village	-	7,317.46	(7,317.46)
Proffer Redbud Run	12,908.00	32,270.00	(19,362.00)
Clerks Reimbursement to County	1,715.29	3,105.40	(1,390.11)
Proffer Village at Harvest Ridge	3,078.00	1,539.00	1,539.00
Proffer Snowden Bridge	74,592.87	39,132.12	35,460.75
Proffer Meadows Edge Racey Tract	60,432.00	90,648.00	(30,216.00)
Sheriff Reimbursement	4,673.89	24,791.47	(20,117.58)
Proffer Cedar Meadows Proffer	4,881.00	-	4,881.00
Total	640,565.04	303,124.97	337,440.07

*1 Reimbursement for the Round Hill Fire and Rescue Station and Event Center design.

(6) Commonwealth Revenue	8/31/14	8/31/13	
	FY15	FY14	Increase/Decrease
Motor Vehicle Carriers Tax	182.92	37,981.90	(37,798.98)
Mobile Home Titling Tax	21,558.45	13,211.19	8,347.26
Recordation Taxes	90,332.37	86,438.33	3,894.04
P/P State Reimbursement	2,610,611.27	2,610,611.27	-
Shared Expenses Comm.Atty.	31,522.72	28,572.10	2,950.62
Shared Expenses Sheriff	165,160.27	160,507.49	4,652.78
Shared Expenses Comm.of Rev.	16,464.21	15,720.00	744.21
Shared Expenses Treasurer	11,382.51	11,620.53	(238.02)
Shared Expenses Clerk	26,944.59	31,712.82	(4,768.23)
Public Assistance Grants	449,616.92	363,963.29	85,653.63
Emergency Services Fire Program	35,714.00	33,557.00	2,157.00
DMV Grant Funding	12,342.03	6,054.78	6,287.25
DCJS & Sheriff State Grants	99,064.88	-	99,064.88
JJC Grant Juvenile Justice	32,090.00	32,090.00	-
Rent/Lease Payments	27,051.57	27,422.59	(371.02)
VDEM Grant Sheriff	-	3,813.08	(3,813.08)
Wireless 911 Grant	158,603.43	5,503.94	153,099.49
State Forfeited Asset Funds	1,732.53	-	1,732.53
Total	3,790,374.67	3,468,780.31	321,594.36

1*

2*

1* \$98,824 Abbott Grant

2* \$150,000 for a new CPE phone system for Public Safety

County of Frederick

General Fund

August 31, 2014

(7) Federal Revenue	FY15	FY14	Increase/Decrease
Federal Forfeited Assets	-	7,987.97	(7,987.97)
Housing Illegal Aliens	-	-	-
Federal Grants Sheriff	-	-	-
Total	-	7,987.97	(7,987.97)

(8) Expenditures

Expenditures increased \$571,730.75 in total. **Public Safety** decreased \$276,956.13 and can be attributed to the IT Virtualization Project in the previous year. The **Community Development** increase of \$487,610.12 reflects the \$500,000 Economic Development Commission incentive for HP Hood. Transfers increased \$1,232,246.77. See chart below:

(Transfers increased \$1,232,246.77)	FY15	FY14	Increase/Decrease
Transfer to School Operating	109,448.47	-	109,448.47
Transfer to Debt Service County	147,789.96	144,378.37	3,411.59
Transfer to Capital Projects Fund	1,000,000.00	-	1,000,000.00
Operational Transfers	359,821.12	240,434.41	119,386.71
Total	1,617,059.55	384,812.78	1,232,246.77

*1 FY14 School Carry Forward Encumbrances

*2 Proffer for Round Hill Fire and Rescue and Event Center Site Plan Development.

*3 Timing of Insurance Charge Outs.

County of Frederick
 FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER
 August 31, 2014

ASSETS	FY2015 <u>8/31/14</u>	FY2014 <u>8/31/13</u>	Increase <u>(Decrease)</u>
Cash	5,433,506.68	4,678,893.27	754,613.41 *1
Accounts Receivable	33,960.55		
GL controls(est.rev/est.exp)	<u>(501,109.65)</u>	<u>(352,108.87)</u>	<u>(149,000.78)</u>
TOTAL ASSETS	<u>4,966,357.58</u>	<u>4,326,784.40</u>	<u>605,612.63</u>
LIABILITIES			
Accrued Operating Reserve Costs	<u>2,115,099.00</u>	<u>2,077,528.07</u>	<u>37,570.93</u>
TOTAL LIABILITIES	<u>2,115,099.00</u>	<u>2,077,528.07</u>	<u>37,570.93</u>
EQUITY			
Fund Balance			
Reserved			
Encumbrances	23,580.02	25,630.86	(2,050.84)
Undesignated			
Fund Balance	<u>2,827,678.56</u>	<u>2,223,625.47</u>	<u>604,053.09</u> *2
TOTAL EQUITY	<u>2,851,258.58</u>	<u>2,249,256.33</u>	<u>602,002.25</u>
TOTAL LIABILITY & EQUITY	<u>4,966,357.58</u>	<u>4,326,784.40</u>	<u>639,573.18</u>

NOTES:

*1 Cash increased \$754,613.41. Refer to the following page for comparative statement of revenues, expenditures, and changes in fund balance.

*2 Fund balance increased \$604,053.09. The beginning balance of \$2,643,322.23 includes adjusting entries, budget controls for FY15(\$510,200.00), and the year to date revenue less expenditures of \$694,556.33.

Current Unrecorded Accounts Receivable-	<u>FY2015</u>
Prisoner Billing:	28,570.03
Compensation Board Reimbursement 8/14	<u>445,244.74</u>
Total	473,814.77

FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER

REVENUES:	<u>Appropriated</u>	FY2015 8/31/14 <u>Actual</u>	FY2013 8/31/13 <u>Actual</u>	YTD Actual <u>Variance</u>
Credit Card Probation		22.59		
Interest	-	-	5,377.30	(5,377.30)
Sale of Salvage&Surplus	-	-	-	-
Supervision Fees	43,446.00	7,316.00	-	7,316.00
Drug Testing Fees	5,000.00	225.00	670.00	(445.00)
Work Release Fees	405,150.00	27,281.18	30,553.21	(3,272.03)
Federal Bureau Of Prisons	0.00	0.00	0.00	0.00
Local Contributions	6,253,129.00	1,460,218.50	1,382,691.25	77,527.25
Miscellaneous	15,000.00	3,066.39	1,302.95	1,763.44
Phone Commissions	300,000.00	0.00	0.00	0.00
Food & Staff Reimbursement	115,000.00	0.00	9,579.83	(9,579.83)
Elec.Monitoring Part.Fees	144,000.00	7,389.46	0.00	7,389.46
Employee Meal Supplements	200.00	0.00	0.00	0.00
Share of Jail Cost Commonwealth	1,066,042.00	0.00	0.00	0.00
Medical & Health Reimb.	50,000.00	5,644.36	6,462.73	(818.37)
Shared Expenses CFW Jail	4,973,170.00	397,598.50	368,583.80	29,014.70
State Grants	263,263.00	0.00	0.00	0.00
Local Offender Probation	252,286.00	0.00	0.00	0.00
DOC Contract Beds	0.00	0.00	0.00	0.00
Bond Proceeds	0.00	0.00	221,000.00	(221,000.00)
Transfer From General Fund	4,991,484.00	1,295,491.62	1,116,750.50	178,741.12
TOTAL REVENUES	18,877,170.00	3,204,253.60	3,142,971.57	61,259.44
EXPENDITURES:	19,401,859.67	2,509,697.27	2,553,634.90	(43,937.63)
Excess(Deficiency)of revenues over expenditures		694,556.33	589,336.67	105,219.66
FUND BALANCE PER GENERAL LEDGER		<u>2,133,122.23</u>	<u>1,634,288.80</u>	<u>498,833.43</u>
Fund Balance Adjusted To Reflect Income Statement@8/31/14		2,827,678.56	2,223,625.47	604,053.09

County of Frederick
Fund 12 Landfill
August 31, 2014

ASSETS	FY2015 <u>8/31/14</u>	FY2014 <u>8/31/13</u>	Increase <u>(Decrease)</u>
Cash	31,087,447.26	29,391,239.38	1,696,207.88 *1
Receivables:			
Accounts Receivable			
Fees	610,263.83	670,298.57	(60,034.74) *2
Accounts Receivable Other	76.00	4,103.22	(4,027.22)
Allow.Uncollectible Fees	(84,000.00)	(84,000.00)	0.00
Fixed Assets	43,287,786.24	42,516,271.35	771,514.89
Accumulated Depreciation	(23,311,767.48)	(21,543,603.09)	(1,768,164.39)
GL controls(est.rev/est.exp)	<u>(2,344,874.34)</u>	<u>(1,335,233.00)</u>	<u>(1,009,641.34)</u>
TOTAL ASSETS	<u>49,244,931.51</u>	<u>49,619,076.43</u>	<u>(374,144.92)</u>
LIABILITIES			
Accounts Payable	-	-	
Accrued VAC.Pay and Comp TimePay	178,911.24	134,423.76	44,487.48
Accrued Remediation Costs	11,938,535.78	11,791,736.42	146,799.36 *3
Retainage Payable	0.00	47,620.17	(47,620.17)
Deferred Revenue Misc.Charges	<u>76.00</u>	<u>4,103.22</u>	<u>(4,027.22)</u>
TOTAL LIABILITIES	<u>12,117,523.02</u>	<u>11,977,883.57</u>	<u>139,639.45</u>
EQUITY			
Fund Balance			
Reserved:			
Encumbrances	715,514.88	0.00	715,514.88 *4
Land Acquisition	1,048,000.00	1,048,000.00	0.00
New Development Costs	3,812,000.00	3,812,000.00	0.00
Environmental Project Costs	1,948,442.00	1,948,442.00	0.00
Equipment	3,050,000.00	3,050,000.00	0.00
Undesignated			
Fund Balance	<u>26,553,451.61</u>	<u>27,782,750.86</u>	<u>(1,229,299.25) *5</u>
TOTAL EQUITY	<u>37,127,408.49</u>	<u>37,641,192.86</u>	<u>(513,784.37)</u>
TOTAL LIABILITY AND EQUITY	<u>49,244,931.51</u>	<u>49,619,076.43</u>	<u>(374,144.92)</u>

NOTES:

- *1 The increase in cash can be attributed to a decrease in the previous years accrued accounts payable disbursed in the current year.
- *2 Landfill receivable decreased \$60,034.74. The charges for 8/14 were \$446,953.00 compared to \$449,313.11 at 8/13 for a decrease of \$2,360.11. The delinquent fees for 8/14 were \$159,448.06 compared to \$217,327.43 at 8/13 for a decrease of \$57,879.37.
- *3 Remediation increased \$146,799.36 and includes \$117,232.00 for post closure and \$29,567.36 for interest.
- *4 The encumbrance balance at 8/14 was \$715,514.88 and includes \$193,956 for a 2014 Caterpillar model 963D with track loader, \$521,558.88 for Landfill improvements roadway, leachate lagoon, and drainage improvements project.
- *5 Fund balance decreased \$1,229,299.25. The beginning balance was \$28,213,126.09 that includes adjusting entries, budget controls for FY15(\$1,705,018.00), (2) positions(\$84,734.00), and the year to date revenue less expenses \$130,377.52. To recap: The decrease of \$1.2 million current fund balance compared to the previous years includes decreased beginning fund balance, increased budget controls, decreased revenue less expenditures year to date and (2) positions in the current year.

County of Frederick
 Comparative Statement of Revenue, Expenditures
 and Changes in Fund Balance
 8/31/14

FUND 12 LANDFILL REVENUES	<u>Appropriated</u>	FY15 8/31/2014 <u>Actual</u>	FY14 8/31/2013 <u>Actual</u>	YTD Actual <u>Variance</u>
Interest Charge	0.00	935.28	493.51	441.77
Interest on Bank Deposits	20,000.00	2,453.09	2,422.91	30.18
Salvage and Surplus	0.00	35,517.10	16,837.00	18,680.10
Sanitary Landfill Fees	4,653,000.00	810,700.56	807,707.42	2,993.14
Charges to County	0.00	61,091.36	62,640.44	(1,549.08)
Charges to Winchester	0.00	16,479.72	16,738.48	(258.76)
Tire Recycling	54,000.00	36,927.68	7,542.06	29,385.62
Reg. Recycling Electronics	60,000.00	8,524.00	7,675.60	848.40
Miscellaneous	0.00	0.00	0.00	0.00
Wheel Recycling	144,000.00	0.00	0.00	0.00
Charges for RTOP	0.00	0.00	0.00	0.00
Renewable Energy Credits	116,262.00	12,254.48	0.00	12,254.48
Landfill Gas To Electricity	363,925.00	77,863.51	53,297.21	24,566.30
Waste Oil Recycling		3,758.57	894.60	2,863.97
State Reimbursement Tire Operation	0.00	0.00	0.00	0.00
TOTAL REVENUES	5,411,187.00	1,066,505.35	976,249.23	90,256.12
Operating Expenditures	5,146,404.44	357,082.18	351,440.79	5,641.39
Capital Expenditures	3,325,171.78	579,345.65	0.00	579,345.65
TOTAL Expenditures	8,471,576.22	936,427.83	351,440.79	584,987.04
Excess(deficiency)of revenue over expenditures		130,077.52	624,808.44	(494,730.92)
Fund Balance Per General Ledger		26,423,374.09	27,157,942.42	(734,568.33)
FUND BALANCE ADJUSTED		26,553,451.61	27,782,750.86	(1,229,299.25)

County of Frederick, VA
Report on Unreserved Fund Balance
September 16, 2014

Unreserved Fund Balance, Beginning of Year, July 1, 2014	39,391,929
Prior Year Funding & Carryforward Amounts	
C/F Dare	(2,065)
C/F sign materials	(4,500)
C/F Shelter van accessories	(1,330)
C/F K9 unit accessories	(3,000)
C/F Fire Company Capital	(167,180)
	<hr style="width: 100%; border: 0.5px solid black; margin-bottom: 5px;"/> (178,075)
Other Funding / Adjustments	
HP Hood incentive	(500,000)
Airport capital	(80,282)
COR refund - Disabled Veteran	(2,793)
(7) DSS positions	(221,648)
COR refund - Disabled Veteran	(3,817)
OSSI licenses - Sheriff	(53,693)
COR refund - New World Pasta	(44,457)
Recycling cans	(14,850)
	<hr style="width: 100%; border: 0.5px solid black; margin-bottom: 5px;"/> (921,539)
Fund Balance, September 16, 2014	<u><u>38,292,315</u></u>

H



COUNTY of FREDERICK

John R. Riley, Jr.
County Administrator

540/665-5666

Fax 540/667-0370

E-mail:

jriley@co.frederick.va.us

TO: Board of Supervisors

FROM: John R. Riley, Jr., County Administrator

DATE: October 3, 2014

RE: Joint Finance Committee Meeting

The Joint Finance Committee met on Friday, October 3, 2014 at 9:00 A.M., in the Board of Supervisors' Closed Session Room, County Administration Building, 107 North Kent Street, Winchester, Virginia. Present were Charles S. DeHaven, Jr., Frederick County representative; and John Willingham, and Milt McInturff, City of Winchester representatives; Chairman Richard Shickle, Frederick County representative (**arrived at 9:15 a.m.**). Others present: John R. Riley, Jr., County Administrator; Jay E. Tibbs, Deputy County Administrator; Eden Freeman, City Manager; Roderick B. Williams, County Attorney; Anthony Williams, City Attorney; Mary Blowe, Finance Director City of Winchester; Cheryl Shiffler, Finance Director, Frederick County; Perry Eisenach, Public Services Director, City of Winchester, Corey MacKnight, Facilities Director, City of Winchester; Tom Hoy, Assistant Public Services Director; Judge Clifford L. Athey, Jr.; Board of Supervisors members: Christopher E. Collins, Robert A. Hess, Gary A. Lofton, and Gene E. Fisher; Sheriff Robert T. Williamson; Commonwealth's Attorney Ross P. Spicer; and Raya Zimmerman, *The Winchester Star*.

Mr. Willingham called the meeting to order.

*****For Board Action*****

DISCUSSION OF JOINT JUDICIAL CENTER RENOVATIONS

Judge Clifford L. Athey, Jr. appeared before the committee to discuss the need to renovate the Joint Judicial Center to accommodate the new judges, who were approved by the General Assembly. He stated he was seeking assistance from the localities to address specific needs in the interim, which would allow the localities to work towards a long term plan to accommodate space needs over the next 30 years.

Perry Eisenach reviewed the proposal to accommodate the space needs. He noted that staff would engage Moseley Architects to begin the actual development of plans for the proposed renovations. He then presented two preliminary cost estimates for this project. The in-house staff estimate was \$3,144,900 and the Moseley estimate was \$4,065,500. The total project cost would be shared on a 50-50 basis by both the city and the county.

Upon a motion by Mr. Shickle, seconded by Mr. McInturff, the Joint Finance Committee recommended approval of the renovations to the Joint Judicial Center at a cost not to exceed \$4,065,500, with costs to be shared on a 50-50 basis or \$2,032,750 per locality.

There being no further business, the meeting was adjourned at 9:43 a.m.

