

**AGENDA
REGULAR MEETING
FREDERICK COUNTY BOARD OF SUPERVISORS
WEDNESDAY, APRIL 22, 2015
7:00 P.M.
BOARD ROOM, COUNTY ADMINISTRATION BUILDING
107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

5:30 P.M. – Closed Session:

There will be a Closed Session Pursuant to Virginia Code Section 2.2-3711(A) (7) Involving Consultation with Legal Counsel and Briefing by Staff, Pertaining to a Legal Claim Against the County, R 150 SPE, LLC v. County of Frederick, Virginia, et al., Currently Pending in the Frederick County Circuit Court, where Such Consultation or Briefing in an Open Meeting would Adversely Affect the Negotiating or Litigating Posture of the Board, and the Matter Requires the Provision of Legal Advice by Such Counsel; and Pursuant to Virginia Code Section 2.2-3711(A) (1), Involving Discussion of Personnel Matters.

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: D)

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

Board of Supervisors Comments

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

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1. Regular Meeting, March 25, 2015.
2. Regular Meeting, April 8, 2015.

County Officials:

1. Committee Appointments. **(See Attached)**----- **B**
2. Memorandum Re: Request to Set Schedule for Board Meetings During Summer Months and for 2015 Holiday Season and Possible Re-Schedule of November Meeting. **(See Attached)**----- **C**

Committee Reports:

1. Human Resources Committee. **(See Attached)**----- **D**
2. Finance Committee. **(See Attached)**----- **E**

Public Hearing:

1. Twelve Month Outdoor Festival Permit Request of Trumpet Vine Farm (DeMarchi Spears). Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee; Paragraph D, Twelve Month Permits. All Events to be Held on the Grounds of Trumpet Vine Farm, 266 Vacluse Road, Stephens City, Virginia. Property Owned by DeMarchi Spears. **(See Attached)**----- **F**
2. Consideration of a Proposed Agreed Order to Resolve Certain Litigation Known as Lake Holiday Country Club, Inc. V. Frederick County Board of Supervisors, Et Al., Currently Pending in the Frederick County Circuit Court. A Copy of the Proposed Order will be Available for Inspection and Review at the Office of the County Administrator and will be Included in the Board's Agenda Materials for Its April 22 Meeting. The Board Seeks Public Comment on Seeking the Circuit Court's Entry of an Order in Substantially the Same Form as the Order that will be Available for Public Review. **(See Attached)**----- **G**

Planning Commission Business:

1. Master Development Plan #01-15 for Graystone Commerce Center. **(See Attached)**----- **H**

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Board Liaison Reports (If Any)

Citizen Comments

Board of Supervisors Comments

Adjourn

A

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

REGULAR MEETING

MARCH 25, 2015

A Regular Meeting of the Frederick County Board of Supervisors was held on Wednesday, March 25, 2015 at 6:15 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

PRESENT

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

ABSENT

Redbud District - Vacant

CALL TO ORDER

Chairman Shickle called the meeting to order.

CLOSED SESSION

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Hess, the Frederick County Board of Supervisors convened in closed session pursuant to Section 2.2-3711 A (1) of the Code of Virginia, 1950, as amended, for discussion and consideration of a personnel matter involving a specific individual.

The above motion was approved by the following recorded vote:

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

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

The above motion was approved by the following recorded vote:

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

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Fisher, the Board certified that to the best of each board member’s knowledge only personnel matters, pursuant to Section 2.2-3711 A (1) of the Code of Virginia, 1950, as amended, specifically discussion or consideration of a personnel matter involving a specific individual, were discussed.

The above motion was approved by the following recorded vote:

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

RECESS

Chairman Shickle advised the Board would recess until 7:00 p.m.

CALL TO ORDER

Chairman Shickle called the regular meeting to order.

INVOCATION

Supervisor Hess delivered the invocation.

PLEDGE OF ALLEGIANCE

Vice-Chairman DeHaven led the Pledge of Allegiance.

ADOPTION OF AGENDA - APPROVED

Interim County Administrator Rod Williams advised he had no changes for the agenda.

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

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

CONSENT AGENDA - APPROVED

Interim County Administrator Williams offered the following items for the Board's consideration under the consent agenda:

- Proclamation – National Telecommunicators' Week in Frederick County, Virginia, April 12-18, 2015 – **Tab D**; and
- Parks and Recreation Commission Report – **Tab H**.

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

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

Chairman Shickle recognized the leaders and members of Boy Scout Troop #107.

PUBLIC HEARING

FISCAL YEAR 2015-2016 BUDGET

Interim County Administrator Williams presented an overview of the Fiscal Year 2015-2016 budget. He advised the total advertised budget for FY 2016 is \$275,884,464. School related budgets equal 66% and public safety equates to 17% which includes Sheriff, Fire and

Rescue and the Regional Adult Detention Center. The remaining 17% includes the non-school and non-public safety administration, Public Works, Parks, Social Services, Community and Economic Development, Landfill, Airport, Shawneeland, and Lake Holiday. He concluded by saying staff would continue to work towards the budget objectives discussed during the budget work sessions. Discussions will continue at a budget work session prior to the next Finance Committee meeting regarding budget initiatives.

Chairman Shickle convened the public hearing.

Barbara Burroughs, Opequon District, spoke in favor of funding the requested positions in Fire and Rescue. She noted under the current proposal the department was only getting about 20% of the requested positions. She spoke about a fire at her home and how the firefighters who responded were tired and overwhelmed when they responded. She went on to say the after report was not filed properly. She stated the men did the best they could, but they need more help. She advised that we cannot have these people work all day and expect them to keep things straight. She concluded by asking the Board to give more money to Fire and Rescue.

Renee Patrick, managing attorney at Blue Ridge Legal Services, spoke about the legal services they provide to Frederick County's low income residents. She asked that they be put back in the budget for some amount of money. She cited a number of Frederick County clients who were assisted by Blue Ridge Legal Services. She concluded by asking for a modest financial contribution from the County.

Marietta Cather Walls, Lord Fairfax Soil and Water Conservation District, stated she was Frederick County's elected volunteer director. She noted the District was proposed to receive \$7,000. She cited the work of the District in making our water pure and clean. She noted the money helps support five different employees who work for the District. She

concluded by saying that three Frederick County farmers received \$250,000 from the state to replace fencing along waterways.