Joint Judicial Center

Proposed Space Reconfigurations

October 3, 2014

JUDICIAL CENTER

Winchester
Virginia

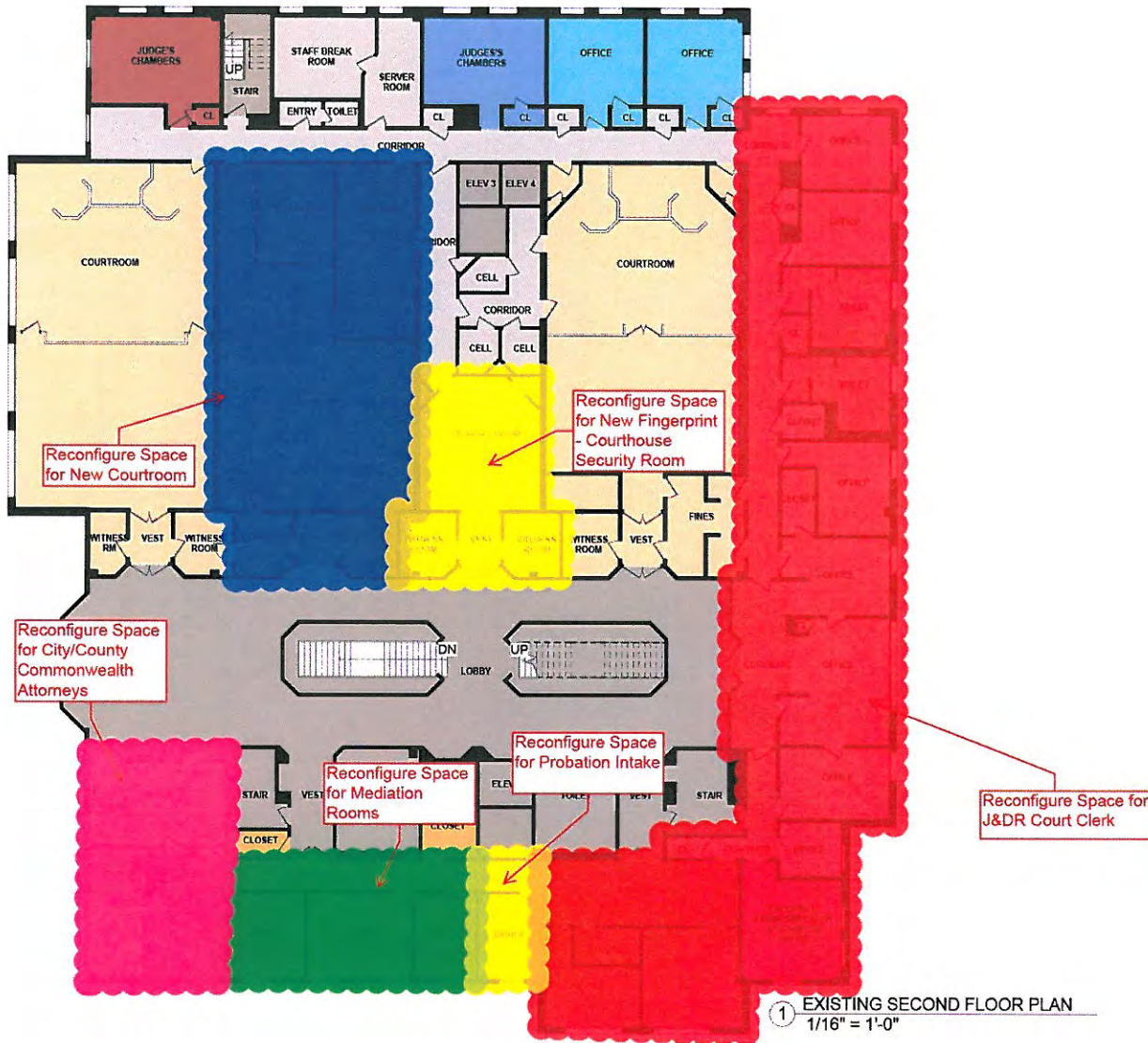


Summary of Actions

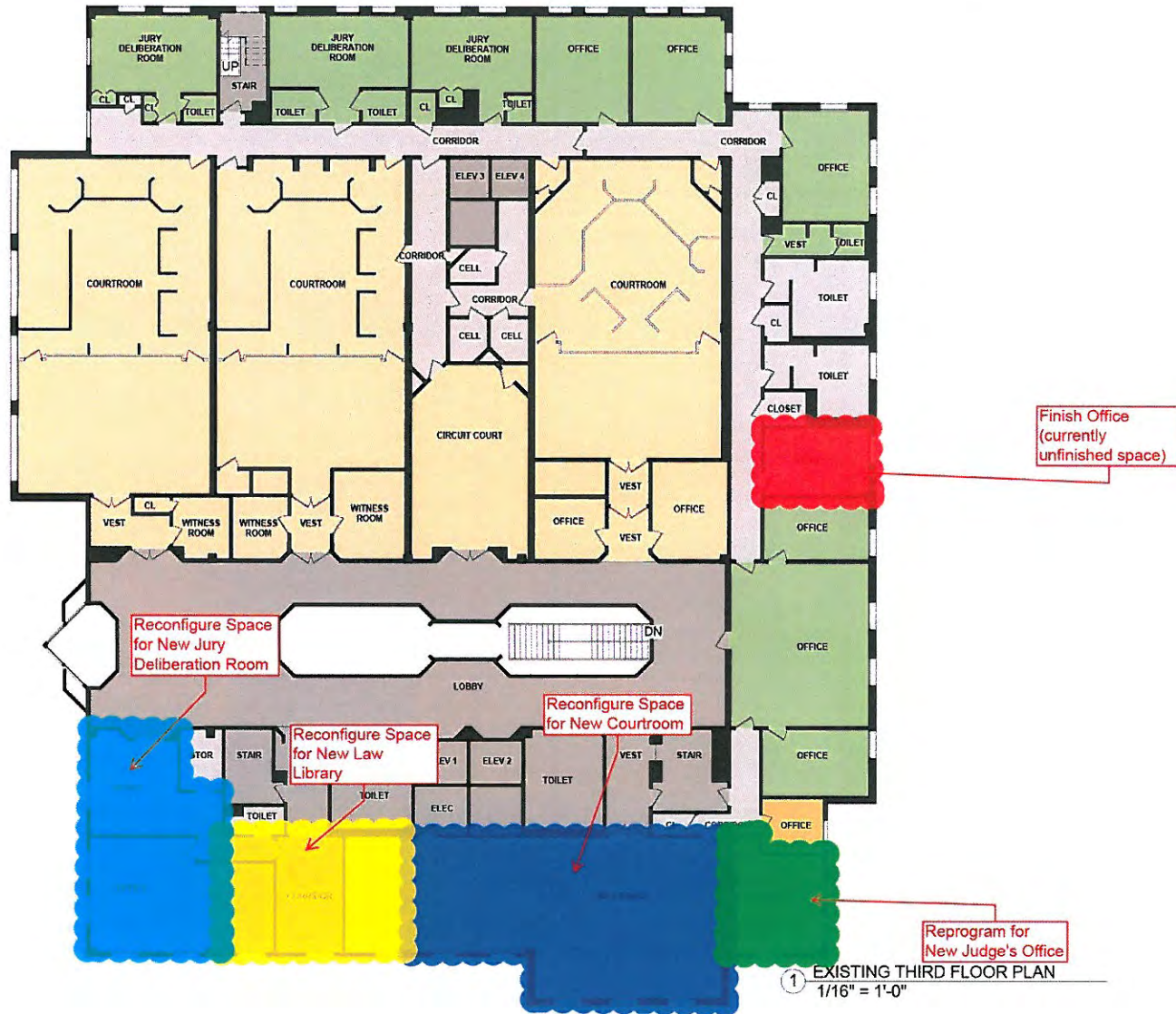
- Move offices out of JJC:
 - City Commonwealth Attorney
 - Juvenile & Domestic Relations (J&DR) Probation
- Consider other improvements
 - Upgrades to existing courtrooms
 - ADA upgrades
 - Furniture and moving allowance
- Reconfigure space on 2nd & 3rd floors:
 - Two new courtrooms
 - One new jury deliberation room
 - J&DR Court Clerk office
 - Two judges' chambers
 - Four mediation rooms
 - Commonwealth Attorneys
 - Fingerprint/court security
 - Probation intake
 - Law library
 - General District Court rolling files



Second Floor Renovation



Third Floor Renovation



Potential Cost Estimates

Description	Staff	Moseley
Second Floor Renovations	\$1,701,500	\$1,722,500
Third Floor Renovations	587,500	600,500
Other Items	570,000	1,372,000
Subtotal	2,859,000	3,695,000
Contingency (10%)	285,900	369,500
Total Estimated Cost	\$3,144,900	\$4,065,500

I



MEMORANDUM

TO: Board of Supervisors
FROM: John A. Bishop, AICP, Deputy Director - Transportation
RE: Transportation Committee Report for Meeting of September 22, 2014
DATE: October 1, 2014

The Transportation Committee met on September 22, 2014 at 8:30 a.m.

Members Present

Chuck DeHaven (voting)
James Racey (voting)
Gene Fisher (voting)
Thom Ruffin (voting)
Lewis Boyer (liaison Stephens City)
Gary Oates (liaison PC)

Members Absent

Mark Davis (liaison Middletown)
Christopher Collins (voting)

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

1. Rail Crossing Support Request

Winchester and Western Railroad is in need of an additional crossing at Sinking Spring Lane in Gore, to access a maintenance shop which they will be constructing. Please see attached graphics. They are requesting a resolution of support from the County as they go through their VDOT approval process.

After discussion with staff and VDOT regarding the application the following motion was made.

Motion by Mr. Racey and seconded by Mr. Ruffin to recommend the Board approve a resolution of support provided the resolution requires VDOT requirements be met. Motion passed unanimously. (resolution attached)

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

2. Signal programming discussion

Mr. Grant Sanders of VDOT was on hand to discuss traffic signal programming and methodologies in the County. The primary topic discussed was greater use of permissive left turns in form of a flashing yellow arrow along sections of Route 522. Mr. Sanders indicated that VDOT is increasing its use of these treatments and noted he would look into the areas suggested.

3. HB 2 Implementation Update

Staff gave a brief update on the activities taking place surrounding HB2 and its implementation. Staff would note that more up-to-date information has recently been forwarded to the Transportation Committee and Board.

4. Revenue Sharing Application

The Transportation Committee authorized staff to proceed in developing an application that includes phase II of Valley Mill Road realignment and Coverstone Drive from its existing terminus just past the public safety building to an intersection with Route 50 and Inverlee Drive. This item will appear for resolution on a future Board agenda.

5. October 8, 2014 CTB Meeting

Staff noted that there will be a public comment opportunity on October 8, 2014 which staff will be attending. Staff noted that as of the date of the meeting, no draft plan was yet available to respond to. Since that time, information has been received and forwarded to the Board and Transportation Committee that indicates 98% (\$24.5 Million) of HB2 cuts to the Staunton District are based in Frederick County.

TREATMENT NOTES:

DESIGN FLOW: 900 GPD
 EXPECTED USAGE: 300 GPD
 POTENTIAL FUTURE EXPANSION: 600 GPD

PER BIO-MEMBRICS, INC. TEST DATA, THE MICRO-FAST UNIT HAS A REMOVAL RANGE FOR BOD5 OF 82-83% WITH AN AVERAGE LEVEL AFTER TREATMENT OF 9 mg/L.

* NOTE: MINIMUM 5' SETBACK FOR ALL SEWER RELATED COMPONENTS INCLUDING

SEWERS AND FORCE MAINS FROM BUILDINGS & SETBACK REQUIRED FROM ALL PROPERTY LINES.

EXISTING SEPTIC TANK TO BE PUMPED OUT, LINED AND CRUSHED IN PLACE. ALL SOL OBSOLETE COMPONENTS OR SEWER DISCONNECTED ON COMPACTED GCL.

PUMP TANK 1700
 1/2" DISINFECTION UNIT
 18" IN TO GRADE

New Shop

Pan will be parallel w/shop

GRINDER PUMP REQUIRED INSIDE BUILDING

FORCE MAIN FROM GRINDER PUMP

EXISTING SEPTIC TANK TO BE REMOVED

1" SCH 40 PVC GRAVITY SEWER @ 2.00% SLOPE

Sinking Springs Lane

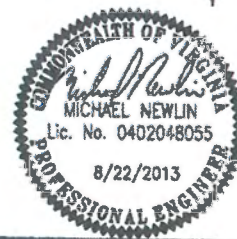
Replace/Move Crossing

New Crossing

New Switch

UT 6042 2008
 N=7148224.17
 E=7153004.586
 ELEV=708.43

BOUNDARY INFORMATION FROM UNRECORDED PLAT PROVIDED BY OWNER. TOPOGRAPHIC INFORMATION AND EXISTING FEATURES PROVIDED BY MARSH AND LEGGE LAND SURVEYORS BASED ON FIELD RUN SURVEY, JANUARY, 2011.

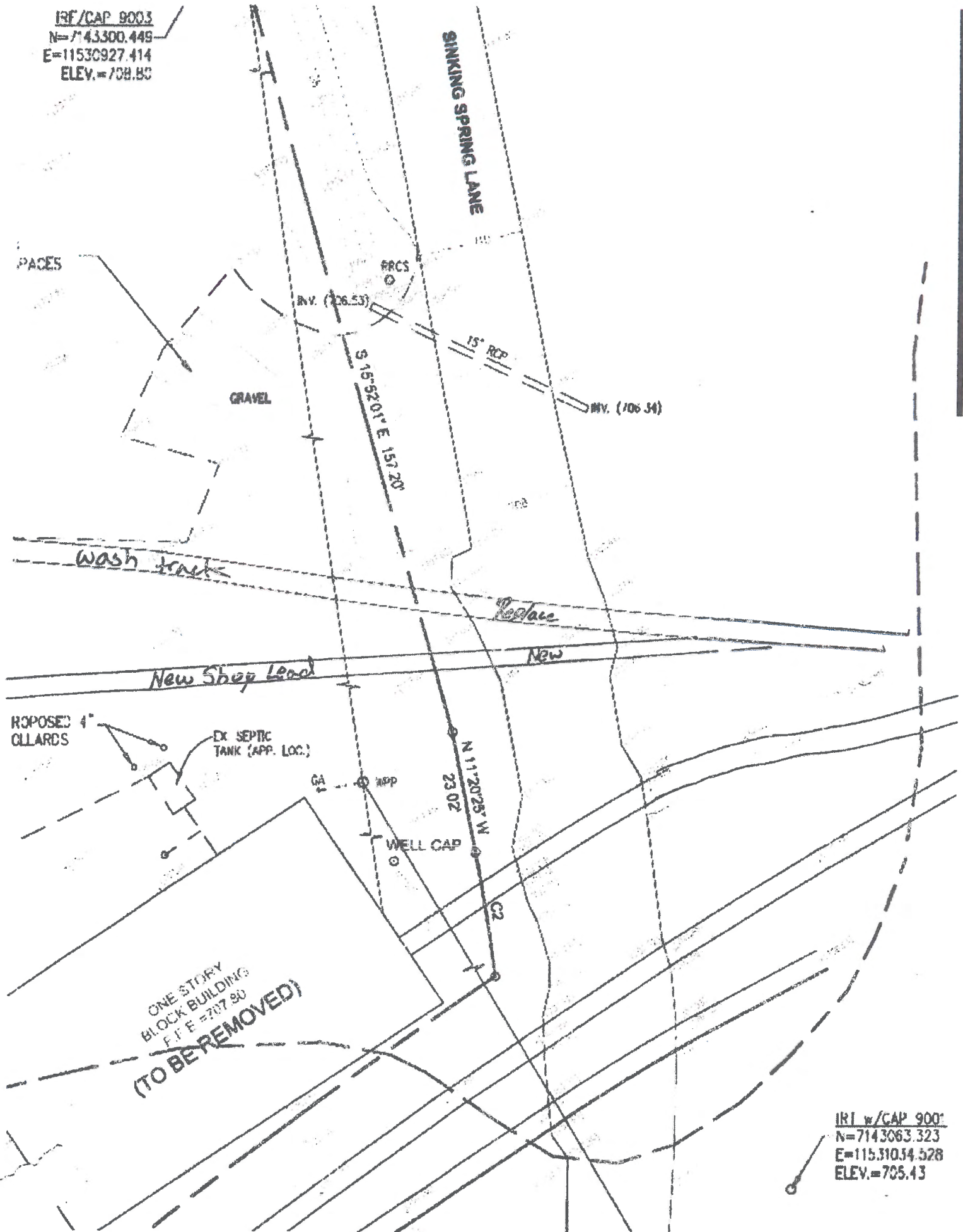


Pennoni
 Pennoni Associates Inc.
 117 East Piccadilly Street
 Winchester, VA 22601-5002
 T 540.667.2139
 F 540.665.0493

OVERALL PLAN VIEW
WINCHESTER & WESTERN RAILROAD COMPANY
 BACK CREEK DISTRICT
 FREDERICK COUNTY, VIRGINIA

DATE	JULY 2013
SCALE	1" = 30'
PROJECT NO.	WWRR1301
DRAWN FILE	WWRR-ONSITE*
SHEET	3 OF 16

IRF/CAP 9003
N=7143300.449
E=11530927.414
ELEV.=708.80



IRI w/CAP 900:
N=7143063.323
E=11531034.528
ELEV.=705.43



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

The Board of Supervisors of Frederick County, in regular meeting on the 8th day of October 2014, adopted the following:

WHEREAS, Winchester and Western Railroad is constructing a new maintenance facility and is in need of an additional or modified crossing of Sinking Spring Lane, a public roadway in Frederick County, and

WHEREAS, the Frederick County Board of Supervisors is supportive of increased use of rail to move freight;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Frederick County, Virginia, are supportive of a new or modified rail crossing of Sinking Spring Lane, a public roadway in Frederick County, provided that VDOT standards and requirements are met.

ADOPTED this 8th day of October, 2014.

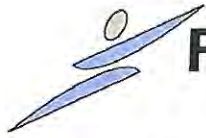
This resolution was approved by the following recorded vote:

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

J



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

**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. The front page of this Resolution accurately records (i) the members of the Board of Supervisors present at the meeting, (ii) the members who were absent from the meeting, and (iii) the vote of each member, including any abstentions.

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

John R. Riley, Jr.
Clerk, Board of Supervisors
County of Frederick, Virginia

(SEAL)

Resolution No.: 023-14

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TR-1

\$ _____

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF FREDERICK
General Obligation School Bond
Series 2014B**

Dated Date: November ___ [16 days prior to issuance], 2014 Issue Date: November __, 2014

The **COUNTY OF FREDERICK, VIRGINIA** (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY ("VPSA")** the principal amount of _____ DOLLARS (\$ _____), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 20__ and annually on July 15 thereafter to and including July 15, 20__ (each a "Principal Payment Date"), together with interest from the dated date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on July 15, 2015 (each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Principal of and interest and premium, if any, on this Bond are payable in lawful money of the United States of America.

For as long as VPSA is the registered owner of this Bond, U.S. Bank National Association, as bond registrar (the "Bond Registrar"), shall make all payments of the principal of and interest and premium, if any, on this Bond, without the presentation or surrender hereof, to VPSA, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed

for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of the principal of and interest and premium, if any, on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next succeeding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of this Bond provides, and Section 15.2-2624, Code of Virginia 1950, as amended (the "Virginia Code"), requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal of and interest and premium, if any, on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be 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.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2 of the Virginia Code, and resolutions duly adopted by the Board of Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the VPSA, at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, and having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the VPSA on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive bonds as hereinabove provided, such definitive bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 2024 and the definitive bonds for which this Bond 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 this Bond coming due on or after July 15, 2025, and the definitive bonds for which this Bond 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 this 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 principal installments on this Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of VPSA or other registered owner of this 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 its bonds issued in part to purchase this Bond in the future and such refunding causes this Bond to be deemed refunded, the prepayment or redemption of this 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 this Bond.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Frederick has caused this Bond to be issued in the name of the County of Frederick, Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated November __ [16 days prior to the closing date], 2014.

COUNTY OF FREDERICK, VIRGINIA

(SEAL)

ATTEST:

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

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

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE, OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE: _____

the within Bond and irrevocably constitutes and appoints

_____ attorney to exchange said Bond for definitive bonds in lieu of which this Bond is issued and to register the transfer of such definitive bonds on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

Registered Owner

Signature Guaranteed:

(NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Bond Registrar which requirements will include Membership or participation in STAMP or such other "signature guarantee program" as may be determined by the Bond Registrar in addition to, or in substitution for, STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

(NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or change.)

VIRGINIA PUBLIC SCHOOL AUTHORITY
BOND SALE AGREEMENT

Name of County, City or Town (the "Locality"): County of Frederick, Virginia

VPSA Sale Date: Expected to be on or about October 29, 2014

Closing Date: Expected to be on or about November 20, 2014

Proceeds Requested: \$15,000,000

Maximum Authorized Par Amount: \$15,000,000

Amortization Period:

Please specify your preferred amortization schedule (*check one preference*):

Number of Years of Principal Amortization: 20 years, beginning (*Check requested date*):

- Level Debt Service
- Level Principal
- Other (attach proposed amortization structure)

- July 15, 2015
- July 15, 2016
- Other

1. Virginia Public School Authority ("VPSA") hereby offers to purchase, solely from the proceeds of VPSA's 2014 Fall Pool Bonds (the "VPSA Bonds"), your general obligation school bond ("local school bond") at a price, determined by VPSA to be within the parameters set forth in your local resolution (as defined below) that, subject to VPSA's *purchase price objective* and market conditions described below, is substantially equal to your Proceeds Requested set forth above (as authorized by your local resolution). The sale date of the VPSA Bonds is tentatively scheduled for the week of October 27, 2014 but may occur, subject to market conditions, at any time between October 27, 2014 and December 31, 2014 (the "VPSA Sale Date"). You acknowledge that VPSA has advised you that its objective is to pay you a purchase price for your local school bond which in VPSA's judgment reflects its market value ("*purchase price objective*") taking into consideration such factors as the amortization schedule you have requested for your local school bond (as set forth above) relative to the amortization schedules requested by the other localities for their respective bonds, the purchase price received by VPSA for the VPSA Bonds and other market conditions relating to the sale of the VPSA Bonds. You further acknowledge that VPSA has advised you that such factors may result in your local school bond having a value other than par and that in order to receive an amount of proceeds that is substantially equal to your Proceeds Requested, you may need to issue your local school bond with a par amount that is greater or less than your Proceeds Requested. You, at the request of VPSA, agree to issue your local school bond in a par

amount not in excess of the Maximum Authorized Par Amount to provide, to the fullest extent practicable given VPSA's *purchase price objective*, a purchase price for your local school bond and a proceeds amount that is substantially equal to your Proceeds Requested. You acknowledge that the purchase price for your local school bond will be less than the Proceeds Requested should the Maximum Authorized Par Amount be insufficient, based upon VPSA's *purchase price objective*, to generate an amount of proceeds substantially equal to your Proceeds Requested.

2. You represent that on or before October 20, 2014, your local governing body will have duly authorized the issuance of your local school bond by adopting a resolution in substantially the form attached hereto as **Appendix B** (the "local resolution") and that your local school bond will be in the form set forth in the local resolution. Any changes that you or your counsel wish to make to the form of the local resolution and/or your local school bond must be approved by VPSA prior to adoption of the local resolution by your local governing body.
3. You represent that the information provided in your VPSA financing application under the Section entitled "Tax Matters," together with all attachments to such responses and supplemental and/or amendatory letters and information, is, [except to the extent modified by the representations contained in Schedule I hereto]¹, true, accurate and complete on the date hereof and there are no facts or circumstances that would cause such information to be materially inaccurate or incomplete.
4. You hereby covenant that you will comply with and carry out all of the provisions of the Continuing Disclosure Agreement in the form attached hereto as **Appendix D**, which agreement is hereby incorporated by reference herein and expressly made a part hereof for all purposes. VPSA has defined a Material Obligated Person ("MOP") for purposes of the Continuing Disclosure Agreement as any Local Issuer (as defined therein) the principal amount of whose local school bond(s) pledged under VPSA's 1997 Resolution comprises more than 10% of the total principal amount of all bonds of VPSA outstanding under the 1997 Resolution. MOP status with respect to the VPSA Bonds will be determined by comparing the principal amount of your local school bond(s) to the principal amount of the bonds outstanding under the 1997 Resolution. MOP status for future VPSA bonds issued under the 1997 Resolution will be determined by adding the principal amount of your local school bond(s) to be sold to VPSA and the principal amount of your local school bond(s) previously sold to VPSA and pledged under VPSA's 1997 Resolution and measuring the total against 10% of the face value of all bonds of VPSA outstanding as of a bond closing date under VPSA's 1997 Resolution. If you are or may be a MOP with respect to the VPSA Bonds, VPSA will require that you file all the information described in the following paragraph prior to VPSA's distribution of its Preliminary Official Statement, currently scheduled for the week of October 20, 2014.

You acknowledge that if you are, or in the sole judgment of VPSA may be, a MOP following the issuance of your local school bond that is the subject of this Bond Sale

¹ *To the extent any information in the financing application has changed, please provide a revised application that clearly indicates the updated information.*

Agreement, VPSA will include by specific reference in its Preliminary Official Statements and final Official Statements (for this sale and, if you remain a MOP or become a MOP again after ceasing to be a MOP, for all applicable future sales) the information respecting you ("Your Information") that is on file with the Municipal Securities Rulemaking Board (the "MSRB") through its Electronic Municipal Market Access System. Accordingly, if VPSA has determined that you are at any time a MOP (I) following the delivery of your local school bond to VPSA in connection with this sale, or (II) during the course of any future sale, whether or not you are a participant in such sale, you hereby represent and covenant to VPSA that you will file such additional information, if any, as is required so that Your Information, as of each of (I)(A) the date of VPSA's applicable Preliminary Official Statement (in the case of this sale, expected to be October 21, 2014), (B) the date of VPSA's applicable final Official Statement (in the case of this sale, expected to be October 29, 2014) and (C) the date of delivery of VPSA's Bonds (in the case of this sale, expected to be November 20, 2014) and (II) such other dates associated with future sales as VPSA may specify to you, will be true and correct and will not contain any untrue statement of a material fact or omit to state a material fact which should be included in Your Information for the purpose for which it is included by specific reference in VPSA's official statement or which is necessary to make the statements contained in such information, in light of the circumstances under which they were made, not misleading. You further agree to furnish to VPSA a copy of all filings related to your local school bond(s) you make with the MSRB subsequent to the date of this Agreement. Such copy will be furnished to VPSA on or before the day that any such filing is made.²

VPSA will advise you in writing within 60 days after the end of each fiscal year if you were a MOP as of the end of such fiscal year. Upon written request, VPSA will also advise you of your status as a MOP as of any other date. You hereby covenant that you will provide the certificate described in clause (e) of Section 4 below if VPSA includes Your Information by specific reference in its disclosure documents in connection with this sale or any future sale, whether or not you are a participant in such sale.

5. VPSA's commitment to purchase your local school bond is contingent upon (I) VPSA's receipt on the Closing Date of (a) your local school bond which shall include and otherwise meet the Standard Terms and Conditions contained in **Appendix A** hereto, (b) certified copies of the local resolution (see **Appendix B** attached hereto) and the school board resolution, if applicable (see **Appendix C** attached hereto), (c) an executed agreement, among VPSA, you and the other, if applicable, local units simultaneously selling their bonds to VPSA, the depository and the investment manager for the State Non-Arbitrage Program[®] ("SNAP[®]"), providing for the custody, investment and disbursement of the proceeds of your bonds and the other general obligation school bonds, and the payment by you and the other local units of the allocable, associated costs of compliance with the Internal Revenue Code of 1986, as amended, and any costs incurred in connection with your participation in SNAP[®] (the "Proceeds Agreement"),

² To provide you some perspective on this requirement, as of June 30, 2014, VPSA would have had to have pledged under its 1997 Resolution approximately \$271 million of your bonds for you to have been designated a MOP.

(d) an executed copy of a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") in the form provided by VPSA's bond counsel, (e) if you are a MOP and VPSA has included by specific reference Your Information into VPSA's Preliminary and final Official Statement, your certificate dated the date of the delivery of the VPSA Bonds to the effect that (i) Your Information was as of the date of VPSA's Preliminary and final Official Statements, and is as of the date of the certificate which shall be dated the closing date, true and correct and did not and does not contain an untrue statement of a material fact or omit to state a material fact which should be included in Your Information for the purpose for which it is included by specific reference in VPSA's Official Statements or which is necessary to make the statements contained in such information, in light of the circumstances under which they were made, not misleading, and (ii) you have complied with your undertakings regarding the amendments adopted on November 10, 1994 to Rule 15c2-12 under the Securities Exchange Act of 1934, as amended, for the preceding five years, (f) an approving legal opinion from your bond counsel in form satisfactory to VPSA as to (1) the validity of your local school bond, (2) the current and expected use of the proceeds of your local school bond and the financed property by the Locality and the School Board of the Locality will not result in the local school bond being considered a "private activity bond" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended, (3) the conformity of the terms and provisions of your local school bond to the requirements of this Bond Sale Agreement including the appendices attached hereto, and (4) the due authorization, execution and delivery of this Bond Sale Agreement, Continuing Disclosure Agreement, the Tax Compliance Agreement and the Proceeds Agreement, and the validity of the Continuing Disclosure Agreement, the Tax Compliance Agreement and the Proceeds Agreement, (g) a transcript of the other customary closing documents not listed above, and (i) the proceeds of the VPSA Bonds, (II) if you will be using the proceeds of your local school bond to retire a bond anticipation note, certificate of participation or other form of financing (the "Refunded Debt"), receipt by VPSA of (a) an opinion of your bond counsel that, as of the Closing Date, the Refunded Debt will have been paid in full or defeased according to the provisions of the instrument authorizing the Refunded Debt (in rendering such opinion bond counsel may rely on a letter or certificate of an accounting or financial professional as to any mathematical computations necessary for the basis for such opinion) and (b) an executed copy of the escrow deposit agreement/letter of instruction providing for the retirement of the Refunded Debt and (III) your compliance with the terms of this Bond Sale Agreement. One complete original transcript of the documents listed above shall be provided by your counsel to McGuireWoods LLP, bond counsel to VPSA, on the Closing Date or, with VPSA's permission, as soon as practicable thereafter but in no event more than thirty (30) business days after the Closing Date.

6. Subject to the conditions described in Section 4 hereto, this Bond Sale Agreement shall become binding as of the later of the VPSA Sale Date and the date you execute this Bond Sale Agreement.

Dated as of October 20, 2014.

VIRGINIA PUBLIC SCHOOL AUTHORITY

COUNTY OF FREDERICK, VIRGINIA

By: _____
Authorized VPSA Representative

By: _____
John R. Riley, Jr.
County Administrator

К



ORDINANCE
October 8, 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 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



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



COUNTY OF FREDERICK

Roderick B. Williams
County Attorney

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

MEMORANDUM

TO: Code & Ordinance Committee

FROM: Roderick B. Williams
County Attorney

DATE: August 1, 2014

RE: Proposed Court Fee Ordinances:
1) Assessment for Electronic Summons System
2) Lists of Heirs; Affidavits Relating to Real Estate of Intestate Decedents

Attached please find two proposed ordinances, addressing the above matters. Both ordinances implement enabling legislation that permits the courts to impose certain fees.

The first item results from legislation enacted by the 2014 General Assembly as § 17.1-279.1 of the Code of Virginia (copy attached). The legislation 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 Sheriff to pay for costs of implementation and maintenance of an electronic summons system. Such a system would permit Sheriff's Deputies to print out summonses on location, with the possibility of some data being downloaded directly to the summons form, and also to submit the summons information electronically to the appropriate court. At present, Sheriff's Deputies must handwrite summonses and the Sheriff's Office must then forward one copy of every summons to the appropriate court, for manual processing by the court.

The second item results from legislation enacted by the 2010 General Assembly as § 58.1-1717.1 of the Code of Virginia (copy attached). The legislation permits the imposition of a \$25 fee by the Clerk of 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. At present, in each probate case in which the decedent leaves a will, the Clerk collects a local probate tax of 1/3 of 0.1% of the value of the estate (estates valued at \$15,000 or less are exempt). In an instance in which a

decedent does not leave a will, however, absent enactment of the draft ordinance, the estate is not subject to any similar tax. The draft ordinance would represent an effort to treat estates with wills and estates without wills more equitably.

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Brenda L. Vance, Clerk of the General District Court
Ann B. Lloyd, Clerk of the Juvenile & Domestic Relations District Court
Robert T. Williamson, Sheriff
Ross P. Spicer, Commonwealth's Attorney
C. William Orndoff, Jr., Treasurer
Cheryl B. Shiffler, Finance Director

L



**ORDINANCE
October 8 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. _____

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John R. Riley, Jr.
Frederick County Administrator



COUNTY of FREDERICK

John R. Riley, Jr.
County Administrator

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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



COUNTY OF FREDERICK

Roderick B. Williams
County Attorney

540/722-8383
Fax 540/667-0370
E-mail:
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DATE: August 1, 2014

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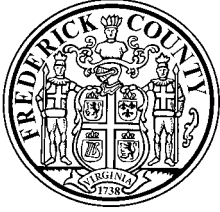
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Ross P. Spicer, Commonwealth's Attorney
C. William Orndoff, Jr., Treasurer
Cheryl B. Shiffler, Finance Director

M



**REZONING APPLICATION #03-14
GOVERNORS HILL (JGR Three L.L.C.)
Staff Report for the Board of Supervisors
Prepared: October 02, 2014**

Staff Contact: Michael T. Ruddy, AICP, Deputy Director

	<u>Reviewed</u>	<u>Action</u>
Planning Commission:	10/01/14	Recommended Approval
Board of Supervisors:	10/08/14	Pending

PROPOSAL: To revise proffers associated with Rezoning #05-13. This revision relates specifically to the Transportation section of the proffers and applies only to parcels owned by JGR Three L.L.C. within the Governors Hill Project (64-A-86 and 64-A-87).

LOCATION: The properties are located approximately one mile east of Interstate 81 on the south side of the Millwood Pike (Route 50 East), across from Sulphur Springs Road (Route 655) and The Ravens subdivision.

EXECUTIVE SUMMARY & PC RECOMMENDATION FOR THE 10/08/14 BOARD OF SUPERVISORS MEETING:

The applicant is seeking approval of a minor proffer revision. The proposed proffer revision specifically changes the amount of office space that may be developed on the property utilizing access to the existing completed portion of Coverstone Drive. The current amount is 200,000 square feet of office space. The applicant is seeking to increase this to 300,000 square feet of office space. The improvement that is triggered by this figure/benchmark is the design and construction of Phase 1 of Coverstone Drive from Route 50, Millwood Pike, into the property; Point A to Point B as depicted on the MDP.

Notwithstanding the above, triggers remain to ensure the ultimate extension and completion of Coverstone Drive, generally consistent with the original proffer statement. Proffer 15.2 and 15.11 are the modified proffers. New proffer 18 states that this revision applies only to the properties owned by JGR Three L.L.C. (64-A-86 and 64-A-87) and does not impact other properties identified under the Governors Hill Proffer Statement (RZ#05-13).

Previously, the Governors Hill proffer statement was changed under rezoning RZ#05-13 to remove items that had already been dealt with or were proposed to be dealt with by others and changed the date of performance provision for road improvements from 2015 to 2025.

Executed proffers are provided along with a redline version to make clear where changes have been made. **The Planning Commission recommended approval of the minor proffer revision.**

Following the required public hearing, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter. Unresolved issues concerning this application are noted by staff where relevant throughout this staff report.

	<u>Reviewed</u>	<u>Action</u>
Planning Commission:	10/01/14	Recommended Approval
Board of Supervisors:	10/08/14	Pending

PROPOSAL: To revise proffers associated with Rezoning #05-13. This revision relates specifically to the Transportation section of the proffers and applies only to parcels owned by JGR Three L.L.C. within the Governors Hill Project (64-A-86 and 64-A-87).

LOCATION: The properties are located approximately one mile east of Interstate 81 on the south side of Millwood Pike (Route 50 East), across from Sulphur Springs Road (Route 655), and The Ravens subdivision.

MAGISTERIAL DISTRICT: Shawnee

PROPERTY ID NUMBERS: 64-A-86, 64-A-87

PROPERTY ZONING: R4 (Residential Planned Community) District

PRESENT USE: Undeveloped/Vacant

ADJOINING PROPERTY ZONING & PRESENT USE:

North:	RP (Residential Performance)	Use:	Single Family Residential
South:	RA (Rural Areas)	Use:	Regional Airport
East:	M1 (Light Industrial)	Use:	Industrial and Residential
	MH1 (Mobile Home Community)		
West:	RA (Rural Areas)	Use:	Regional Airport and Office
	B2 (Business General)		

REVIEW EVALUATIONS:

Planning & Zoning:

1) Site History

The original Frederick County zoning map (U.S.G.S. Winchester Quadrangle) identifies the subject parcels as being zoned R-1 (Residential Limited). The parcels were re-mapped from R-1 to A-2 (Agricultural General) pursuant to the County's comprehensive downzoning initiative (Zoning Amendment Petition #011-80), which was adopted on October 8, 1980. The County's agricultural zoning districts were subsequently combined to form the RA (Rural Areas) District upon adoption of an amendment to the Frederick County Zoning Ordinance on May 10, 1989. The corresponding revision of the zoning map resulted in the re-mapping of the subject properties and all other A-1 and A-2 zoned land to the RA District.

On October 12, 2005 the Board of Supervisors approved Rezoning #11-05 which rezoned parcels 64-A-82, 64-A-83, 64-A-83A, 64-A-86, 64-A-87, 64-A-87A to the R4 District with proffers. On January 28, 2009, Rezoning #10-08 to R4 with proffers was approved by the Board of Supervisors. The January 28, 2009 updated transportation and land use layouts. Most significant of the transportation changes was the severing of a planned connection to Route 50 at the location of Sulphur Springs Road and the focusing of traffic flow to Route 50 at Inverlee Drive. On November 13, 2013, Rezoning #05-13 was approved by the Board of Supervisors. This amendment to the proffers removed items that had already been dealt with or were proposed to be dealt with by others and changed the date of performance provision for road improvements from 2015 to 2025.

2) Comprehensive Policy Plan

The 2030 Comprehensive Plan is Frederick County's 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

A portion of the site is located within the Urban Development Area (UDA); specifically the residential portion of the development is within the UDA. *The 2030 Comprehensive Plan* envisions the area comprised by the subject parcels as developing with business/office land use. The existing and proposed R4 zoning is generally consistent with this plan as it relates to this area.

The subject parcels are also located within the boundaries of the Airport Support Area that surrounds the Winchester Regional Airport. Business and industrial uses should be the primary uses in the airport support area.