Mark Reddy, Gainesboro District and teacher at James Wood High School, commended the Board of Supervisors for their support of the county's school system. He noted the schools do a lot of good work. He concluded by saying he and his family moved back to Frederick County so his daughters could attend Frederick County public schools.

Darren Jones, Opequon District, stated he was a patron of Bowman Library and a home school dad. He stated he and his children regularly visit Bowman Library and that librarian Donna Hughes has been a great help to them. He noted they could not use the library on Thursdays. He asked the Board to increase its financial support in order to allow the library to be open longer on Thursdays.

Jack Lillis, Back Creek District, spoke in support of the budget requests for the Sheriff's Department and Fire and Rescue. He noted Fire and Rescue responded to over 10,000 calls last year and the Sheriff's Department had over 4,202 arrests. He stated that both departments strive to protect people's lives and property and if the departments are not adequately staffed then county residents would suffer.

Jerri Swogger, Gainesboro District, thanked the Board for their support of the schools. She spoke in support of Frederick County public schools. She noted full-day kindergarten was making a difference for a number of children and families. She concluded by thanking the Board for approving the FY16 budget as advertised.

Jay Marts, Gainesboro District, read the following statement:

"Chairman Shickle and Members of the Board:

I appreciate you giving consideration to the taxpayers' wallet by adjusting the property tax rate downward in an attempt to keep our budget revenue neutral.

I have a couple of topics to address:

The 4th High Schools

The recently approved FY2015-2016 Frederick County Capital Improvements Plan (CIP) lists the 4th High School as the #3 Priority for the School Board. It indicates that current High School program capacity is 4,050 students & that the projected enrollment in 2019 will be 4,236 students, an increase of 186. Looking back I would note...

In the 2013 CIP this HS was estimated to cost
2013 \$64.1 M with at capacity of 1,250
2014 \$70 M with the same capacity
2015 \$91.9 M same capacity

However, just last week I read in the School Board minutes that the new capacity was 1,725. I am not sure how we found 475 new spaces. I think this deserves attention as our projected census increase is 186 & we are building a facility for 1,725. There must be an explanation. I believe it is difficult for constituents & taxpayers to review all the documents & changes & come away with a good understanding as to why we are preparing to build one of the most expensive High Schools in Virginia here in Frederick County.

One point I am attempting to highlight, is the increase in debt service Virginia Taxpayers must take on. It was not too long ago this Board passed a resolution admonishing the General Assembly for not adequately funding Government Schools. I don't think we can have it both ways. If we are not good stewards here in the County of public education funding we should not 'cast stones' and pass the responsibility to the State.

I would also like to make comment on the information I read in the Finance Committee minutes & an article provided in the Winchester Star article on Mar 11, 2015. 'County, schools have pay disparity'. It would appear the School Board alleges that there is a pay disparity between the County employees & School employees.

*I have spoken before this Board and the School Board on several occasions about the benefits of adopting a Merit Pay system. The County has done this. The School Board has elected **not** too.*

Based upon this policy, I do not believe I can accept their proposition of a pay disparity. I once again encourage you to recommend the School Board move to a Merit pay system for those job categories you called out in the minutes & in the newspaper.

Additionally, I'd recommend you compare these positions to the private sector, to include private schools.

Thank you for allowing me to address the Board."

In addition, Mr. Marts cited the \$877 million in real estate tax exemptions in the County and

asked the Board to review these.

Joy Kirk, Back Creek District and President of the Frederick County Education Association, advised she has been a teacher for over 20 years and has watched her colleagues put the students first. She shared examples of teachers coming in early, staying late, and using lunch time to help students. These teachers volunteer their time to make activities happen. She noted the school custodians, librarians, and cafeteria workers also work to help the students. She concluded by saying she was proud to be a colleague of these individuals.

Larry Sullivan, Shawnee District, spoke in favor of funding for Handley Regional Library. He cited Frederick County's per capita expenditure of \$19/person, which is in the bottom ¼ of Virginia. He concluded by asking the Board to restore the Thursday hours that were cut in 2008-2009.

Maureen Gorman, City of Winchester and school counselor at Apple Pie Ridge Elementary School, spoke in favor of young teachers. She noted the Frederick County Public School teachers were over achievers because she was seeing more students succeed. She noted that fatigue and burnout follow when teachers can't stand the ongoing pressure or need more staff and equipment.

Susan Brinkmeier, Stonewall District and principal of Frederick County Middle School, spoke in support of adoption of the budget as advertised. She noted that technology was very important for engaging students and expanding their thinking. She cited the Chromebook initiative as a way to provide a level playing field for 6th graders. With regard to the salary initiative, it was needed to attract high quality teachers. She concluded by saying investing in schools equals investing in the community and she urged the Board to adopt the budget.

John Clawson, Opequon District, spoke on behalf of Handley Regional Library. He

asked the Board to consider fully funding the libraries request. He noted the incremental increase was very small for the services provided.

Mark Regan, Stonewall District, stated the Board had a problem to solve before spending one more nickel of taxpayer money. He spoke against the Carmeuse kiln waiver that was previously approved by the Board. He advised that we rank 4th in highest air pollution. He noted the kiln was located 3,000 feet from Stonewall Elementary School. He stated that he had attended a public hearing on the air quality permit, but no county or school official was there to speak. He concluded by saying Carmeuse should be shut down until a study could be done.

Christine Germeyer, Gainesboro District, stated she represented a spouse of a teacher and a mother of special needs children. She shared the success Frederick County Public Schools is making in the lives of those families. She spoke briefly about the I'm Determined project. She concluded by saying she hoped the Board would continue its support of Frederick County Public Schools.

Ben Waterman, Opequon District and Chairman of the Frederick County School Board, thanked the Board for working with the school board through this budget process. The proposed budget will not provide all of the funds needed, but will allow the schools to begin addressing some needs that have been identified. He went on to say future work is needed to provide for more competitive salaries, Chromebook initiative, new school buses, etc. He concluded by saying we need to be proactive and not reactive regarding future growth.