3) Proffer Statement

The proposed proffer revision specifically changes the amount of office space that may be developed on the property utilizing access to the existing completed portion of Coverstone Drive. The current amount is 200,000 square feet of office space. The applicant is seeking to increase this to 300,000 square feet of office space. The improvement that is triggered by this figure/benchmark is the design and construction of Phase 1 of Coverstone Drive from Route 50, Millwood Pike, into the property; Point A to Point B as depicted on the MDP.

Proffer 15.2 and 15.11 are the modified proffers. New proffer 18 states that this revision applies only to the properties owned by JGR Three L.L.C. (64-A-86 and 64-A-87) and does not impact other properties identified under the Governors Hill Proffer Statement (RZ#05-13).

STAFF CONCLUSIONS FOR THE 10/01/14 PLANNING COMMISSION MEETING:

The applicant is seeking approval of a minor proffer revision. The proposed proffer revision specifically changes the amount of office space that may be developed on the property utilizing access to the existing completed portion of Coverstone Drive. The current amount is 200,000 square feet of office space. The applicant is seeking to increase this to 300,000 square feet of office space. The improvement that is triggered by this figure/benchmark is the design and construction of Phase 1 of Coverstone Drive from Route 50, Millwood Pike, into the property; Point A to Point B as depicted on the MDP.

Notwithstanding the above, triggers remain to ensure the ultimate extension and completion of Coverstone Drive, generally consistent with the original proffer statement.

PLANNING COMMISSION SUMMARY & ACTION OF THE 10/01/14 MEETING:

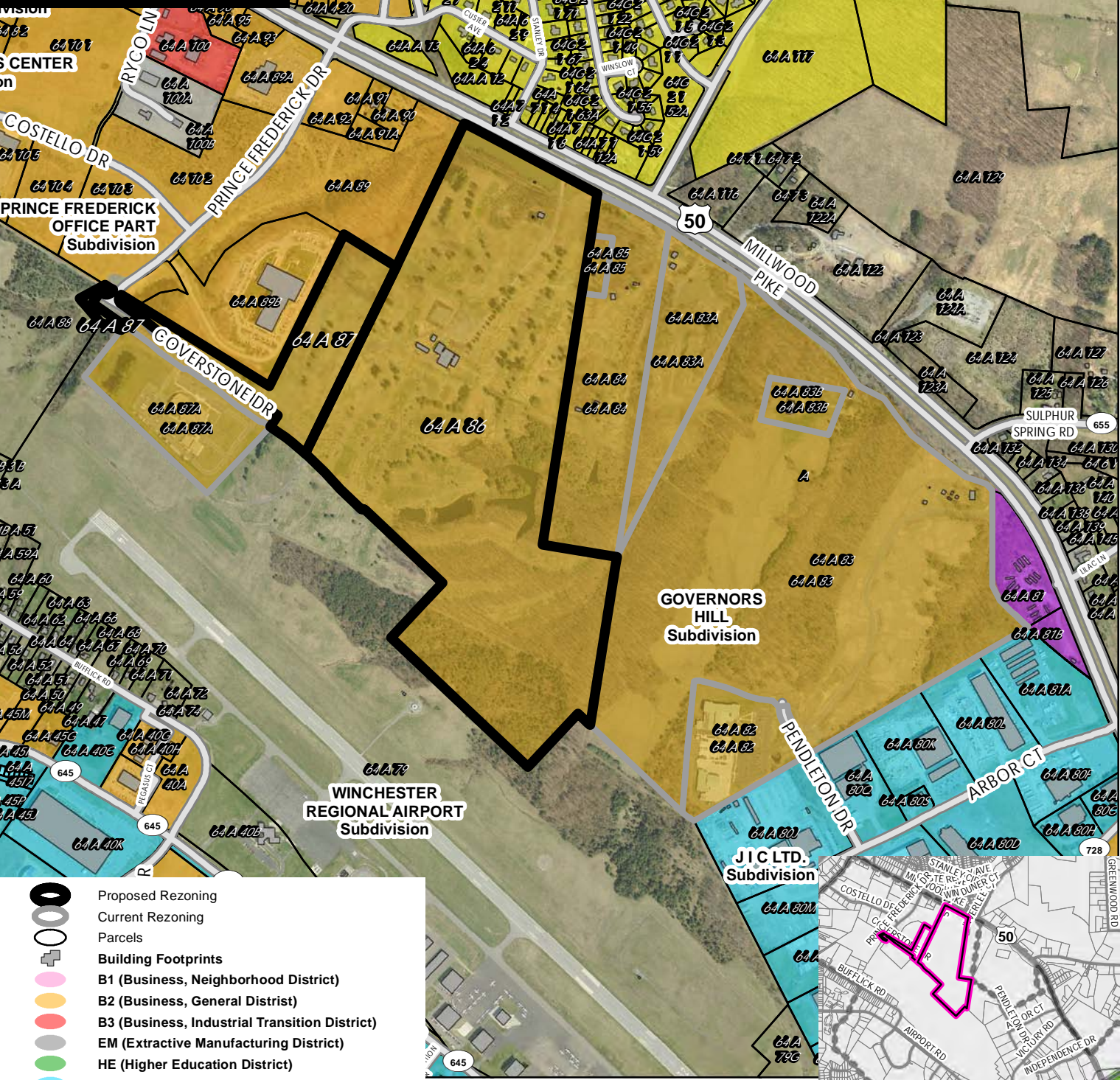
Staff presented an overview of the applicant's request of a minor proffer revision. The staff noted that the proposed proffer revision specifically changes the amount of office space that may be developed on the property utilizing access to the existing completed portion of Coverstone Drive. The applicant is seeking to increase the office space that may use existing Coverstone Drive from 200,000 square feet to 300,000 square feet. Staff reiterated that the revision applied only to parcels 64-A-86 and 64-A-87. No comments were made from the Commission or the applicant concerning this revision.

A motion was made, seconded, and unanimously passed to recommend approval of this Rezoning Application #03-14, Governors Hill (JGR Three L.L.C.).

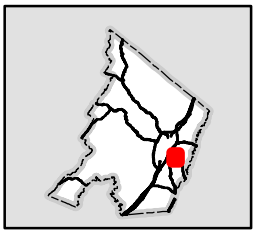
(Note: Commissioners Mohn and Kenney were absent from the meeting)

Following the required public hearing, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.

REZ # 03 - 14
Governor's Hill
 PINs:
 64 - A - 86, 64 - A - 87
 Rezoning Proffer Revision

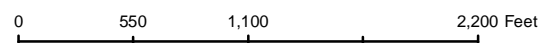


- Proposed Rezoning
- Current Rezoning
- Parcels
- Building Footprints
- B1 (Business, Neighborhood District)
- B2 (Business, General District)
- B3 (Business, Industrial Transition District)
- EM (Extractive Manufacturing District)
- HE (Higher Education District)
- M1 (Industrial, Light District)
- 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)



REZ # 03 - 14
Governor's Hill
 PINs:
 64 - A - 86, 64 - A - 87
 Rezoning Proffer Revision

Note:
 Frederick County Dept of
 Planning & Development
 107 N Kent St
 Suite 202
 Winchester, VA 22601
 540 - 665 - 5651
 Map Created: September 18, 2014
 Staff: maddy



PROFFER STATEMENT

REZONING: RZ. #10-08: R4 and RA to R4

PROPERTY: 278.0 Acres +/-:
Tax Map & Parcels 64-A-83, 83A, 84, 85, 86, and 87 (the
"Property")

RECORD OWNER: Carpers Valley Development, LLC and Governors Hill
LLC

APPLICANT: Carpers Valley Development, LLC and Governors Hill
LLC

PROJECT NAME: Governors Hill

ORIGINAL DATE OF
PROFFERS: March 24, 2008

REVISION DATE: September 2, 2008; October 31, 2008; December 8, 2008;
January 9, 2009; May 1, 2013; June 17, 2013, July 23,
2013; August 15, 2013; September 6, 2013; September 26,
2013; [September 18, 2014](#)

The undersigned owners hereby proffer that the use and development of the subject property ("Property"), as described above, shall be in conformance with the following conditions, which shall supersede all other proffers that may have been made prior hereto. In the event that the above referenced rezoning is not granted as applied for by the Applicant ("Applicant"), these proffers shall be deemed withdrawn and shall be null and void. Further, these proffers are contingent upon final rezoning of the Property with "Final Rezoning" defined as that rezoning that is in effect on the day upon which the Frederick County Board of County Supervisors (the "Board") grants the rezoning.

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The improvements proffered herein shall be provided at the time of development of that portion of the Property adjacent to or including the improvement or other proffered requirement, unless otherwise specified herein. The term "Applicant" as referenced herein shall include within its meaning all future owners, assigns, and successors in interest. When used in these proffers, the "Master Development Plan" shall refer to the plan entitled "Master Development Plan, Governors Hill" prepared by Patton Harris Rust & Associates, (the "MDP") dated March 2008 revised January 9, 2009.

1. LAND USE

- 1.1 The project shall be designed to establish interconnected mixed-use residential and commercial/employment Land Bays in general conformance with the MDP, and as is specifically set forth in these

proffers subject to minor modifications as necessary upon final engineering including but not limited to intersection alignments.

- 1.2 All development, including street landscaping, shall be accomplished in general conformance with the "Governors Hill, Design and Development Standards", prepared by PHR&A attached hereto and incorporated herein by reference (the "Design and Development Standards").
- 1.3 Residential uses shall be prohibited in the area identified as Land Bay 2 on the MDP. Furthermore, Land Bay 2 shall be restricted to those uses permitted in the General Business (B-2) zoning district as specified in the Frederick County Code Article X, §165-82B(1).
- 1.4 Except as modified herein, areas of residential development on the Property shall be limited to Land Bay 1 and shall be developed in conformance with the regulations of the Residential Planned Community ("R4") zoning district, including permissible housing types set forth in the Frederick County Code Article VII, §165-67 through §165-72, as cross-referenced to Article VI, §165-58, through §165-66. Unit types and lot layouts within residential Land Bays may comprise any of the permitted unit types as set forth in the Design and Development Standards, and authorized for the R4 district, and these Proffers.
- 1.5 Residential development on the Property shall not exceed 550 dwelling units, with a mix of housing types permitted in the R4 district. Multi-family units, as defined by the Design and Development Standards, shall not exceed 50% of the total number of dwelling units developed in the project. No residential structures shall be closer than 2000 feet from the centerline of the existing Winchester Airport runway.
- 1.6 Prior to the Property exceeding 1,285,000 square feet of commercial building floor area, the Applicant shall submit to the County a revised Traffic Impact Analysis (TIA) for the Property. The total permitted commercial building floor area may increase provided that the Applicant completes a revised traffic impact analysis which identifies the impacts of trips for commercial development in excess of 45,815 Average Daily Trips (ADT) and mitigation, if necessary for said impacts is provided by the Applicant in a form that is acceptable to the County and VDOT.

2. CONSTRUCTION OF A UNIFIED DEVELOPMENT

- 2.1 The Property shall be developed as one single and unified development in accordance with applicable ordinances and regulations for the R4 zoning district, the MDP as approved by the Board, and this Proffer Statement.

3. ACCESS TO ARMORY PARCEL

3.1 The Applicant has designed and constructed a two lane public roadway, identified on the MDP as Pendleton Drive, from Arbor Court to the entrance of the Armory Site (TM 64-A-82). At such time that Tazewell Road is constructed as depicted on the MDP, the Applicant shall extend Pendleton Drive to connect with Tazewell Road.

4. PHASING OF RESIDENTIAL DEVELOPMENT

4.1 Building permits for Land Bay I of the Property shall be issued on the following phasing schedule:

Year 1 (Months 1-12):	140 building permits
Year 2 (Months 13-24):	140 building permits
Year 3 (Months 25-36):	140 building permits
Year 4 (Months 37-48):	130 building permits

The above identified phasing schedule is taken from the Date of Final Rezoning (DFR). Any building permits not issued within any given year may be carried over to the following year, however the Applicant shall not make application for more than 200 residential building permits in any given year.

4.2 Commercial and employment uses may be constructed at any time.

4.3 Improvements including a 3,000 square foot community center, 3,500 square feet of neighborhood swimming pools, and a dog park shall be constructed in conjunction with residential development in Land Bay 1 and the land therefor shall be dedicated upon completion of the improvements to the Property Owners Association. The location thereof shall be depicted on final subdivision plans for such residential development. These recreational amenities shall serve to meet the requirement of 1 recreation unit per 30 dwellings. These improvements shall be completed prior to the issuance of the 281st residential building permit.

5. ARCHITECTURE, SIGNAGE, AND LANDSCAPING:

5.1 All buildings on the Property shall be constructed using compatible architectural styles. The Applicant shall establish one or more Architectural Review Boards through the required Property Owner Association to be created to enforce and administer a unified development plan in general conformity with the Design and Development Standards.

- 5.2 All signage within the Property shall be in substantial conformity with a comprehensive sign plan that meets the requirements of the Zoning Ordinance for signage, which shall be submitted in conjunction with the first final site or subdivision plan for the Property.

6. PEDESTRIAN TRAIL SYSTEM AND RECREATION AREAS

- 6.1 The Applicant shall design and build a public pedestrian-bicycle trail system to Virginia Department of Transportation standards that links residential and commercial areas within the development. Said trails shall be in the locations generally depicted on the MDP. To the extent that such trails are not depicted on the MDP at the time of Final Rezoning, such trails shall be connected with or linked to the internal street and sidewalk network. Sidewalks shall be constructed on public streets to VDOT standards, and a minimum of four-foot sidewalks shall be constructed on private streets. All combined pedestrian/bicycling trails shall be 10 feet wide, and shall have an asphalt surface.

7. FIRE & RESCUE:

- 7.1 The Applicant shall contribute to the Board the sum of \$422 per dwelling unit for fire and rescue purposes, payable upon the issuance of a building permit for each dwelling unit.
- 7.2 Following Final Rezoning, the Master POA to be created in accordance herewith shall contribute annually, on or before July 1st of each year, the sum of \$100 per constructed residential unit, and \$100 per 1000 square feet of constructed commercial (not including any land in public use), to the fire and rescue company providing first response service to the Property. Such contribution shall be monitored and enforced by the master POA, and the Board may require an accounting of such payments at such times and upon such conditions as it may determine necessary. Said monetary contribution shall cease at such time that the fire and rescue company providing first response service is no longer a volunteer operation or should the County adopt a fee for service plan to provide fire and rescue services.

8. SCHOOLS:

- 8.1 The Applicant shall contribute to the Board the sum of \$1,714 per dwelling unit for educational purposes, payable upon the issuance of a building permit for each dwelling unit.

9. PARKS & OPEN SPACE:

- 9.1 The Applicant shall contribute to the Board the sum of \$343 per dwelling unit for recreational purposes, payable upon the issuance of a building permit for each dwelling unit.

10. LIBRARIES:

- 10.1 The Applicant shall contribute to the Board the sum of \$79 per dwelling unit for library purposes, payable upon the issuance of a building permit for each dwelling unit.

11. ADMINISTRATION BUILDING:

- 11.1 The Applicant shall contribute to the Board the sum of \$79 per dwelling unit upon issuance of a building permit for each dwelling unit to be used for construction of a general governmental administration building.

12. CREATION OF PROPERTY OWNERS' ASSOCIATION:

- 12.1 The Master Property Owners Association to be created in accordance herewith shall be created contemporaneously with the first final site or subdivision plan submitted for the Property.
- 12.2 The Applicant shall establish a Master Property Owners' Association (hereinafter "Master POA") for Governors Hill, in its entirety, that shall, among other things, have responsibility for assuring compliance with design guidelines and standards, signage requirements, landscape maintenance, and similar matters. Any homeowners' or property owners' associations created for commercial or residential uses individually shall act as a subset of the Master POA.
- 12.3 The residential portion of the development shall be made subject to one or more Property Owners' Association(s) (hereinafter "Residential POA") that shall be responsible for the ownership, maintenance and repair of the community center, walking trails in Land Bay 1, swimming pools, all common areas, including any conservation areas that may be established in accordance herewith not dedicated to the County or others, and stormwater management facilities not dedicated to public use in Land Bay 1, for each area subject to their jurisdiction, and shall be provided such other responsibilities, duties, and powers as are customary for such associations or as may be required for such Residential POA herein.
- 12.4 In addition to such other duties and responsibilities as may be assigned, a Residential POA shall have title to and responsibility for the following in Land Bay 1: (i) all common open space areas not otherwise dedicated to public use, (ii) common buffer areas located outside of residential lots; (iii) private streets serving the residents who are members of such

association; (iv) common solid waste disposal and recycling programs, including curbside pick-up of refuse by a private refuse collection company, and (v) responsibility for the perpetual maintenance of any street, perimeter, or road buffer areas, all of which buffer areas shall be located within easements to be granted to the Residential POA if platted within residential or other lots, or otherwise granted to the Residential POA by appropriate instrument.

- 12.5 The Residential POA shall be so established that it possesses all necessary powers to set and revise fees and dues in sufficient sums to perform the responsibilities assigned to it hereunder and under the Declaration to be recorded creating such Association. In addition, upon any conveyance of a residential unit from the builder thereof to a home purchaser, there shall be a fee paid by the home purchaser to the Residential POA in an amount equal to three times the then-current monthly residential dues applicable to the unit so conveyed.
- 12.6 Any commercial portion of the development (with the exception of any property owned or leased by the United States, or Frederick County) shall be made subject to one or more Property Owners' Association(s) (hereinafter "Commercial POA"). Such Commercial POA(s) shall be responsible for the ownership, maintenance and repair of all common areas in Land Bay 2, including any conservation areas that may be established in accordance herewith not dedicated to the County or others, and stormwater management facilities (under common (open space) ownership) not dedicated to public use for each area subject to their jurisdiction, and shall be provided such other responsibilities, duties, and powers as are customary for such associations or as may be required for such Commercial POA herein.
- 12.7 In addition to such other duties and responsibilities as may be assigned, a Commercial POA, in Land Bay 2, shall have title to and responsibility for (i) all common open space areas not otherwise dedicated to public use, (ii) common buffer areas located outside of commercial lots; (iii) responsibility for the perpetual maintenance of any street, perimeter, or road buffer areas, all of which buffer areas shall be located within easements to be granted to the Commercial POA if platted within commercial or other lots, or parcels, or otherwise granted to the Commercial POA by appropriate instrument.

13. WATER& SEWER:

- 13.1 The Applicant shall be responsible for connecting the Property to public water and sewer. It shall further be responsible for constructing all facilities required for such connection at the Property boundary. All water and sewer infrastructure shall be constructed in accordance with the requirements of the Frederick County Sanitation Authority.

14. ENVIRONMENT:

- 14.1 Stormwater management and Best Management Practices (BMP) for the Property shall be provided in accordance with the Virginia Stormwater Management Regulations, First Ed. 1999, Chapter 2, Table 2-3.
- 14.2 The Applicant shall provide notice in all sales literature, in covenants, conditions and restrictions for any Property Owners' Associations, of the adjacency of the Winchester Regional Airport. The Applicant shall provide noise attenuation treatment for all residential units.

15. TRANSPORTATION:

- 15.1 The major roadways to be constructed on the Property shall be constructed in the locations depicted on the MDP, with reasonable adjustments permitted for final engineering.
- 15.2 Excluding ~~200,000~~300,000 square feet of office uses which may be developed at any time utilizing access to the existing completed portion of Coverstone Drive, the Applicant shall design and construct Coverstone Drive as a full section with raised medians on a minimum 90' right-of-way, utilizing the following phasing schedule:

PHASE 1: Phase 1 shall consist of the full four lane section including a ten-foot trail from Millwood Pike to the first intersection on Coverstone Drive as depicted on the MDP from Point A to Point B. Said roadway shall be constructed to base asphalt prior to issuance of a certificate of occupancy for any commercial building for the Property and/or prior to issuance of a building permit for any residential units, excluding model homes, located in Land Bay 1. Phase 1 improvements shall consist of all necessary improvements, including signalization when warranted by VDOT, to create a four way intersection at the existing intersection of Inverlee Way and Millwood Pike as shown on the MDP.

- PHASE 2: Phase 2 shall consist of construction of a two lane section of Coverstone Drive from Point B to Point C as depicted on the MDP. Said roadway improvements shall be completed prior to issuance of a certificate of occupancy for any use that would cause the Property to exceed 400,000 square feet of commercial building area.
- PHASE 3: Phase 3 shall consist of construction of the remaining two lane section of Coverstone Drive from Point B to Point C as depicted on the MDP. Said roadway improvements shall be completed prior to issuance of a certificate of occupancy for any use that would cause the Property to exceed 800,000 square feet of commercial building area.
- PHASE 4: The Applicant shall design Coverstone Drive Extended as a four-lane section from Prince Frederick to Relocated Route 522 as depicted from Point D to Point E or for a maximum distance of 800 feet when the alignment of Relocated 522 has been determined by VDOT, and the right of way for this segment of Coverstone Drive has been acquired by VDOT or Frederick County. In the event that the alignment for relocated Route 522 has not been determined or if the right of way for Coverstone Drive Extended is not secured by June 30, 2018 then the Applicant shall pay to the County \$20,000 for transportation improvements within the vicinity of the Property in lieu of designing said portion of Coverstone Drive. The Applicant shall further pay to the County \$1,000 for each permitted residential unit as a contribution towards the future construction of Coverstone Drive Extended, but if the conditions above have not been met by June 30, 2018 then these funds may be used for other projects in the vicinity of the Property that have a rational nexus to the Property. Such funds shall be paid at the time of building permit issuance for each of the permitted residential units.

15.3 Notwithstanding any other provisions of these proffers, the Applicant shall construct Coverstone Drive as a full four-lane section as required in Proffer 15.2 from Millwood Pike to Prince Frederick Drive prior to November 1, 2025. A median break and eastbound left turn lane shall be constructed at the existing Millwood Pike and Inverlee intersection prior to November 1, 2015.

- 15.4 The Applicant shall design and construct Tazewell Road as shown on the MDP as a minimum two lane roadway within a variable width right of way with a maximum right of way width of 60' to provide access to residential uses within Land Bay 1 and other commercial areas of Land Bay 2. Said 60' right of way width shall be required for Tazewell Road between Coverstone Drive and Pendleton Drive. The right of way and road width shall decrease for the remaining portions of Tazewell Road. Said roadway shall be constructed in phases as needed for future subdivision plans. Furthermore, no certificate of occupancy for any residential dwelling that is served by Tazewell Road, excluding model homes, shall be issued until such time that access to Land Bay 1 from Millwood Pike is provided via Coverstone Drive and Tazewell Road.
- 15.5 The Applicants shall pay to the County the amount of \$75,000 for signalization or other road improvements at the intersection of Millwood Pike (US Route 50) and Victory Road (Route 728). Such funds shall be paid within sixty (60) days of the issuance of the first residential building permit in Land Bay 1.
- 15.6 The Applicants shall pay to the County the amount of \$175,000 for signalization or other road improvements at the intersection of Costello Drive and Prince Frederick Drive. Such funds shall be paid within sixty (60) days of receiving written request from the County and VDOT after acceptance of Phase 2 Coverstone Drive Improvements per Proffer 15.2 into the State highway system.
- 15.7 Access to Millwood Pike shall be limited to Coverstone Drive as shown on the MDP with the exception of the private driveway currently serving TM 64-A-83B. The Applicant shall close said driveway once access is provided to TM 64-A-83B via the internal residential street network as depicted on the MDP. Additionally, the Applicant shall close the existing crossover previously used for access to the golf course concurrent with Phase 1 improvements as provided by Proffer 15.2.
- 15.8 All public right-of-ways shall be dedicated to Frederick County as part of the subdivision approval process, consistent with applicable Virginia law.
- 15.9 All public streets and roads shall be designed in accordance with the Virginia Department of Transportation specifications, subject to review and approval by Frederick County and VDOT.
- 15.10 All private streets and roads shall be constructed in accordance with the current Virginia Department of Transportation structural standards, and as may be modified by the County, and shall be owned and maintained by the Property Owners Association served by such streets or roads.

15.11 The design of off-site road improvements shall be in general conformance with the plan entitled "Governors Hill Road Improvements" Sheets 1-2, as prepared by Patton Harris Rust and Associates, dated October 30, 2008. Excluding ~~200,000~~300,000 square feet of office uses which may be developed at any time utilizing access to the existing completed portion of Coverstone Drive, off-site improvements shall be constructed in three phases as depicted on the aforementioned plans as follows:

Phase A: Phase A improvements shall consist of improvements at the intersection of Millwood Pike/Inverlee Way/Coverstone Drive and shall be completed coincident with Phase 1 Coverstone Drive construction per Proffer 15.2.

Phase B: Phase B improvements shall consist of improvements at the intersections of Millwood Pike/Prince Frederick Drive and Prince Frederick Drive/Costello Drive. Phase B improvements shall be completed coincident with Phase 2 Coverstone Drive construction per Proffer 15.2.

Phase C: Phase C improvements shall consist of improvements at the intersection of Millwood Pike/Sulphur Spring Road. Phase C improvements shall be completed coincident with Phase 3 Coverstone Drive construction per Proffer 15.2.

15.12 The Applicant shall make good faith efforts to obtain any off-site right of way needed to complete any proffered off-site transportation improvements. In the event that the Applicant is not able to obtain the right of way and, further, the County and/or State of Virginia do not obtain the necessary right of way, in lieu of constructing the road improvement, the Applicant shall provide a monetary contribution to Frederick County that is equivalent to the estimated construction cost of those road improvements that could not be implemented. The construction cost estimate shall be subject to review and approval by VDOT. The monetary contribution shall coincide with the commercial area threshold that triggers the off-site road improvement as identified in Proffer 15.11.

15.13 Any future transportation analyses which may be required for the Property, shall utilize Code 820 "Retail" per the I.T.E. Trip Generation Manual 7th Edition for any commercial use other than office use.

15.14 In the event any proffered off-site road improvements are constructed by others, the Applicant shall provide a monetary contribution to Frederick County that is equivalent to the estimated construction costs of those proffered road improvements not installed by the Applicant. The construction cost estimate shall be subject to review and approval by VDOT. The monetary contribution shall coincide with the commercial area threshold that triggers the off-site road improvements as identified in Proffer 15.11.

16. CULTURAL RESOURCES INVESTIGATION AND PRESERVATION

The Applicant shall conduct or cause to be conducted a Phase I Archaeological Investigation of the Property, prior to the approval of the first final site or subdivision plan for the Property, and shall complete Phase II and III investigations thereof as may be demonstrated to be necessary by the Phase I study.

17. ESCALATOR CLAUSE

17.1 In the event any monetary contributions set forth in the Proffer Statement are paid to the Frederick County Board County Supervisors ("Board") within 30 months of October 12, 2005, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in the Proffer Statement which are paid to the Board after 30 months following October 12, 2005 shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid, they shall be adjusted by the percentage change in the CPI-U from that date 30 months after October 12, 2005 to the most recently available CPI-U to the date the contributions are paid, subject to a cap of 5% per year, non-compounded.

18. SEPTEMBER 18, 2014 PROFFER REVISION

18.1 The revisions dated September 18, 2014 apply only to tax parcels 64-A-86 and 64-A-87 and do not apply to the other properties subject to the Proffer Statement dated September 26, 2013. These modifications increase from 200,000 to 300,000 the square footage of office floor space which may be developed, on any or all of the properties subject to the Proffer Statement dated September 26, 2013, utilizing access from the completed portion of Coverstone Drive. This increase in floor space is indicated in Sections 15.2 and 15.11 of this Proffer Statement.

SIGNATURES APPEAR ON THE FOLLOWING PAGES

PROFFER STATEMENT

REZONING: RZ. #10-08: R4 and RA to R4

PROPERTY: 278.0 Acres +/-:
Tax Map & Parcels 64-A-83, 83A, 84, 85, 86, and 87 (the
"Property")

RECORD OWNER: Carpers Valley Development, LLC and Governors Hill
LLC

APPLICANT: Carpers Valley Development, LLC and Governors Hill
LLC

PROJECT NAME: Governors Hill

ORIGINAL DATE OF
PROFFERS: March 24, 2008

REVISION DATE: September 2, 2008; October 31, 2008; December 8, 2008;
January 9, 2009; May 1, 2013; June 17, 2013, July 23,
2013; August 15, 2013; September 6, 2013; September 26,
2013; September 18, 2014

The undersigned owners hereby proffer that the use and development of the subject property ("Property"), as described above, shall be in conformance with the following conditions, which shall supersede all other proffers that may have been made prior hereto. In the event that the above referenced rezoning is not granted as applied for by the Applicant ("Applicant"), these proffers shall be deemed withdrawn and shall be null and void. Further, these proffers are contingent upon final rezoning of the Property with "Final Rezoning" defined as that rezoning that is in effect on the day upon which the Frederick County Board of County Supervisors (the "Board") grants the rezoning.

The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The improvements proffered herein shall be provided at the time of development of that portion of the Property adjacent to or including the improvement or other proffered requirement, unless otherwise specified herein. The term "Applicant" as referenced herein shall include within its meaning all future owners, assigns, and successors in interest. When used in these proffers, the "Master Development Plan" shall refer to the plan entitled "Master Development Plan, Governors Hill" prepared by Patton Harris Rust & Associates, (the "MDP") dated March 2008 revised January 9, 2009.

1. LAND USE

- 1.1 The project shall be designed to establish interconnected mixed-use residential and commercial/employment Land Bays in general conformance with the MDP, and as is specifically set forth in these

proffers subject to minor modifications as necessary upon final engineering including but not limited to intersection alignments.

- 1.2 All development, including street landscaping, shall be accomplished in general conformance with the "Governors Hill, Design and Development Standards", prepared by PHR&A attached hereto and incorporated herein by reference (the "Design and Development Standards").
- 1.3 Residential uses shall be prohibited in the area identified as Land Bay 2 on the MDP. Furthermore, Land Bay 2 shall be restricted to those uses permitted in the General Business (B-2) zoning district as specified in the Frederick County Code Article X, §165-82B(1).
- 1.4 Except as modified herein, areas of residential development on the Property shall be limited to Land Bay 1 and shall be developed in conformance with the regulations of the Residential Planned Community ("R4") zoning district, including permissible housing types set forth in the Frederick County Code Article VII, §165-67 through §165-72, as cross-referenced to Article VI, §165-58, through §165-66. Unit types and lot layouts within residential Land Bays may comprise any of the permitted unit types as set forth in the Design and Development Standards, and authorized for the R4 district, and these Proffers.
- 1.5 Residential development on the Property shall not exceed 550 dwelling units, with a mix of housing types permitted in the R4 district. Multi-family units, as defined by the Design and Development Standards, shall not exceed 50% of the total number of dwelling units developed in the project. No residential structures shall be closer than 2000 feet from the centerline of the existing Winchester Airport runway.
- 1.6 Prior to the Property exceeding 1,285,000 square feet of commercial building floor area, the Applicant shall submit to the County a revised Traffic Impact Analysis (TIA) for the Property. The total permitted commercial building floor area may increase provided that the Applicant completes a revised traffic impact analysis which identifies the impacts of trips for commercial development in excess of 45,815 Average Daily Trips (ADT) and mitigation, if necessary for said impacts is provided by the Applicant in a form that is acceptable to the County and VDOT.

2. CONSTRUCTION OF A UNIFIED DEVELOPMENT

- 2.1 The Property shall be developed as one single and unified development in accordance with applicable ordinances and regulations for the R4 zoning district, the MDP as approved by the Board, and this Proffer Statement.

3. ACCESS TO ARMORY PARCEL

3.1 The Applicant has designed and constructed a two lane public roadway, identified on the MDP as Pendleton Drive, from Arbor Court to the entrance of the Armory Site (TM 64-A-82). At such time that Tazewell Road is constructed as depicted on the MDP, the Applicant shall extend Pendleton Drive to connect with Tazewell Road.

4. PHASING OF RESIDENTIAL DEVELOPMENT

4.1 Building permits for Land Bay I of the Property shall be issued on the following phasing schedule:

Year 1 (Months 1-12):	140 building permits
Year 2 (Months 13-24):	140 building permits
Year 3 (Months 25-36):	140 building permits
Year 4 (Months 37-48):	130 building permits

The above identified phasing schedule is taken from the Date of Final Rezoning (DFR). Any building permits not issued within any given year may be carried over to the following year, however the Applicant shall not make application for more than 200 residential building permits in any given year.

4.2 Commercial and employment uses may be constructed at any time.

4.3 Improvements including a 3,000 square foot community center, 3,500 square feet of neighborhood swimming pools, and a dog park shall be constructed in conjunction with residential development in Land Bay 1 and the land therefor shall be dedicated upon completion of the improvements to the Property Owners Association. The location thereof shall be depicted on final subdivision plans for such residential development. These recreational amenities shall serve to meet the requirement of 1 recreation unit per 30 dwellings. These improvements shall be completed prior to the issuance of the 281st residential building permit.

5. ARCHITECTURE, SIGNAGE, AND LANDSCAPING:

5.1 All buildings on the Property shall be constructed using compatible architectural styles. The Applicant shall establish one or more Architectural Review Boards through the required Property Owner Association to be created to enforce and administer a unified development plan in general conformity with the Design and Development Standards.

- 5.2 All signage within the Property shall be in substantial conformity with a comprehensive sign plan that meets the requirements of the Zoning Ordinance for signage, which shall be submitted in conjunction with the first final site or subdivision plan for the Property.

6. PEDESTRIAN TRAIL SYSTEM AND RECREATION AREAS

- 6.1 The Applicant shall design and build a public pedestrian-bicycle trail system to Virginia Department of Transportation standards that links residential and commercial areas within the development. Said trails shall be in the locations generally depicted on the MDP. To the extent that such trails are not depicted on the MDP at the time of Final Rezoning, such trails shall be connected with or linked to the internal street and sidewalk network. Sidewalks shall be constructed on public streets to VDOT standards, and a minimum of four-foot sidewalks shall be constructed on private streets. All combined pedestrian/bicycling trails shall be 10 feet wide, and shall have an asphalt surface.

7. FIRE & RESCUE:

- 7.1 The Applicant shall contribute to the Board the sum of \$422 per dwelling unit for fire and rescue purposes, payable upon the issuance of a building permit for each dwelling unit.
- 7.2 Following Final Rezoning, the Master POA to be created in accordance herewith shall contribute annually, on or before July 1st of each year, the sum of \$100 per constructed residential unit, and \$100 per 1000 square feet of constructed commercial (not including any land in public use), to the fire and rescue company providing first response service to the Property. Such contribution shall be monitored and enforced by the master POA, and the Board may require an accounting of such payments at such times and upon such conditions as it may determine necessary. Said monetary contribution shall cease at such time that the fire and rescue company providing first response service is no longer a volunteer operation or should the County adopt a fee for service plan to provide fire and rescue services.

8. SCHOOLS:

- 8.1 The Applicant shall contribute to the Board the sum of \$1,714 per dwelling unit for educational purposes, payable upon the issuance of a building permit for each dwelling unit.

9. PARKS & OPEN SPACE:

- 9.1 The Applicant shall contribute to the Board the sum of \$343 per dwelling unit for recreational purposes, payable upon the issuance of a building permit for each dwelling unit.

10. LIBRARIES:

- 10.1 The Applicant shall contribute to the Board the sum of \$79 per dwelling unit for library purposes, payable upon the issuance of a building permit for each dwelling unit.

11. ADMINISTRATION BUILDING:

- 11.1 The Applicant shall contribute to the Board the sum of \$79 per dwelling unit upon issuance of a building permit for each dwelling unit to be used for construction of a general governmental administration building.

12. CREATION OF PROPERTY OWNERS' ASSOCIATION:

- 12.1 The Master Property Owners Association to be created in accordance herewith shall be created contemporaneously with the first final site or subdivision plan submitted for the Property.
- 12.2 The Applicant shall establish a Master Property Owners' Association (hereinafter "Master POA") for Governors Hill, in its entirety, that shall, among other things, have responsibility for assuring compliance with design guidelines and standards, signage requirements, landscape maintenance, and similar matters. Any homeowners' or property owners' associations created for commercial or residential uses individually shall act as a subset of the Master POA.
- 12.3 The residential portion of the development shall be made subject to one or more Property Owners' Association(s) (hereinafter "Residential POA") that shall be responsible for the ownership, maintenance and repair of the community center, walking trails in Land Bay 1, swimming pools, all common areas, including any conservation areas that may be established in accordance herewith not dedicated to the County or others, and stormwater management facilities not dedicated to public use in Land Bay 1, for each area subject to their jurisdiction, and shall be provided such other responsibilities, duties, and powers as are customary for such associations or as may be required for such Residential POA herein.
- 12.4 In addition to such other duties and responsibilities as may be assigned, a Residential POA shall have title to and responsibility for the following in Land Bay 1: (i) all common open space areas not otherwise dedicated to public use, (ii) common buffer areas located outside of residential lots; (iii) private streets serving the residents who are members of such

association; (iv) common solid waste disposal and recycling programs, including curbside pick-up of refuse by a private refuse collection company, and (v) responsibility for the perpetual maintenance of any street, perimeter, or road buffer areas, all of which buffer areas shall be located within easements to be granted to the Residential POA if platted within residential or other lots, or otherwise granted to the Residential POA by appropriate instrument.