Dr. David Sovine, Superintendent of Schools, offered the following comments regarding the budget process:

"Mr. Chairman and members of the Board- I'm David Sovine, Superintendent of Frederick County Public Schools and resident of the Shawnee District. I'm here this evening to thank you for your willingness to work collaboratively with our School Board and for your continued commitment to invest in our children and our community's future."

We certainly have a lot to be proud of in Frederick County Public Schools:

- *Our mean SAT scores last year exceeded the average for all students taking the test. In addition, our scores hit a 4-year high in 2013.*
- *We have achieved the highest graduation rates in 4 years with 95% of the 12th grade membership graduating in 2013-14. I must add this exceeds both state and national averages.*
- *We rank 10th among 134 school divisions in industry certifications earned.*
- *81 percent of our graduates continue their education at either two- or four-year colleges, and others join the military or begin working within our community, utilizing the skills they have acquired and developed as students in our school division.*

You witness the work of our students each year through team projects completed by our Government Service Learning students. Community service is a top priority of FCPS. Our students are giving back in many ways, and by working collaboratively with various government agencies, they are finding creative solutions to real problems faced by our community. Thank you for your continued support of our students and FCPS. Your support is a wise investment for growing and maintaining our strong community.

I've shared the Economic Impact Studies pertaining to the value of supporting public education completed by Arlington and Virginia Beach school divisions. Investing in public schools strengthens our potential for increased revenues as we strive to create and maintain a thriving community supported by an exceptional public school system.

The additional 10.4 million requested in my proposed budget is an attempt to address the most critical needs of the school division, but certainly not all of our needs. If that were the case, my initial request would have been far greater.

In closing, I ask that you approve the budget as advertised. Again, thank you for the support you have demonstrated over the past several years and for your willingness to invest in our children.”

Rebecca Heisner, James Wood High School graduate and James Madison University student, spoke about her experiences attending Frederick County Public School and how through her classes and teachers at James Wood High School she wanted to be a journalist.

Braden Bean, James Wood High School graduate and James Madison University student, spoke how his teachers touched his life and impacted him more than anyone else. He

cited a personal example from five years ago when a teacher took an interest in his well being following a health scare.

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

CITIZEN COMMENTS

There were no citizen comments.

BOARD OF SUPERVISORS COMMENTS

Supervisor Wells stated he would like to see Handley Library's request to have the Thursday hours reinstated be considered, if possible.

MINUTES - APPROVED

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Fisher, the Board approved the minutes from the February 25, 2015 regular meeting by the following recorded vote:

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

The Board considered the minutes from the March 4, 2015 work session. Supervisor Hess stated the minutes listed Supervisor Collins as absent; however, it should state that the Redbud seat was vacant, since this meeting followed Supervisor Collins' resignation from the Board.

Upon a motion by Supervisor Hess, seconded by Supervisor Wells, the Board approved the minutes from the March 4, 2015 Budget Work Session as corrected.

The above motion was approved by the following recorded vote:

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

COUNTY OFFICIALS

EMPLOYEE OF THE MONTH AWARDS – ANTHONY RILEY AND RICKY MCKEE APPROVED

Upon a motion by Supervisor Wells, seconded by Supervisor Hess, the Board approved Anthony Riley as Employee of the Month for March 2015 and Ricky McKee as Employee of the Month for April 2015.

Employee of the Month Resolution

**For:
Anthony Riley**

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, Anthony Riley who is employed by the Frederick County Maintenance Department was nominated for Employee of the Month; and

WHEREAS, Anthony Riley is a Maintenance Specialist who has the dedication and willingness to go above and beyond the “norm” to accommodate all the requirements of his position. In addition to his daily duties, Anthony recently put in much physical labor by removing over 80 filing cabinets and relocating office furniture for the Frederick County Department of Social Services who recently added seven new positions. Anthony maintains a positive attitude as well as courtesy for other employees and his hard work never goes unrecognized.

NOW, THEREFORE, BE IT RESOLVED, by the Frederick County Board of Supervisors this 25th day of March, 2015, that Anthony Riley is hereby recognized as the Frederick County

Employee of the Month for March 2015; and

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

BE IT FURTHER RESOLVED, that Anthony Riley is hereby entitled to all of the rights and privileges associated with his award.

Employee of the Month Resolution

For:

Ricky McKee

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, Ricky McKee who is employed by the Frederick County Maintenance Department was nominated for Employee of the Month; and

WHEREAS, Ricky McKee is a Maintenance Custodian who has the dedication and willingness to go above and beyond the "norm" to accommodate all the requirements of his position. In addition to his daily duties, Ricky recently put in much physical labor by removing over 80 filing cabinets and relocating office furniture for the Frederick County Department of Social Services who recently added seven new positions. Ricky maintains a positive attitude as well as courtesy for other employees and his hard work never goes unrecognized.

NOW, THEREFORE, BE IT RESOLVED, by the Frederick County Board of Supervisors this 25th day of March, 2015, that Ricky McKee is hereby recognized as the Frederick County Employee of the Month for April 2015; and

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

BE IT FURTHER RESOLVED, that Ricky McKee is hereby entitled to all of the rights and privileges associated with his award.

The above motion was approved by the following recorded vote:

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

**PROCLAMATION – NATIONAL TELECOMMUNICATORS’ WEEK IN
FREDERICK COUNTY, VIRGINIA, APRIL 12-18, 2015 – APPROVED UNDER
CONSENT AGENDA**

WHEREAS, emergencies can occur at anytime that require police, fire or emergency medical services; and

WHEREAS, when an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Frederick County Department of Public Safety Communications Center; and

WHEREAS, Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatchers are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS, Public Safety Dispatchers of Frederick County, Virginia have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW THEREOFRE BE IT RESOLVED, that the Board of Supervisors of Frederick County, Virginia does hereby proclaim the week of April 12-18, 2015 to be National Telecommunicator’s Week in Frederick County, in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

COMMITTEE APPOINTMENTS

There were no committee appointments.

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF

FREDERICK, VIRGINIA APPROVING THE LEASE FINANCING OF PUBLIC FACILITIES AND AUTHORIZING THE LEASING OF CERTAIN PROPERTY IN CONNECTION THEREWITH, THE EXECUTION AND DELIVERY OF A PRIME LEASE AND A LOCAL LEASE ACQUISITION AGREEMENT AND FINANCING LEASE, AND OTHER RELATED ACTIONS. - APPROVED

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Hess, the Board approved the resolution of the Board of Supervisors of the County of Frederick, Virginia, approving the lease financing of public facilities and authorizing the leasing of certain property in connection therewith, the execution and delivery of a prime lease and a local lease acquisition agreement and financing lease, and other related actions.

WHEREAS, on April 19, 2006, the Economic Development Authority of the County of Frederick, Virginia (formerly known as the Industrial Development Authority of the County of Frederick, Virginia) (the "EDA") issued its \$21,410,000 Lease Revenue Bonds (Frederick County, Virginia Public Safety Capital Projects) Series 2006 (the "2006 EDA Bonds") in order to provide funds for the construction and equipping of new public safety facilities, an animal control facility and other public safety facility projects (the "2006 Project");

WHEREAS, the Board of Supervisors (the "Board") of the County of Frederick, Virginia (the "County") intends to refinance the costs of the 2006 Project (the "2015 Project") by refunding all or a portion of the 2006 EDA Bonds;

WHEREAS, the Board has determined that it is in the best interest of the County to enter into a lease arrangement in order to obtain funds to finance the 2015 Project;

WHEREAS, the Board is authorized, pursuant to Section 15.2-1800 of the Code of Virginia of 1950, as amended, to lease any improved or unimproved real estate held by the County;

WHEREAS, Virginia Resources Authority ("VRA") intends to issue its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program), Series 2015A or such other series of bonds as VRA and the County may determined (the "VRA Bonds") and, subject to VRA credit approval, to provide a portion of the proceeds to the County to finance the 2015 Project pursuant to the terms of a Local Lease Acquisition Agreement and Financing Lease (the "Financing Lease"), between the County and VRA;

WHEREAS, the County will enter into a Prime Lease (the "Prime Lease") with VRA whereby the County will lease all or a portion of the 2006 Project and the real estate on which such leased portion is located (the "Real Estate") to VRA;

WHEREAS, the County will enter into the Financing Lease with VRA pursuant to which VRA will lease back to the County the portions of the 2006 Project and the Real Estate leased by

the County pursuant to the Prime Lease (collectively, the "Leased Premises"), and the County will make rental payments corresponding in amount and timing to the debt service on the portion of the VRA Bonds issued to finance the 2015 Project (the "Rental Payments");

WHEREAS, the County intends to pay the Rental Payments out of appropriations from the County's General Fund;

WHEREAS, the Financing Lease shall indicate that the County requests an amount sufficient to refund the 2006 EDA Bonds selected for refunding plus an amount sufficient to pay local costs of issuance (or such other amount as requested by the County and approved by VRA prior to the pricing of the VRA Bonds) is the amount of proceeds requested (the "Proceeds Requested") from VRA;

WHEREAS, VRA has advised the County that VRA's objective is to pay the County an amount which, in VRA's judgment, reflects the market value of the Rental Payments under the Financing Lease (the "VRA Purchase Price Objective"), taking into consideration the Proceeds Requested and such factors as the purchase price to be received by VRA for the VRA Bonds, the issuance costs of the VRA Bonds (consisting of the underwriters' discount and other costs incurred by VRA (collectively, the "VRA Costs")) and other market conditions relating to the sale of the VRA Bonds;

WHEREAS, such factors may result in the County receiving an amount other than the par amount of the aggregate principal components of the Rental Payments under the Financing Lease and consequently (i) the aggregate principal components of the Rental Payments under the Financing Lease may be greater than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized aggregate amount of the principal components of the Rental Payments under the Financing Lease does not equal or exceed the sum of the Proceeds Requested plus the amount of the VRA Costs and any original issue discount, the amount to be paid to the County, given the VRA Purchase Price Objective and market conditions, will be less than the Proceeds Requested; and

WHEREAS, the Prime Lease and the Financing Lease are referred to herein as the "Documents." Copies of the Documents are on file with the County Administrator.

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

1. **Approval of Lease-Leaseback Arrangement.** The lease-leaseback arrangement with VRA to accomplish the financing of the 2015 Project is hereby approved. The leasing of Leased Premises by the County, as lessor, to VRA, as lessee, pursuant to the terms of the Prime Lease is hereby approved. The leasing of the Leased Premises by VRA, as lessor, to the County, as lessee, pursuant to the terms of the Financing Lease is hereby approved. If the County elects to finance other projects with VRA at the same time as the 2015 Project, the County is hereby authorized to combine the financing of such projects into one lease-leaseback financing.

2. **Approval of the Terms of the Rental Payments.** The Rental Payments set forth in the Financing Lease shall be composed of principal and interest components reflecting an original aggregate principal amount not to exceed \$19,000,000 and a true interest cost not to

exceed 6.0% per annum (exclusive of "Supplemental Interest" as provided in the Financing Lease and taking into account any original issue discount or premium); and the final maturity shall be not later than 25 years from the date of the first Rental Payment under the Financing Lease. It is determined to be in the best interest of the County to enter into the Financing Lease with VRA, subject to the terms and conditions set forth in this Resolution. Given the VRA Purchase Price Objective and market conditions, it may become necessary to enter into the Financing Lease with aggregate principal components of the Rental Payments greater than the Proceeds Requested. If the limitation on the maximum aggregate principal components of Rental Payments on the Financing Lease set forth in this paragraph 2 restricts VRA's ability to generate the Proceeds Requested, taking into account the VRA Costs, the VRA Purchase Price Objective and market conditions, the County Administrator is authorized to accept a purchase price at an amount less than the Proceeds Requested. The County Administrator is authorized to accept the interest component of Rental Payments based on the interest rate or rates established by VRA. The actions of the County Administrator in accepting the final terms of the Financing Lease, including its purchase price and the Rental Payments shall be conclusive, and no further action shall be necessary on the part of the Board.

3. **Other Payments under Financing Lease.** Subject to paragraphs 7 and 8 below, the County agrees to pay all amounts required by the Financing Lease in addition to Rental Payments, including the "Supplemental Interest," as provided in the Financing Lease.