- 12.5 The Residential POA shall be so established that it possesses all necessary powers to set and revise fees and dues in sufficient sums to perform the responsibilities assigned to it hereunder and under the Declaration to be recorded creating such Association. In addition, upon any conveyance of a residential unit from the builder thereof to a home purchaser, there shall be a fee paid by the home purchaser to the Residential POA in an amount equal to three times the then-current monthly residential dues applicable to the unit so conveyed.
- 12.6 Any commercial portion of the development (with the exception of any property owned or leased by the United States, or Frederick County) shall be made subject to one or more Property Owners' Association(s) (hereinafter "Commercial POA"). Such Commercial POA(s) shall be responsible for the ownership, maintenance and repair of all common areas in Land Bay 2, including any conservation areas that may be established in accordance herewith not dedicated to the County or others, and stormwater management facilities (under common (open space) ownership) not dedicated to public use for each area subject to their jurisdiction, and shall be provided such other responsibilities, duties, and powers as are customary for such associations or as may be required for such Commercial POA herein.
- 12.7 In addition to such other duties and responsibilities as may be assigned, a Commercial POA, in Land Bay 2, shall have title to and responsibility for (i) all common open space areas not otherwise dedicated to public use, (ii) common buffer areas located outside of commercial lots; (iii) responsibility for the perpetual maintenance of any street, perimeter, or road buffer areas, all of which buffer areas shall be located within easements to be granted to the Commercial POA if platted within commercial or other lots, or parcels, or otherwise granted to the Commercial POA by appropriate instrument.

13. WATER& SEWER:

- 13.1 The Applicant shall be responsible for connecting the Property to public water and sewer. It shall further be responsible for constructing all facilities required for such connection at the Property boundary. All water and sewer infrastructure shall be constructed in accordance with the requirements of the Frederick County Sanitation Authority.

14. ENVIRONMENT:

- 14.1 Stormwater management and Best Management Practices (BMP) for the Property shall be provided in accordance with the Virginia Stormwater Management Regulations, First Ed. 1999, Chapter 2, Table 2-3.
- 14.2 The Applicant shall provide notice in all sales literature, in covenants, conditions and restrictions for any Property Owners' Associations, of the adjacency of the Winchester Regional Airport. The Applicant shall provide noise attenuation treatment for all residential units.

15. TRANSPORTATION:

- 15.1 The major roadways to be constructed on the Property shall be constructed in the locations depicted on the MDP, with reasonable adjustments permitted for final engineering.
- 15.2 Excluding 300,000 square feet of office uses which may be developed at any time utilizing access to the existing completed portion of Coverstone Drive, the Applicant shall design and construct Coverstone Drive as a full section with raised medians on a minimum 90' right-of-way, utilizing the following phasing schedule:

PHASE 1: Phase 1 shall consist of the full four lane section including a ten-foot trail from Millwood Pike to the first intersection on Coverstone Drive as depicted on the MDP from Point A to Point B. Said roadway shall be constructed to base asphalt prior to issuance of a certificate of occupancy for any commercial building for the Property and/or prior to issuance of a building permit for any residential units, excluding model homes, located in Land Bay 1. Phase 1 improvements shall consist of all necessary improvements, including signalization when warranted by VDOT, to create a four way intersection at the existing intersection of Inverlee Way and Millwood Pike as shown on the MDP.

- PHASE 2: Phase 2 shall consist of construction of a two lane section of Coverstone Drive from Point B to Point C as depicted on the MDP. Said roadway improvements shall be completed prior to issuance of a certificate of occupancy for any use that would cause the Property to exceed 400,000 square feet of commercial building area.
- PHASE 3: Phase 3 shall consist of construction of the remaining two lane section of Coverstone Drive from Point B to Point C as depicted on the MDP. Said roadway improvements shall be completed prior to issuance of a certificate of occupancy for any use that would cause the Property to exceed 800,000 square feet of commercial building area.
- PHASE 4: The Applicant shall design Coverstone Drive Extended as a four-lane section from Prince Frederick to Relocated Route 522 as depicted from Point D to Point E or for a maximum distance of 800 feet when the alignment of Relocated 522 has been determined by VDOT, and the right of way for this segment of Coverstone Drive has been acquired by VDOT or Frederick County. In the event that the alignment for relocated Route 522 has not been determined or if the right of way for Coverstone Drive Extended is not secured by June 30, 2018 then the Applicant shall pay to the County \$20,000 for transportation improvements within the vicinity of the Property in lieu of designing said portion of Coverstone Drive. The Applicant shall further pay to the County \$1,000 for each permitted residential unit as a contribution towards the future construction of Coverstone Drive Extended, but if the conditions above have not been met by June 30, 2018 then these funds may be used for other projects in the vicinity of the Property that have a rational nexus to the Property. Such funds shall be paid at the time of building permit issuance for each of the permitted residential units.

15.3 Notwithstanding any other provisions of these proffers, the Applicant shall construct Coverstone Drive as a full four-lane section as required in Proffer 15.2 from Millwood Pike to Prince Frederick Drive prior to November 1, 2025. A median break and eastbound left turn lane shall be constructed at the existing Millwood Pike and Inverlee intersection prior to November 1, 2015.

- 15.4 The Applicant shall design and construct Tazewell Road as shown on the MDP as a minimum two lane roadway within a variable width right of way with a maximum right of way width of 60' to provide access to residential uses within Land Bay 1 and other commercial areas of Land Bay 2. Said 60' right of way width shall be required for Tazewell Road between Coverstone Drive and Pendleton Drive. The right of way and road width shall decrease for the remaining portions of Tazewell Road. Said roadway shall be constructed in phases as needed for future subdivision plans. Furthermore, no certificate of occupancy for any residential dwelling that is served by Tazewell Road, excluding model homes, shall be issued until such time that access to Land Bay 1 from Millwood Pike is provided via Coverstone Drive and Tazewell Road.
- 15.5 The Applicants shall pay to the County the amount of \$75,000 for signalization or other road improvements at the intersection of Millwood Pike (US Route 50) and Victory Road (Route 728). Such funds shall be paid within sixty (60) days of the issuance of the first residential building permit in Land Bay 1.
- 15.6 The Applicants shall pay to the County the amount of \$175,000 for signalization or other road improvements at the intersection of Costello Drive and Prince Frederick Drive. Such funds shall be paid within sixty (60) days of receiving written request from the County and VDOT after acceptance of Phase 2 Coverstone Drive Improvements per Proffer 15.2 into the State highway system.
- 15.7 Access to Millwood Pike shall be limited to Coverstone Drive as shown on the MDP with the exception of the private driveway currently serving TM 64-A-83B. The Applicant shall close said driveway once access is provided to TM 64-A-83B via the internal residential street network as depicted on the MDP. Additionally, the Applicant shall close the existing crossover previously used for access to the golf course concurrent with Phase 1 improvements as provided by Proffer 15.2.
- 15.8 All public right-of-ways shall be dedicated to Frederick County as part of the subdivision approval process, consistent with applicable Virginia law.
- 15.9 All public streets and roads shall be designed in accordance with the Virginia Department of Transportation specifications, subject to review and approval by Frederick County and VDOT.
- 15.10 All private streets and roads shall be constructed in accordance with the current Virginia Department of Transportation structural standards, and as may be modified by the County, and shall be owned and maintained by the Property Owners Association served by such streets or roads.

15.11 The design of off-site road improvements shall be in general conformance with the plan entitled "Governors Hill Road Improvements" Sheets 1-2, as prepared by Patton Harris Rust and Associates, dated October 30, 2008. Excluding 300,000 square feet of office uses which may be developed at any time utilizing access to the existing completed portion of Coverstone Drive, off-site improvements shall be constructed in three phases as depicted on the aforementioned plans as follows:

Phase A: Phase A improvements shall consist of improvements at the intersection of Millwood Pike/Inverlee Way/Coverstone Drive and shall be completed coincident with Phase 1 Coverstone Drive construction per Proffer 15.2.

Phase B: Phase B improvements shall consist of improvements at the intersections of Millwood Pike/Prince Frederick Drive and Prince Frederick Drive/Costello Drive. Phase B improvements shall be completed coincident with Phase 2 Coverstone Drive construction per Proffer 15.2.

Phase C: Phase C improvements shall consist of improvements at the intersection of Millwood Pike/Sulphur Spring Road. Phase C improvements shall be completed coincident with Phase 3 Coverstone Drive construction per Proffer 15.2.

15.12 The Applicant shall make good faith efforts to obtain any off-site right of way needed to complete any proffered off-site transportation improvements. In the event that the Applicant is not able to obtain the right of way and, further, the County and/or State of Virginia do not obtain the necessary right of way, in lieu of constructing the road improvement, the Applicant shall provide a monetary contribution to Frederick County that is equivalent to the estimated construction cost of those road improvements that could not be implemented. The construction cost estimate shall be subject to review and approval by VDOT. The monetary contribution shall coincide with the commercial area threshold that triggers the off-site road improvement as identified in Proffer 15.11.

15.13 Any future transportation analyses which may be required for the Property, shall utilize Code 820 "Retail" per the I.T.E. Trip Generation Manual 7th Edition for any commercial use other than office use.

15.14 In the event any proffered off-site road improvements are constructed by others, the Applicant shall provide a monetary contribution to Frederick County that is equivalent to the estimated construction costs of those proffered road improvements not installed by the Applicant. The construction cost estimate shall be subject to review and approval by VDOT. The monetary contribution shall coincide with the commercial area threshold that triggers the off-site road improvements as identified in Proffer 15.11.

16. CULTURAL RESOURCES INVESTIGATION AND PRESERVATION

The Applicant shall conduct or cause to be conducted a Phase I Archaeological Investigation of the Property, prior to the approval of the first final site or subdivision plan for the Property, and shall complete Phase II and III investigations thereof as may be demonstrated to be necessary by the Phase I study.

17. ESCALATOR CLAUSE

17.1 In the event any monetary contributions set forth in the Proffer Statement are paid to the Frederick County Board County Supervisors ("Board") within 30 months of October 12, 2005, as applied for by the Applicant, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth in the Proffer Statement which are paid to the Board after 30 months following October 12, 2005 shall be adjusted in accordance with the Urban Consumer Price Index ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid, they shall be adjusted by the percentage change in the CPI-U from that date 30 months after October 12, 2005 to the most recently available CPI-U to the date the contributions are paid, subject to a cap of 5% per year, non-compounded.

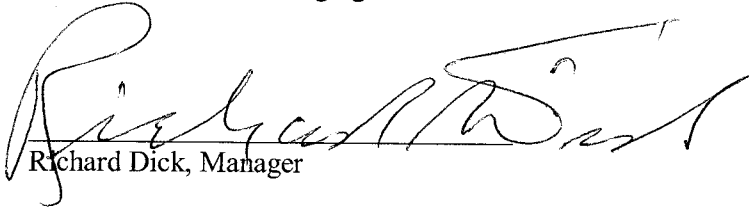
18. SEPTEMBER 18, 2014 PROFFER REVISION

18.1 The revisions dated September 18, 2014 apply only to tax parcels 64-A-86 and 64-A-87 and do not apply to the other properties subject to the Proffer Statement dated September 26, 2013. These modifications increase from 200,000 to 300,000 the square footage of office floor space which may be developed, on any or all of the properties subject to the Proffer Statement dated September 26, 2013, utilizing access from the completed portion of Coverstone Drive. This increase in floor space is indicated in Sections 15.2 and 15.11 of this Proffer Statement.

SIGNATURES APPEAR ON THE FOLLOWING PAGES

JGR Three L.L.C.

By: JPG Three L.L.C. Managing Member


Richard Dick, Manager

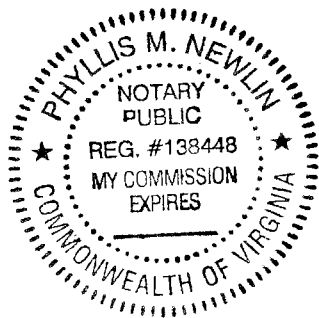
STATE OF VIRGINIA, AT LARGE

~~FREDERICK COUNTY~~, To-wit:

City of Winchester

The foregoing instrument was acknowledged before me this 19th day of September, 2014, by Richard G. Dick.

My commission expires 7/31/18
Notary Public Phyllis M. Newlin



THIS SUPPLEMENT TO REZONING APPLICATION, made and dated this 26th day of September, 2014, by and between JGR THREE, LLC, a Virginia limited liability company, ELLEN, LLC, a Virginia limited liability company, LCR, LLC, a Virginia limited liability company, MDC THREE, LLC, a Virginia limited liability company, SUSAN SANDERS, LLC, a Virginia limited liability company, LIBERTY HILL, L.C., a Virginia limited liability company, THOMAS A. DICK, TIMOTHY J. DICK and MICHAEL E. DICK (the “Owners”) and COUNTY OF FREDERICK, VIRGINIA (“Frederick County”).

RECITALS:

- A. The Owners are vested with fee simple title to those certain parcels of land being more particularly described on Exhibit “A” attached hereto and incorporated herein by reference as if set out in full (the “Property”).
- B. The Owners have previously submitted that certain Rezoning Application Form, that certain revised Proffer Statement and that certain Special Limited Power of Attorney to the Frederick County Department of Planning & Development as part of a request to modify and amend the Proffers previously approved for the Property (the “Rezoning Application”).
- C. Through inadvertence, the Rezoning Application was not signed by all of the Owners of the Property.
- D. The Owners intend to correct said omission and hereby ratify and approve the Rezoning Application and all documents submitted in connection therewith.

NOW, THEREFORE, WITNESSETH: For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Recitals:** The Recitals are made a material part hereof and incorporated herein by reference as if set out in full.

2. **Approval of Rezoning Application:** The Owners hereby ratify and approve the Rezoning Application, that certain Proffer Statement bearing a revision date of September 18, 2014, that certain Special Limited Power of Attorney dated September 19, 2014, and all documents submitted in connection therewith, and are bound by all such documents, as evidenced by their execution of this Supplement to Rezoning Application. This Supplement To Rezoning Application is made part of the Rezoning Application, that certain Proffer Statement bearing a revision date of September 18, 2014, that certain Special Limited Power of Attorney dated September 19, 2014, and all documents submitted in connection therewith.

WITNESS the following signatures and seals:

JGR THREE, LLC

By: John G. Russell, III (SEAL)
JOHN G. RUSSELL, III, Manager

STATE OF SOUTH CAROLINA, AT LARGE,
CITY/COUNTY OF BERWATER, to-wit:

The foregoing instrument was acknowledged before me on the 26 day of SEPTEMBER, 2014, by John G. Russell, III, who is Manager of JGR THREE, LLC, a Virginia Limited Liability Company.

CC: Commission Expires: May 21, 2017

My commission expires _____.

John G. Russell, III
NOTARY PUBLIC

ELLEN, LLC

By: John G. Russell, III (SEAL)
JOHN G. RUSSELL, III, Manager

STATE OF SOUTH CAROLINA, AT LARGE,
CITY/COUNTY OF BEAUFORT, to-wit:

The foregoing instrument was acknowledged before me on the 26 day of
SEPTEMBER, 2014 by John G. Russell, III, who is Manager of ELLEN, LLC, a Virginia
Limited Liability Company.

My commission expires Commission Expires: May 21, 2017

J.R. Lynn
NOTARY PUBLIC

LCR, LLC

By: Linda C. Russell (SEAL)
LINDA C. RUSSELL, Manager

STATE OF SOUTH CAROLINA, AT LARGE,
CITY/COUNTY OF BEAUFORT, to-wit:

The foregoing instrument was acknowledged before me on the 26 day of
SEPTEMBER, 2014, by Linda C. Russell, who is Manager of LCR, LLC, a Virginia
Limited Liability Company.

My commission expires Commission Expires: May 21, 2017

J.R. Lynn
NOTARY PUBLIC

MDC THREE, LLC

By: John G. Russell III (SEAL)
JOHN G. RUSSELL, III, Manager

STATE OF SOUTH CAROLINA, AT LARGE,
CITY/COUNTY OF BEAUFORT, to-wit:

The foregoing instrument was acknowledged before me on the 26 day of
SEPTEMBER, 2014, by John G. Russell, III, who is Manager of MDC THREE, LLC, a
Virginia Limited Liability Company.

Commission Expires: May 21, 2017

My commission expires _____.

John G. Russell III
NOTARY PUBLIC

SUSAN SANDERS, LLC

By: John G. Russell III (SEAL)
JOHN G. RUSSELL, III, Manager

STATE OF SOUTH CAROLINA, AT LARGE,
CITY/COUNTY OF BEAUFORT, to-wit:

The foregoing instrument was acknowledged before me on the 26 day of
SEPTEMBER, 2014, by John G. Russell, III, who is Manager of SUSAN SANDERS,
LLC, a Virginia Limited Liability Company.

Commission Expires: May 21, 2017

My commission expires _____.

John G. Russell III
NOTARY PUBLIC

LIBERTY HILL, L.C.

By: Richard G. Dick (SEAL)
RICHARD G. DICK, Manager

STATE OF VIRGINIA, AT LARGE,
CITY/COUNTY OF Winchester, to-wit:

The foregoing instrument was acknowledged before me on the 29th day of September, 2014, by Richard G. Dick, who is Manager of LIBERTY HILL, L.C., a Virginia Limited Liability Company.

My commission expires January 31, 2018



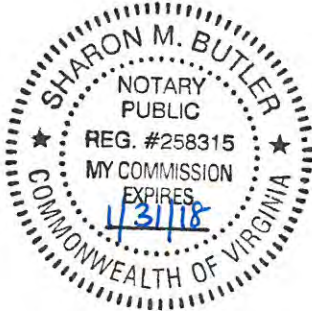
Sharon M. Butler
NOTARY PUBLIC

Thomas A. Dick By
Richard G. Dick AIF (SEAL)
THOMAS A. DICK, by RICHARD G. DICK, his
Attorney-in-Fact

STATE OF VIRGINIA, AT LARGE,
CITY/COUNTY OF Winchester, to-wit:

The foregoing instrument was acknowledged before me on the 29th day of September, 2014, by Richard G. Dick, Attorney-in-Fact for Thomas A. Dick.

My commission expires January 31, 2018

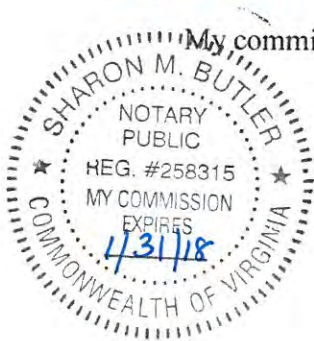


Sharon M. Butler
NOTARY PUBLIC

x Timothy J. Dick
By Richard G. Dick (SEAL)
TIMOTHY J. DICK, by RICHARD G. DICK, his
Attorney-in-Fact

STATE OF VIRGINIA, AT LARGE,
CITY/COUNTY OF Winchester, to-wit:

The foregoing instrument was acknowledged before me on the 29th day of
September, 2014, by Richard G. Dick, Attorney-in-Fact for Timothy J. Dick.



My commission expires January 31, 2018

Sharon M. Butler
NOTARY PUBLIC
x Michael E. Dick
By Richard G. Dick (SEAL)
MICHAEL E. DICK, by RICHARD G. DICK, his
Attorney-in-Fact

STATE OF VIRGINIA, AT LARGE,
CITY/COUNTY OF Winchester, to-wit:

The foregoing instrument was acknowledged before me on the 29th day of
September, 2014, by Richard G. Dick, Attorney-in-Fact for Michael E. Dick.