4. **Execution and Recordation of Documents.** The Chairman and the County Administrator, either of whom may act, are authorized and directed to execute the Documents and deliver them to the other parties thereto. The Clerk of the Board of Supervisors and any Deputy Clerk, any of whom may act, are authorized to affix the seal of the County to the Documents, if required, and to attest such seal. The Chairman and the County Administrator, either of whom may act, are further authorized to cause the Prime Lease and the Financing Lease, to be recorded in the Clerk's Office of the Circuit Court of Frederick County.

5. **Form of Documents.** The Documents shall be in substantially the forms on file with the County Administrator, which Documents are hereby approved with such completions, omissions, insertions and changes as may be approved by the Chairman and the County Administrator, either of whom may act. The execution and delivery of the Documents by the Chairman and the County Administrator, or either of them, will constitute conclusive evidence of the approval of any such completions, omissions, insertions, and changes, including acceptance of the final terms of the Financing Lease.

6. **Essentiality of the Project and Real Estate.** The 2006 Project and the Real Estate are hereby declared to be essential to the efficient operation of the County, and the County anticipates that each will continue to be essential to the operation of the County during the term of the Financing Lease.

7. **Annual Budget.** While recognizing that it is not empowered to make any binding commitment to make Rental Payments and any other payments required under the Financing Lease beyond the current fiscal year, the Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future Boards do likewise during the term of the Financing Lease. The Board

directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Financing Lease an amount sufficient to pay the Rental Payments and all other payments coming due under the Financing Lease during such fiscal year. If at any time during any fiscal year of the County throughout the term of the Financing Lease, the amount appropriated in the County's annual budget in any such fiscal year is insufficient to pay when due the Rental Payments and any other payments required under the Financing Lease, the Board directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the Board at the next scheduled meeting, or as promptly as practicable but in any event within 45 days, a request for a supplemental appropriation sufficient to cover the deficit.

8. Rental Payments Subject to Appropriation. The County's obligation to make the Rental Payments and all other payments pursuant to the Financing Lease is hereby specifically stated to be subject to annual appropriation therefor by the Board, and nothing in this Resolution or the Documents shall constitute a pledge of the full faith and credit or taxing power of the County or compel the Board to make any such appropriation.

9. Disclosure Documents. The County authorizes and consents to the inclusion of information with respect to the County in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both to be prepared in connection with the sale of the VRA Bonds. If appropriate, such disclosure documents shall be distributed in such manner and at such times as VRA shall determine. The County Administrator is authorized and directed to take whatever actions are necessary or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

10. Tax Documents. The County Administrator and the County's Director of Finance, either of whom may act, are hereby authorized to execute a Nonarbitrage Certificate and Tax Compliance Agreement or any related document (the "Tax Documents") setting forth the expected use and investment of the proceeds of the VRA Bonds to be received pursuant to the Documents and containing such covenants as may be necessary in order for the County and VRA to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Tax Code"), with respect to the VRA Bonds and the Documents including the provisions of Section 148 of the Tax Code and applicable regulations relating to "arbitrage bonds." The County covenants that the proceeds of the VRA Bonds to be received pursuant to the Documents will be invested and expended as set forth in the Tax Documents, to be delivered simultaneously with the issuance and delivery of the Financing Lease and that the County shall comply with the other covenants and representations contained therein.

11. Other Actions. All other actions of the officers of the County in conformity with the purpose and intent of this Resolution are hereby approved and confirmed. The officers of the County are hereby authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the actions contemplated by this Resolution or the execution and delivery of the Documents, including with limitation the execution and delivery of an escrow agreement or similar arrangement related to the refunding of all or a portion of the 2006 EDA Bonds.

12. SNAP Investment Authorization. The County has heretofore received and reviewed the Information Statement (the "Information Statement") describing the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") and the Contract Creating the State Non-Arbitrage Program Pool I (the "Contract"), and the County has determined to authorize the County Administrator and the Treasurer, or either of them, to utilize SNAP in connection with the investment of any portion of the proceeds of the lease-leaseback transaction if the County Administrator and the Treasurer determine that the utilization of SNAP is in the best interest of the County. The Board acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the contract creating the investment program pool.

13. Effective Date. This resolution shall take effect immediately.

The above motion was approved by the following recorded vote:

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

REQUEST FROM COMMISSIONER OF THE REVENUE FOR REFUNDS - APPROVED

Interim Administrator Williams advised the following were requests from the Commissioner of the Revenue to authorize the Treasurer to refund the following:

- 1, BMW Financial Services NA LLC the amount of \$2,796.01 for personal property taxes prorated in 2012 and 2013. This refund was the result of normal proration of vehicular taxes not previously requested by this financial company.

Upon a motion by Supervisor Hess, seconded by Supervisor Lofton, the Board approved the above refund request and supplemental appropriation by the following recorded vote:

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

2. Mortgage Company the amount of \$60,113.14 for real estate taxes billed in error and paid in 2014. This refund was the result of a staff keying error in a wrong field causing the overbilling error. The Commissioner has put a new process in place so this type of incident does not occur again.

Upon a motion by Supervisor Fisher, seconded by Supervisor Lofton, the Board approved the above refund request and supplemental appropriation by the following recorded vote:

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

COMMITTEE REPORTS

PARKS AND RECREATION COMMISSION – APPROVED UNDER CONSENT AGENDA

The Parks and Recreation Commission met on March 10, 2015. Members present were: Kevin Anderson, Patrick Anderson, Randy Carter, Gary Longerbeam, Ronald Madagan, and Charles Sandy, Jr. Members absent were: Marty Cybulski.

Items Requiring Board of Supervisors Action:

None

Submitted for Board Information Only:

1. Meeting Date, Time, and Place – Mr. Sandy recommended continuing meeting on the 2nd Tuesday of each month at 7:00 PM and alternate meeting place so each magisterial district is used as a meeting place twice a year.
2. Buildings and Grounds – Northwest Sherando Park Site Plan – The Buildings and Grounds Committee recommended to approve the site plan as submitted, second by Mr. Carter, motion carried unanimously (6-0). Please see attached site plan.