My commission expires January 31, 2018



Sharon M. Butler
NOTARY PUBLIC

EXHIBIT "A"

PARCEL ONE: All of that certain lot or parcel of land, together with all improvements thereon and all rights, rights of way, and appurtenances thereunto belonging, containing 107.4389 acres, more or less, more particularly described on that certain plat titled "Boundary Line Adjustment Between Governors Hill and Winchester Regional Airport" dated March 28, 2006, revised August 31, 2007, drawn by Cory M. Haynes, L.S., attached to that certain Deed of Boundary Line Adjustment dated September 21, 2007, of record in the Clerk's Office of the Circuit Court of Frederick County, Virginia as Instrument No. 070015617, and incorporated herein by reference as if set out in full.

Tax Map No.: 64-A-86

PARCEL TWO: All of that certain lot or parcel of land, together with all improvements thereon and all rights, rights of way, and appurtenances thereunto belonging, containing 14.7423 acres, more or less, more particularly described on that certain plat titled "Plat Showing Right of Way Dedication & Dedication/Vacation of Various Easements on the Property of Carpers Valley Development, L.L.C." dated May 11, 2007, revised November 28, 2007, drawn by Cory M. Haynes, L.S., attached to that certain Dedication for Street Purposes and Vacation of Easement dated January 4, 2008, of record in the aforesaid Clerk's Office as Instrument No. 080002019, and incorporated herein by reference as if set out in full.

Tax Map No.: 64-A-87

The foregoing Parcel One and Parcel Two are the same lands acquired by the Owners by that certain Trustee's Deed dated December 30, 2013, of record in the Clerk's Office of the Circuit Court of Frederick County, Virginia as Instrument No. 140000018.



RESOLUTION

Action:

PLANNING COMMISSION: October 1, 2014 - Recommended Approval

BOARD OF SUPERVISORS: October 8, 2014 APPROVED DENIED

AN ORDINANCE AMENDING

THE ZONING DISTRICT MAP

REZONING #03-14 MINOR PROFFER REVISION OF GOVERNORS HILL

WHEREAS, Rezoning #03-14 Minor Proffer Revision of Governors Hill, submitted by William H. Gordon Associates, to revise the proffers associated with Rezoning #10-08 and #05-13 relating to the “Transportation” section of the proffers was considered. The proffer revision, originally proffer statement dated September 2, 2008, with a final revision dated September 18, 2014 applies only to the properties owned by JGR Three, L.L.C. (64-A-86 and 64-A-87) and does not impact other properties identified under the Governors Hill Proffer Statement. These modifications include the increase from 200,000 to 300,000 square feet of office floor space which may be developed utilizing access from the completed portion of Coverstone Drive. This increase in floor space is located in Sections 15.2 and 15.11 of the proffer statement.

WHEREAS, the Planning Commission held a public meeting on this rezoning on October 1, 2014, and forwarded a recommendation of approval; and

WHEREAS, the Board of Supervisors held a public meeting on this rezoning on October 8, 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 RESOLVED by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the proffers associated with Rezoning #10-08 and #05-13 relating to the “Transportation” section of the proffers. This minor proffer revision, originally proffer statement dated September 2, 2008, with a final revision dated September 18, 2014, modifies the square feet of office floor space from 200,000 to 300,000 which may be developed using access from the completed portion of Coverstone Drive.

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

Passed this 8th day of October, 2014 by the following recorded vote:

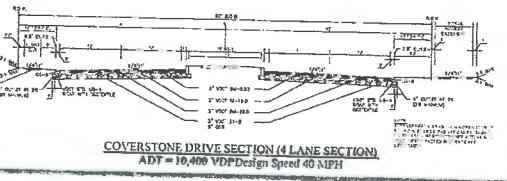
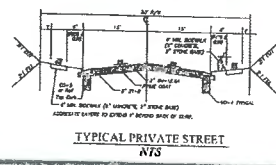
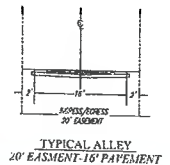
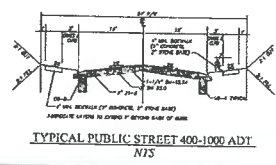
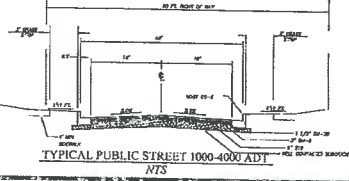
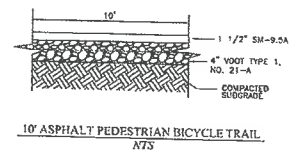
Richard C. Shickle, Chairman	_____	Gary A. Lofton	_____
Robert A. Hess	_____	Robert W. Wells	_____
Gene E. Fisher	_____	Charles S. DeHaven, Jr.	_____
Christopher E. Collins	_____		

A COPY ATTEST

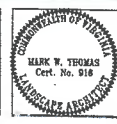
John R. Riley, Jr.
Frederick County Administrator



KEY LOT	OWNER	ZONE	USE
1	84A 7 12 BAKI, JOHN H & CHRISTOPHER ERICSON	RP	RES
2	84A 7 13 HARTLEY, DOUGLAS ALLEN	RP	RES
3	84A 7 14 HARTLEY, DOUGLAS ALLEN	RP	RES
4	84A 7 15 COOK, JUDY BELLE / COO RODGERS, JUDY G	RP	RES
5	84A 7 16 COOK, JUDY BELLE / COO RODGERS, JUDY G	RP	RES
6	84A 7 17 COOK, JUDY BELLE / COO RODGERS, JUDY G	RP	RES
7	84A 7 18 COOK, JUDY BELLE / COO RODGERS, JUDY G	RP	RES
8	84A 7 19A LAMBERT, GEORGE G & KELSEA H	RP	RES
9	84A 7 111A LAMBERT, GEORGE G & KELSEA H	RP	RES
10	84A 7 112A LAMBERT, GEORGE G & KELSEA H	RP	RES
11	84A 7 113A LAMBERT, GEORGE G & KELSEA H	RP	RES
12	84A 7 114 FRAZIER, ROBERT A	RP	RES
13	84A 7 115 LOY, DAVID W	RP	OS
14	84A 7 116A WAREHOUSES HOLDING ASSOCIATION	RP	RES
15	84A 7 117 RICHARD DICK	RP	RES
16	84A 7 118 FISHER, LLOYD EST / COO MARY E. WASHINGTON	RA	RES
17	84A 7 119 FISHER, LLOYD EST / COO MARY E. WASHINGTON	RA	RES
18	84A 7 120A POCOMAC ESTATE COMPANY	RA	RES
19	84A 7 121 PERRY ENGINEERING CO INC	RA	VAC
20	84A 7 122 PERRY ENGINEERING CO INC	RA	VAC
21	84A 7 123 PERRY ENGINEERING CO INC	RA	VAC
22	84A 7 124 PUFFNER, TERRY W & LOIS J	RA	RES
23	84A 7 125 COOK, RAYMOND E & TANVA C	RA	RES
24	84A 7 126 LONG, RAYMOND E & TANVA C	RA	RES
25	84A 7 127 WINCHESTER INDUSTRIAL PARK LLC	IND	IND
26	84A 7 128 WINCHESTER INDUSTRIAL PARK LLC	IND	IND
27	84A 7 129 R G R, LLC	IND	IND
28	84A 7 130 MAIN OF WINCHESTER, LLC	IND	IND
29	84A 7 131 BLUE FIELD INDUSTRIES	IND	IND
30	84A 7 132 CAMPFIELD, LLC	IND	IND
31	84A 7 133 COUNTY OF FREDERICK	RA	AIRPORT
32	84A 7 134 WINCHESTER REGIONAL AIRPORT	RA	AIRPORT
33	84A 7 135 COUNTY OF FREDERICK	RA	AIRPORT
34	84A 7 136 PRINCE FREDERICK TOWNE GROUP LLC	B2	VAC
35	84A 7 137 COO JAMES L. McLVANE, JR	B2	GOV
36	84A 7 138 WINCHESTER REGIONAL AIRPORT	RA	AIRPORT
37	84A 7 139 HENRY BERRY PERRY BYALS	B2	VAC
38	84A 7 140 HELEN J. BEEMPLES	RP	VAC
39	84A 7 141 JOHN H. KALENS & CHRISTOPHER BROOKS	RP	VAC
40			



NO.	DESCRIPTION	REVISION	DATE	BY	CHKD	PRD
1	REVISED PER COUNTY COMMENTS		6/24/06	JWP		PRS

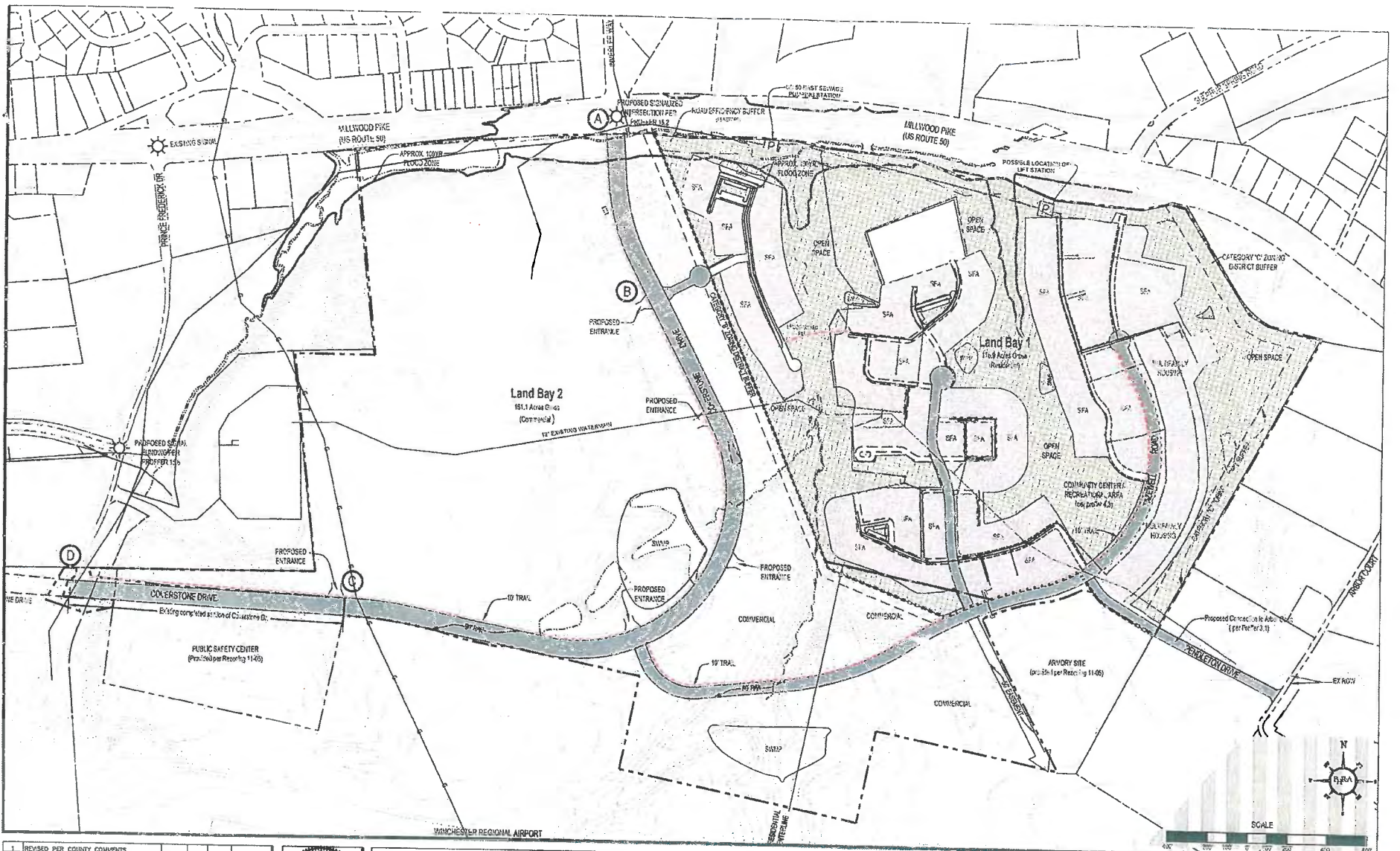


Patton Harris Rust & Associates
 Engineers, Surveyors, Planners, Landscape Architects.
P-H-R+A
 208 Church Street SE
 Leesburg, VA 20175
 7 703.777.3616
 F 703.777.3725

OVERALL PLAN

**Governors Hill
 MASTER DEVELOPMENT PLAN**
 FREDERICK COUNTY, VIRGINIA

DESIGN	TEAM	SURVEY	PHR-A
DRAWN	TEAM	DATE	MARCH 2006
CHECKED	PRS	SCALE	1" = 300'
SHEET	2 OF 4	FILE NO.	13415-1-0



1	REVISED PER COUNTY COMMENTS	10/31/08	PHS	PHS
2	REVISED PER COUNTY COMMENTS			
NO.	DESCRIPTION	DATE	REV'D	BY/WD

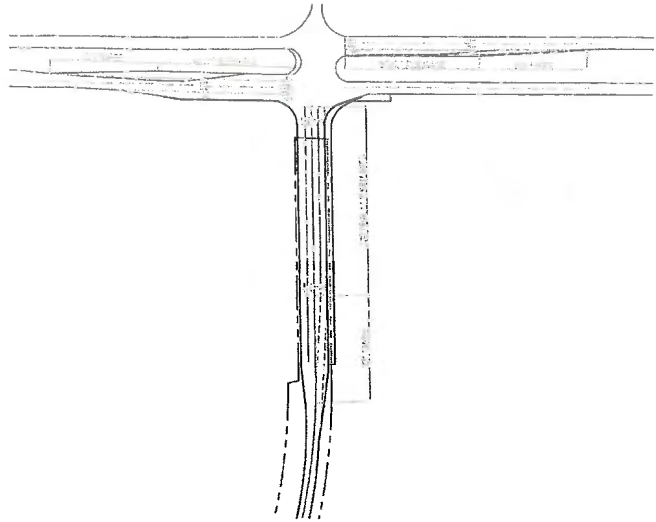


Patton Harris Rust & Associates
 Engineers, Surveyors, Planners, Landscape Architects.
PHR&A
 208 Church Street SE
 Leesburg, VA 20175
 T 703.777.3516
 F 703.777.3725

MASTER PLAN

**Governors Hill
 MASTER DEVELOPMENT PLAN**
 FREDERICK COUNTY, VIRGINIA

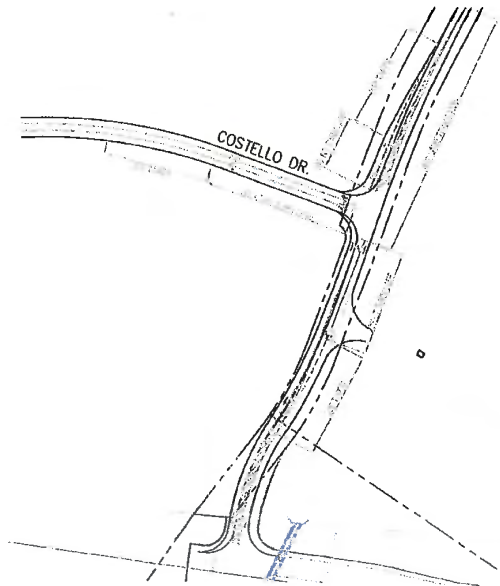
DESIGN	TEAM	SURVEY	PHR&A
DRAWN	TEAM	DATE	MARCH 2008
CHECKED	PHS	SCALE	1" = 200'
SHEET	3 OF 4	FILE NO.	13415-1-0



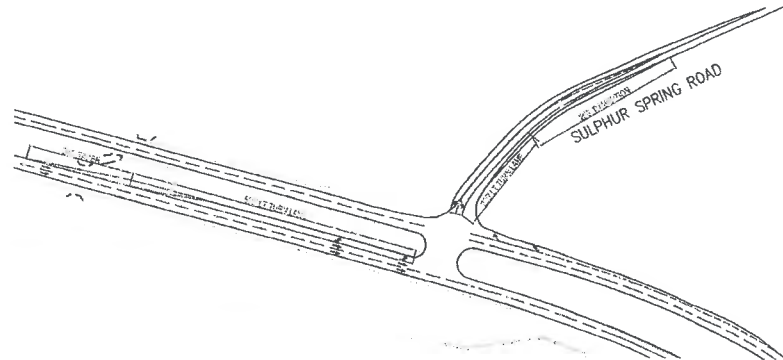
U.S. ROUTE 50 - CUSTER AVE - PRINCE FREDERICK DR.



U.S. ROUTE 50 - INVERLEE WAY - SITE DRIVEWAY/COVERSTONE DRIVE



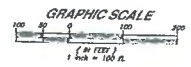
COVERSTONE DR. - COSTELLO DR. - PRINCE FREDERICK DR.



U.S. ROUTE 50 - SULPHUR SPRING ROAD

OFFSITE IMPROVEMENTS

- PHASE A
- PHASE B
- PHASE C



DESIGN	CSK	DATE	AUGUST 29, 2008
DRAWN	CSK	SCALE	1"=100'
CHECKED	RAM	SHEET	2 OF 2
FILE NO.	13415-1-6	CADIST	



PROFESSIONAL SEAL
 PATTON HARRIS RUST & ASSOCIATES
 ENGINEERS, SURVEYORS, PLANNERS, LANDSCAPE ARCHITECTS
 14535 Lee Road
 Chantilly, VA 20151-1879
 T 703-448-6700
 F 703-448-6714

INTERSECTIONS

TITLE
 GOVERNORS HILL
 ROAD IMPROVEMENTS
 SHANNONZ MANAGERIAL DISTRICTS
 FREDERICK COUNTY, VIRGINIA

**REZONING APPLICATION FORM
FREDERICK COUNTY, VIRGINIA**

To be completed by Planning Staff:

Zoning Amendment Number	<u>03-14</u>	Fee Amount Paid	\$ <u>1,000.⁰⁰</u>
PC Hearing Date	<u>10/1/14</u>	Date Received	<u>9/18/14</u>
		BOS Hearing Date	<u>10/8/14</u>

The following information shall be provided by the applicant:

All parcel identification numbers, deed book and page numbers may be obtained from the **Office of the Commissioner of Revenue, Real Estate Division, 107 North Kent Street, Winchester.**

1. Applicant:

Name: William H. Gordon Associates c/o Mark Dyck Telephone: (304)725-8456
Address: 302 North Mildred Street
Charles Town, WV 25414

2. Property Owner (if different than above):

Name: JGR Three LLC Telephone: _____
Address: 1407 Gordon Place
Winchester, VA 22601

3. Contact person if other than above:

Name: Mark Dyck Telephone: (304)725-8456

4. Property Information:

64-A-86 and 64-A-87

- a. Property Identification Number(s): (Instrument # 140000018 Page 0177)
- b. Total acreage to be rezoned: N/A
- c. Total acreage of the parcel(s) to be rezoned (if the entirety of the parcel(s) is not being rezoned): N/A
- d. Current zoning designation(s) and acreage(s) in each designation: _____
R4 (Residential Planned Community) District
- e. Proposed zoning designation(s) and acreage(s) in each designation: NA
- f. Magisterial District(s): Shawnee

5. Checklist: Check the following items that have been included with this application.

Location map	_____	Agency Comments	_____
Plat	_____	Fees	_____
Deed to property	_____	Impact Analysis Statement	_____
Verification of taxes paid	_____	Proffer Statement	___ X ___
Plat depicting exact meets and bounds for the proposed zoning district	_____		_____
Digital copies (pdf's) of all submitted documents, maps and exhibits	_____		___ X ___

6. The Code of Virginia allows us to request full disclosure of ownership in relation to rezoning applications.

Please list below all owners or parties in interest of the land to be rezoned:

JGR Three L.L.C. (64-A-86, 64-A-87)

7. Adjoining Property:

<u>PARCEL ID NUMBER</u>	<u>USE</u>	<u>ZONING</u>
See Attached	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

8. Location: The property is located at (give exact location based on nearest road and distance from nearest intersection, using road names and route numbers):

Approximately one mile east of Interstate 81 on the south side of Millwood Pike (Route 50 East), across from Sulphur Springs Road (Route 655), and the Ravens subdivision.