HUMAN RESOURCES COMMITTEE - APPROVED

The HR Committee met in the First Floor Conference Room at 107 North Kent Street on Friday, March 13, 2015 at 8:00 a.m. All members were present.

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

1. The Committee recommends approval of the Employee of the Month award for March and April.
2. The Committee recommends approval to create the Research Manager position within the Economic Development Authority. - **APPROVED**

The EDA Director requested a Research Manager position within his FY2016 budget request. It was determined that this is a newly developed position and therefore needs approval from the Board of Supervisors to be created and established as part of the County's list of approved positions. The funding for this position has been included within the budget discussions and is separate from this recommendation.

Upon a motion by Supervisor Hess, seconded by Supervisor Wells, the Board approved the creation of this position.

Supervisor Lofton stated he did not object to the position being created; however, he would like to know if it would be possible to reconstitute it as needed. Specifically could the position change to suit the Board of Supervisors' directives?

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

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

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

1. The Committee met in closed session pursuant to §2.2-3711 A (1) of the Code of Virginia, 1950, as amended, for discussion and consideration of a personnel matter involving a specific individual.
2. In the Committee's discussion on the proposed positions that were included in the FY2016 budget cycle, the Committee supports the proposed use of fund balance for the seventeen (17) Public Safety positions as outlined in the Assistant County Administrator's memo dated March 2, 2015.
3. Additionally, the Committee discussed their desire to play an active role in

subsequent year's budget cycle in regards to proposed positions. It was suggested that at the beginning of next year's budget cycle, department heads have the opportunity to present to the Committee their requests for new positions.

4. At the request of the Committee, Ms. Becky Hogan, our Clerk of Courts, presented an overview of the objectives and responsibilities of the Clerk's Office. The presentation also provided the Committee an understanding of her department's role, authority, projects, and topics of importance within her department.
5. In the Committee's discussion of the completed Salary Survey study, the Committee will discuss at its next meeting the County's Compensation philosophy and future policy on addressing employees whose salary has reached the maximum of their salary range.
6. The HR Director was asked to present an outline of a proposed Total Compensation Study project for the Committee's next meeting.

There being no further business, the meeting was adjourned.

The next HR Committee meeting is scheduled for Friday, April 10, 2015.

BOARD LIAISON REPORTS

Supervisor Lofton stated the Board should have received the annual report from the Department of Social Services. He suggested they look at the amount of money the department puts into the local economy.

CITIZEN COMMENTS

Shawn Graber, Back Creek District, advised that he had attended a joint meeting of the Board and School Board where members were lamenting why they could not talk to their delegates. He stated that he attended Delegate Berg's town hall meeting and had his questions answered. He noted that he saw no representatives from the Board of Supervisors there. He went on to say the Board wanted to look at unfunded state mandates, but it was "missing in action" when it comes to talking to our delegate.

Kenneth Hunter, Back Creek District, stated he had a copy of the structural report for the Exit 313 bridge, which VDOT gave to the Board last year. He noted the deck received a

failing rating. He asked who would be at fault if the bridge fails, VDOT or the County. He left a copy for the Board.

BOARD OF SUPERVISORS COMMENTS

Chairman Shickle advised that the Heritage Commons applicants have been approaching board members about meeting to discuss their project. He stated that he had no problem with board members meeting with the applicants individually if they had interest.

Supervisor Wells advised that he had been approached and he spoke with the county attorney for guidance.

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. (8:27 P.M.)

**FREDERICK COUNTY BOARD OF
SUPERVISORS' MINUTES**

REGULAR MEETING

April 8, 2015

A Regular Meeting of the Frederick County Board of Supervisors was held on Wednesday, April 8, 2015 at 6:00 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

PRESENT

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

ABSENT

Redbud District - Vacant

CALL TO ORDER

Chairman Shickle called the meeting to order.

CLOSED SESSION

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Hess, the Frederick County Board of Supervisors convened in closed session pursuant to Section 2.2-3711 A (3) of the Code of Virginia, 1950, as amended, for discussion and consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board.

The above motion was approved by the following recorded vote:

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

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

The above motion was approved by the following recorded vote:

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

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Fisher, the Board certified that to the best of each board member's knowledge only the acquisition of real property for a public purpose, pursuant to Section 2.2-3711 A (3) of the Code of Virginia, 1950, as amended, specifically discussion and consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board were discussed.

The above motion was approved by the following recorded vote:

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

INVOCATION

Supervisor Fisher delivered the invocation.

PLEDGE OF ALLEGIANCE

Vice-Chairman DeHaven led the Pledge of Allegiance.

ADOPTION OF AGENDA - APPROVED

Interim County Administrator Rod Williams advised he had one addition to the agenda. He added the scheduling of a special meeting to appoint a representative from the Redbud

District as item 4 under county officials.

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

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

CONSENT AGENDA - APPROVED

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

- Public Works Committee Report – **Tab E**;
- Transportation Committee Report – **Tab F**; and
- Departmental Fiscal Year 2015-2016 Annual Work Programs – **Tab G**.

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

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

CITIZEN COMMENTS

Shawn Graber, Back Creek District, addressed the Board regarding the budget, specifically school debt. He stated that by increasing the school debt on an annual basis, we are handing our children an ever increasing debt. He noted school debt service has increased 17%

over the last two years. He stated school debt service is costing families \$491. He went on to say we are building a middle school and proposing a fourth high school. He asked the Board to consider the children and the taxpayers.

Jay Marts, Gainesboro District, read the following statement:

“Chairman Shickle, Members of the Board & Mr. Williams

I assume the proposed FY 2015-16 Budget will be approved tonight. There is an increase in overall net expenditures of just above \$11M. While this is smaller than last years near \$17M increase, as a percentage it is higher than our population increase. I would ask you to continue to temper the ‘Wants vs. Needs’ discussions within the various departments.

2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
232,085,584	235,228,840	240,827,942	247,657,864	264,547,161	275,884,464
	3,143,256	5,599,102	6,829,922	16,889,297	11,337,303
	1.35%	2.38%	2.84%	6.82%	4.29%

I noticed in the budget there are very few minus (-) signs when comparing last years budget to the proposed budget for this upcoming fiscal year. I see that the landfill is receiving about \$1M less. Last week I had the opportunity to spend a few hours with the Environmental Manager, Mr. Ron Kimble. He provided me a tour of the facility and an overview of the operation. He was courteous, professional and experienced. It is good to see an efficient government service provided to the taxpayer and the business community. With the General Operating Fund increase \$12 M. The cut into the landfill seems out of place.

*Additionally, I hope you have had an opportunity to review the School Board plans for the **4th High School** I referred to at the last meeting. It deserves attention & scrutiny. I would remind you that this is not a new subject.*

I spoke about the “old” Gainesboro Elementary School, the “new” Transportation Center & why the “old” one is still open. The replacement Middle School & why we much purchase all new furnishings. I believe we have a trend.

One aspect of the trend seems to be ever increasing debt at the County, Commonwealth & Federal level. If government education is truly “about the children”, then why should we pile more & more debt upon them. This is not a sustainable path.

Thank you for allowing me to address the Board.”

BOARD OF SUPERVISORS COMMENTS

There were no Board of Supervisors comments.

MINUTES - APPROVED

Upon a motion by Supervisor Hess, seconded by Supervisor Well, the minutes from the March 11, 2015 regular meeting were approved by the following recorded vote:

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

COUNTY OFFICIALS

ADOPTION OF FISCAL YEAR 2015-2016 BUDGET - APPROVED

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board adopted the Fiscal Year 2015-2016 budget.

WHEREAS, a notice of public hearing and budget synopsis has been published and a public hearing held on March 25, 2015, in accordance with Title 15.2, Chapter 25, Section 15.2-2506, of the Code of Virginia, 1950 as amended.

THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Frederick, Virginia, that the budget for the 2015-2016 Fiscal Year as advertised in The Winchester Star on March 16, 2015, be hereby approved in the amount of \$368,820,813.

BE IT FURTHER RESOLVED that the County of Frederick budget for the 2015-2016 fiscal year be adopted as follows:

General Operating Fund	154,813,644
Regional Jail Fund	20,063,860
Landfill Fund	6,086,520
Division of Court Services Fund	620,639

Shawneeland Sanitary District Fund	811,026
Airport Operating Fund	2,283,228
Lake Holiday Sanitary District Fund	800,570
EMS Revenue Recovery Fund	1,501,000
Economic Development Authority Fund	573,198
School Operating Fund	148,028,927
School Debt Service Fund	15,236,485
School Capital Projects Fund	500,000
School Nutrition Services Fund	6,626,934
School Textbook Fund	1,900,544
NREP Operating Fund	5,259,238
NREP Textbook Fund	40,000
Consolidated Services/Maintenance Fund	3,600,000
School Private Purpose Funds	75,000

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Frederick, Virginia, does herein adopt the tax rates for the 2015 assessment year as follows:

Property Taxes – Rates per \$100 of assessed value

56 cents	Applied to real estate, including mobile homes
\$4.86	Applied to personal property including business equipment
\$2.25	Applied to personal property on one vehicle to volunteer firefighters that are approved and registered with the Frederick County Fire and Rescue Department
1 cent	Applied to airplanes

Zero tax	Applied to antique vehicles and mopeds
\$2.00	On declining values to be applied to machinery and tools. The declining values are 60% for year one, 50% for year two, 40% for year three, and 30% for year four and all subsequent years.
\$2.00	On apportioned percentage of book values to be applied to Contract Classified Vehicles and equipment

Business and Professional Occupational License Rates

Contractors	16 cents per \$100 of gross receipts
Retail	20 cents per \$100 of gross receipts
Financial, Real Estate, and Professional Services	58 cents per \$100 of gross receipts
Repair, personal and business services and all other businesses and occupations not specifically listed or exempted in the County Code	36 cents per \$100 of gross receipts
Wholesale	5 cents per \$100 of purchases

The tax rates for other businesses and occupations specifically listed in the County Code are also unchanged.

Other General Taxes

Meals tax	4% of gross receipts
Transient Occupancy tax	2% of gross receipts
Vehicle License Taxes	\$25 per vehicle and \$10 per motorcycle

Sanitary Landfill Fees

\$47	Per ton for commercial/industrial
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\$42	Per ton for construction demolition debris
\$14	Per ton for municipal waste
\$32	Per ton for municipal sludge
\$12	Per ton for Miscellaneous Rubble Debris

Shawneeland Sanitary District Taxes

\$190	Unimproved Lots
\$560	Improved Lots

Lake Holiday Sanitary District Taxes

\$678	Buildable Lots
\$264	Unbuildable Lots

Star Fort Subdivision Taxes/Fees

\$60 Per Lot

Street Light Fees

Oakdale Crossing and Fredericktowne \$60 annually

Green Acres \$25 annually

BE IT FURTHER RESOLVED that appropriations are hereby authorized for the central stores fund, special welfare fund, comprehensive services fund, county health insurance fund, school health insurance fund, length of service fund, special grant awards fund, employee benefits fund, maintenance insurance fund, development project fund, sales tax fund, commonwealth sales tax fund, unemployment compensation fund, Forfeited Assets Program, and Four-For-Life and Fire Programs equal to the total cash balance on hand at July 1, 2015, plus the total amount of receipts for the fiscal year 2015-2016. The Fire Company Capital appropriation will include the current year appropriation plus any unused funds at the end of the fiscal year

2015.

BE IT FURTHER RESOLVED that funding for all outstanding encumbrances at June 30, 2015, are re-appropriated to the 2015-2016 fiscal year to the same department and account for which they are encumbered in the 2014-2015 fiscal year.

BE IT FURTHER RESOLVED that the construction fund projects are appropriated as a carryforward in the amount that equals the approved original project cost, less expenditures and encumbrances through June 30, 2015.