ADJOINING PROPERTY OWNERS

Owners of property adjoining the land will be notified of the Planning Commission and the Board of Supervisors meetings. For the purpose of this application, **adjoining property is any property abutting the requested property on the side or rear or any property directly across a public right-of-way, a private right-of-way, or a watercourse from the requested property.** The applicant is required to obtain the following information on each adjoining property including the parcel identification number which may be obtained from the office of the Commissioner of Revenue. *The Commissioner of the Revenue is located on the 2nd floor of the Frederick County Administrative Building, 107 North Kent Street.*

Name and Property Identification Number	Address
Name Frederick County Virginia Property # 64-A-87A	107 North Kent Street Winchester, VA 22601-5039
Name Prince Frederick Group LC Property # 64-A-89B	c/o James L Mcilvaine Jr 6231 Leesburg Pike, Suite 600 Falls Church, VA 22044-2100
Name Fredericktowne Group LC Property # 64-A-89	c/o Richard G Dick 130 South Cameron Street Winchester, VA 22601-4733
Name Sempeles Helen J Trustee Property # 64A-A-12	107 Roszel Road Winchester, VA 22601-3831
Name Kaknis John H & Christopher Brooks Property # 64A-7-1-1, 64A-7-1-2	c/o John G Kaknis 656 N. Hayfield Road Winchester, VA 22603-3428
Name Hartly Douglas Allen Property # 64A-7-1-3, 64A-7-1-4	100 Stanley Drive Winchester, VA 22602-7334
Name Cook Judy Belle Property # 64A-7-1-5, 64A-7-1-6, 64A-7-1-7, 64A-7-1-8	c/o Rodgers Judy B 178 Grandview Lane Clear Brook, VA 22624-1437
Name Spence Andrea L Property # 64A-7-1-13, 64A-7-1-14	1427 Millwood Pike Winchester, VA 22602
Name Lambert George G Property # 64A-7-1-10A, 64A-7-1-11A, 64A-7-1-12A	1411 Millwood Pike Winchester, VA 22602-4319

Name and Property Identification Number	Address
Name Loy David W	1441 Millwood Pike
Property # 64A-7-1-15	Winchester, VA 22602-4319
Name Ravewing Homeowners Association	c/o Allen B. Warren / Chad Washington
Property # 64G-2-1-52A	9990 Fairfax Boulevard, Suite 200 Fairfax, VA 22030-1720
Name Fisher Lloyd Est c/o Mary E Washington	813 North 18th Street
Property # 64-A-116	Harrisburg, PA 17103-1508
Name Trustees of the James Peyton Darlington Trust	c/o Fred A Drunagel
Property # 64-A-122	P.O. Box 3610 Warrenton, VA 20188
Name Shenandoah Valley Electric Cooperative	P.O. Box 236
Property # 64-A-124A	Mt Crawford, VA 22841-0236
Name Perry Engineering Co. Inc.	1945 Millwood Pike
Property # 64-A-123, 64-A-123A, 64-A-124	Winchester, VA 22602-4561
Name Kennan Kelly Renee	906 Hunting Ridge Road
Property # 64-A-132	Winchester, VA 22603-2938
Name Long Raymond & Long Tanya C	718 Chelsea Drive
Property # 64-A-133, 64-A-134	Winchester, VA 22601-6379
Name Winchester Industrial Park LLC	1936 Millwood Pike
Property # 64-A-81, 64-A-81A, 64-A-81B	Winchester, VA 22602-4558
Name R G R LLC	P.O. Box 2600
Property # 64-A-80L	Winchester, VA 22604-1800
Name Main of Winchester LLC	1936 Millwood Pike
Property # 64-A-80K	Winchester, VA 22602-4558
Name Blue Ridge Industries	P.O. Box 1847
Property # 64-A-80Q	Winchester, VA 22604-8347
Name Campfield LLC	112 East Piccadilly Street
Property # 64-A-80J	Winchester, VA 22601-5005
Name Frederick County Virginia	107 North Kent Street
Property # 64-A-82	Winchester, VA 22601-5039

9. The following information should be provided according to the type of rezoning proposed:

Number of Units Proposed

Single Family homes: _____ Townhome: _____ Multi-Family: _____
 Non-Residential Lots: _____ Mobile Home: _____ Hotel Rooms: _____

Square Footage of Proposed Uses

Office: _____ Service Station: _____
 Retail: _____ Manufacturing: _____
 Restaurant: _____ Warehouse: _____
 Commercial: _____ Other: _____

10. Signature:

I (we), the undersigned, do hereby respectfully make application and petition the Frederick County Board of Supervisors to amend the zoning ordinance and to change the zoning map of Frederick County, Virginia. I (we) authorize Frederick County officials to enter the property for site inspection purposes.

I (we) understand that the sign issued when this application is submitted must be placed at the front property line at least seven days prior to the Planning Commission public hearing and the Board of Supervisors public hearing and maintained so as to be visible from the road right-of-way until the hearing.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Applicant(s): Mark Oyer Date: 9/19/14

Date: _____

Owner(s): Richard A. Sims Date: 9-19-14

Date: _____



**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) JGR Three L.L.C. (Phone) _____

(Address) 1407 Gordon Place, Winchester, VA 22601

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. 140000018 on Page 0177, and is described as

Parcel: 86 & 87 Lot: _____ Block: _____ Section: _____ Subdivision: _____
do hereby make, constitute and appoint:

(Name) William H. Gordon Associates (Phone) (304)725-8456

(Address) 301 North Mildred Street, Charles Town, WV 25414

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 September, 2014,

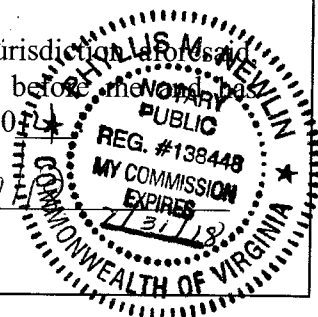
Signature(s) *Richard A. Eubank*

State of Virginia, City/County of Winchester, To-wit:

I, Phyllis M. Newlin, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me, the Notary Public, acknowledged the same before me in the jurisdiction aforesaid this 19th day of Sept., 2014.

Phyllis M. Newlin
Notary Public

My Commission Expires: 7/31



N



MEMORANDUM

TO: Frederick County Board of Supervisors

FROM: Candice E. Perkins, AICP, Senior Planner *CEP*

SUBJECT: Discussion – **Black Diamond Site Plan (Stonewall Industrial Park)**

DATE: October 2, 2014

At the October 8, 2014 Board of Supervisors meeting, staff will present the site plan for the Black Diamond site for review. This site plan is being presented due to its implications on the planned route for Route 37. The site is located in the Stonewall Industrial Park in the Stonewall Magisterial District. The plans for Stonewall Industrial Park do not accommodate the Route 37 right-of-way. The property is located on McGhee Road and contains structures that are within the path of Route 37. In an effort to keep the Planning Commission and Board of Supervisors apprised of the Route 37 right-of-way, site plans and subdivisions that impact the right-of-way are presented to the Planning Commission and the Board of Supervisors for their review.

An 11" x 17" copy of sheet 2 from the site plan has been included in your agenda, along with a map that shows the planned route for Route 37, in regards to the location of this property. Action on the site plan is not required; this site plan is being brought for informational purposes only.

At the Planning Commission's meeting on October 1, 2014, there was general discussion about possible ramifications resulting from the development of this property. Commissioners expressed concern regarding the impact this development will have on the future construction of Route 37. Staff stated that at this stage of the development process, the applicant is allowed to proceed with development of the site. If the County goes forward with constructing Route 37 in the future and they choose to keep the existing alignment, the property would need to be purchased. Staff noted that no action is required on site plans and that they are an administrative function, once they meet the other county agencies approvals, staff must precede with the approval process. (Note: Commissioner Mohn and Kenney were absent from the meeting; Commissioner Oates abstained from discussion.)

Please contact me if you need any additional information. A representative from GreyWolfe, Inc. will be present at the meeting.

CEP/pd

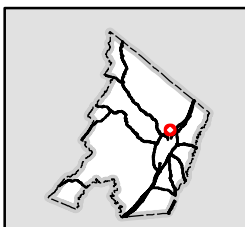
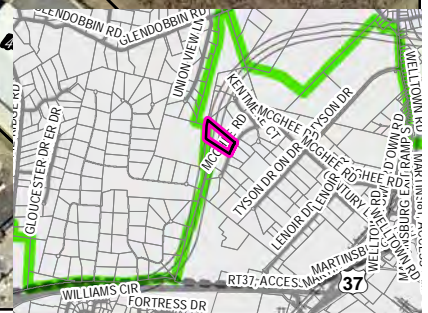
Attachments

Site Plan Black Diamond

PINs:
43 - 19 - 66



- 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)



Site Plan Black Diamond

PINs:
43 - 19 - 66

0 75 150 300 Feet

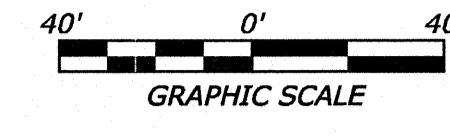
Note:
Frederick County Dept of
Planning & Development
107 N Kent St
Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: September 17, 2014
Staff: cperkins



43-(A)-16
 GLENDOBBIN RIDGE
 RURAL PRESERVATION TRACT
 KATHRYN L. PARKER
 #090012102
 ZONED: RA
 USE: AGRICULTURAL

APPROXIMATE LOCATION OF THE
 PLUMBER'S BUSINESS STUDY OF THE
 PLAN FOR THE 2000 COMMERCE/INDUSTRIAL
 ZONING MAP

43-(19)-67
 LOT 15
 LENOIR CITY CO. OF VA
 #060020673
 ZONED: M-1
 USE: VACANT
 10.671 ACRES



43-(19)-58
 DONALD G. SOWERS
 #050008976
 ZONED: M-1
 USE: CONTRACTOR
 2.500 ACRES

EX. SSMH #38
 RIM=749.71'
 INV IN=733.31'
 INV OUT=731.51'

VDOT Entrance Notes:

1. The VDOT field inspector shall approve all forms prior to pouring curb and gutter at entrance.
2. The VDOT field inspector shall make the final decision on placement CG-12 ramps if he deems them necessary.
3. The stop bar shall be thermoplastic.
4. The entrance shall be built to VDOT standard CG-11 specifications.
5. Use VDOT detail WP-2 for tie-in to existing roadway pavement. Contact the VDOT inspector prior to paving to determine applicable WP-2 requirements.

43-(19)-59
 PERRY FAMILY LTD, PR, LLP
 #070017095
 ZONED: M-1
 USE: CONTRACTOR
 3.159 ACRES

CURVE DATA
 DELTA = 18°11'52"
 RADIUS = 1,500.00'
 ARC = 476.42'
 TANGENT = 240.23'
 BEARING = S 25°06'49" W
 CHORD = 474.42'

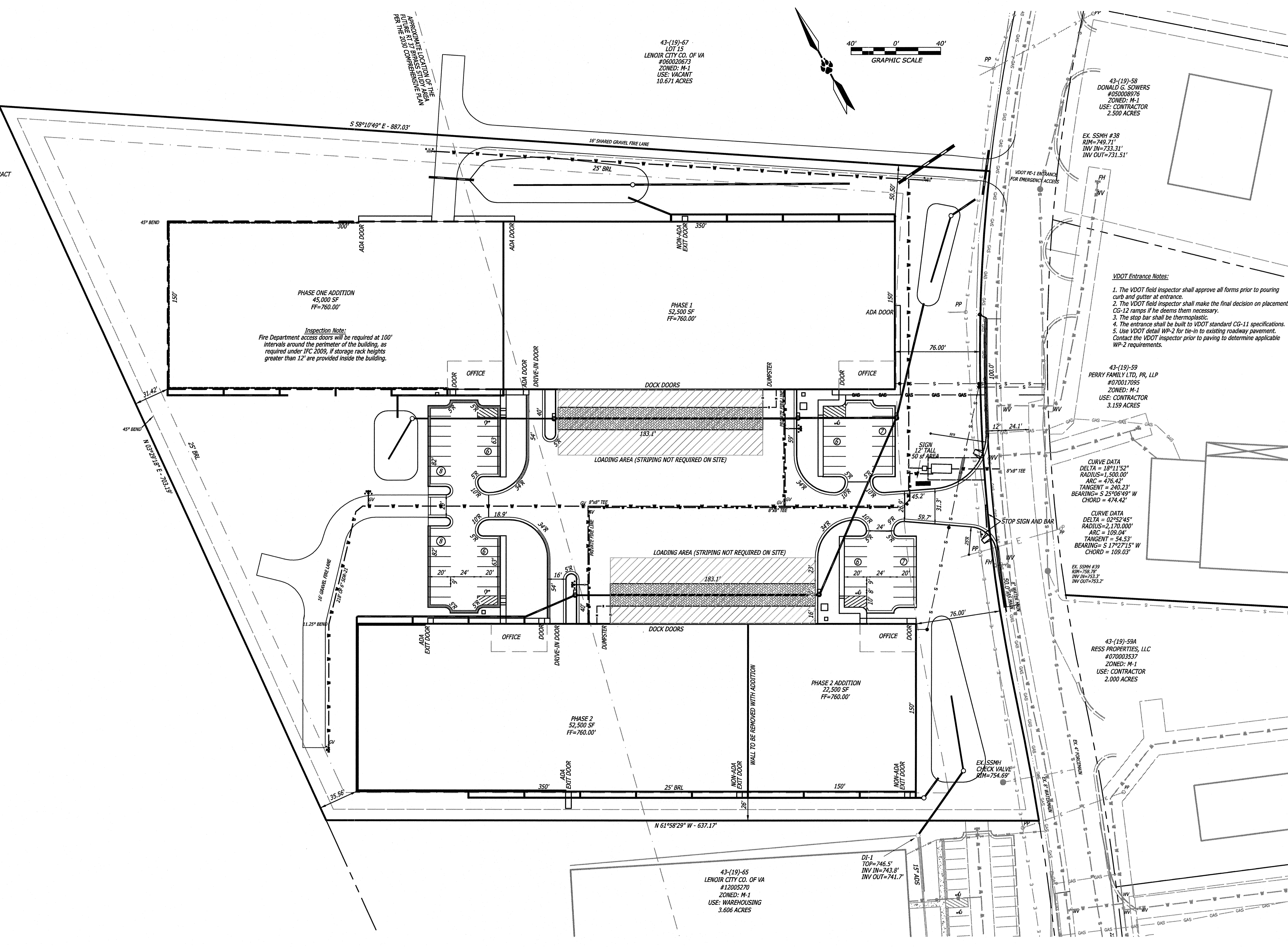
CURVE DATA
 DELTA = 02°52'45"
 RADIUS = 2,170.000'
 ARC = 109.94'
 TANGENT = 54.53'
 BEARING = S 17°27'15" W
 CHORD = 109.03'

EX. SSMH #39
 RIM=758.78'
 INV IN=753.3'
 INV OUT=753.2'

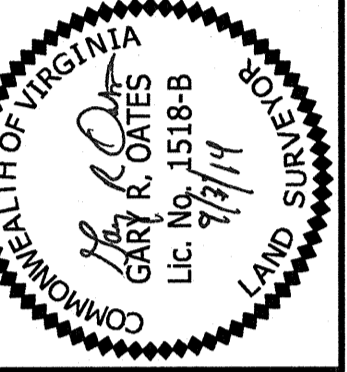
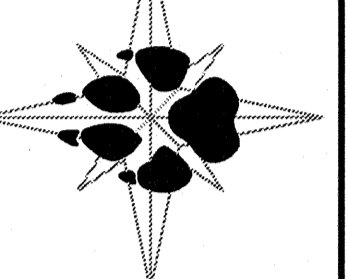
43-(19)-59A
 RESS PROPERTIES, LLC
 #070003537
 ZONED: M-1
 USE: CONTRACTOR
 2.000 ACRES

43-(19)-65
 LENOIR CITY CO. OF VA
 #12005270
 ZONED: M-1
 USE: WAREHOUSING
 3.606 ACRES

DI-1
 TOP=746.5'
 INV IN=743.8'
 INV OUT=741.7'



GreyWolfe, Inc.
 Land Surveying and Consulting
 1073 Reebud Road
 Winchester, VA 22603
 GreyWolfeInc@aol.com
 (540) 667-2001 OFC
 (540) 545-4001 FAX



THESE PLANS ARE IN
 CONFORMANCE WITH THE
 REQUIREMENTS AND
 ORDINANCES OF THE
 COMMONWEALTH OF VIRGINIA
 OR CHANGE IN THESE PLANS
 SHALL BE APPROVED BY THE
 ZONING ADMINISTRATOR PRIOR
 TO CONSTRUCTION.

DATE	REVISION
8/07/14	REV PER PLANNING, FIRE, INSPECTIONS, & ICSA
3/03/14	REV PER VDOT & INSPECTIONS

LAYOUT AND DIMENSIONING PLAN
 for
BLACK DIAMOND
 600 MCGHEE ROAD, WINCHESTER, VIRGINIA 22603
 Stonewall Industrial Park
 Frederick County, Virginia

DATE: MAY 5, 2014
 SCALE: 1" = 40'
 FILE NO. 0399
 SHEET 2 OF 12