The above resolution was approved by the following recorded vote:

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

COMMITTEE APPOINTMENTS

REAPPOINTMENT OF ERIC CAMPBELL AND PRIYA PATEL AND APPOINTMENT OF KRISTEN LAISE AND DAN MARTIN TO THE WINCHESTER-FREDERICK COUNTY CONVENTION AND VISITORS BUREAU – APPROVED

Upon a motion by Supervisor Lofton, seconded by Supervisor Hess, the Board reappointed Eric Campbell and Priya Patel, as private sector representatives, and appointed Kristen Laise, to fill the unexpired term of Nancy “Tootie” Rinker, and appointed Dan Martin, to fill the unexpired term of Theresa Gaines, to the Winchester-Frederick County Convention and Visitors Bureau.

The above motion was approved by the following recorded vote:

Richard C. Shickle	Aye
Charles S. DeHaven, Jr.	Aye
Gene E. Fisher	Aye

Robert A. Hess	Aye
Gary A. Lofton	Aye
Robert W. Wells	Aye
Redbud District	Vacant

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FREDERICK, VIRGINIA, APPROVING THE LEASE FINANCING OF MILLWOOD STATION AND AUTHORIZING THE LEASING OF CERTAIN PROPERTY IN CONNECTION THEREWITH, THE EXECUTION AND DELIVERY OF A PRIME LEASE AND A LOCAL LEASE ACQUISITION AGREEMENT AND FINANCING LEASE, AND OTHER RELATED ACTIONS. – CONDITIONALLY APPROVED

Interim Administrator Williams advised an application has been submitted to the Virginia Resources Authority for participation in their spring bond sale, in order to pay off the current EDA debt obligation on Millwood Station. The sale will close May 13, 2015. The final step in the application process is for the Board to formally approve the financing.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Wells, the Board approved the resolution limited to authorizing financing in the Spring 2015 VRA bond sale, subject to the fire company's agreement to the lease terms presented to the company by staff, as modified, to provide that the company will not receive title to any portion of the subject property upon payment of all amounts due under the agreement and as further revised as deemed appropriate by the county attorney.

The above motion was approved by the following recorded vote:

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

SPECIAL MEETING TO APPOINT REDBUD DISTRICT REPRESENTATIVE - APPROVED

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Fisher, the Board scheduled a special meeting for Wednesday, April 15, 2015 at 8:00 a.m. to appoint a representative from the Redbud Magisterial District.

The above motion was approved by the following recorded vote:

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

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE – APPROVED UNDER CONSENT AGENDA

The Public Works Committee met on Tuesday, March 31, 2015 at 8:00 a.m. All members were present. The following items were discussed:

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

1. Impacts of Fiscal Year 2015/2016 Budget Cuts

The attached summary of budget cuts and related impacts were discussed with the committee. In particular, the cuts to the proposed refuse collection budget could possibly yield the greatest impacts on services. The committee recommended that these impacts be discussed with the new county administrator. They further acknowledged that supplemental appropriation may be required to maintain the waste hauling services.

2. Project Updates

The Deputy Director, Mr. Joe Wilder, presented a brief progress summary of the following projects:

- a. Round Hill Fire Station and Event Center: The 2015 winter conditions have caused some delays in finishing by mid-August. It is anticipated that a realistic completion date will be the end of September 2015. To date, the structural frames have been completed for both buildings. The slab and related utility groundwork have been completed for the event center. Rough in for the utility groundwork is in progress for the fire station. Rough grades have been achieved for Corporate Place and Spinning Wheel Drive. The main water and sewer lines have been completed. The exterior masonry walls are being erected in the fire station.

b. Landfill Projects:

- 1) Construction/Demolition Debris (CDD) Closure: Closure plans have been completed for an approximate ten (10) acre cell in the CDD landfill. Staff anticipates advertising for bids in April with a subsequent contract award in May.
- 2) Heat Exchanger: Staff is currently working on the design of a heat exchanger to be installed on the gas-to-electric generators to provide heat for our shops as well as our leachate treatment ponds.

c. Cost-Sharing Projects:

- 1) Snowden Boulevard: The design of Snowden Boulevard has been completed. Staff has submitted a request to pre-qualify bidders. Prior to requesting final bids, it will be necessary to execute numerous agreements with the various utilities and other partners in the projects. Staff is hopeful that bids can be obtained prior to June 30, 2015.
- 2) Tevis Street: The 30 percent design of the Tevis Street project has been completed. This project will be shelved until further direction from the board of supervisors.
- 3) Valley Mill Road: The 30 percent design has been completed for this project. Meetings are planned with the property owner to discuss preliminary cost estimates and establish a schedule for continuing design efforts.

3. Miscellaneous Reports

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

**TRANSPORTATION COMMITTEE – APPROVED UNDER CONSENT
AGENDA**

The Transportation Committee met on March 23, 2015 at 8:30 a.m.

Members Present

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

Members Absent

Mark Davis (liaison Middletown)

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

NONE

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

1. VDOT Road Project Updates

VDOT staff was on hand to update the committee on a number of projects as follows:

Route 37

Mr. Chris Colson from VDOT was on hand and noted that while the study was delayed due to the model update that had to be done, it is expected to be completed by this fall. He also noted that in the coming months staff would be contacted for involvement as VDOT considers key areas.

Exit 310 Construction

Mr. Scott Alexander noted that the project has been awarded and is in preconstruction with an official start date of April 15, 2015. The project has a fixed end date of May 2018 but includes early completion incentives for a completion as early as November 2017.

Exit 313 Study

Mr. Scott Alexander noted that the Interchange Modification Report effort is underway. Regional transportation model outputs are being converted to “design volumes” which aids in design level decision making on items such as length of turn lanes required. He also indicated that the County can expect to start seeing concepts this summer.

Redbud Road Study

While early in the process, it was noted that letters have gone out to surrounding property owners regarding upcoming aerial photography for this project.

2. HB2 Implementation Update

Staff updated the committee on the meeting they attended on March 3 in Harrisonburg. Staff noted that input rendered at the January session in Edinburg did not appear to make it through to what was presented at this session. Staff also noted that VDOT has yet to run any test cases, which is making it difficult for localities to determine which Tier of consideration they should be in for scoring projects. It was noted that the first projects to be scored under the new system will be those who lost funds at the beginning of this process. Staff noted that while VDOT has continued to state that the process will not be perfect at first and will likely require improvement over time, Frederick County has a lot to lose if the product isn't good the first time. Staff would note that the impression continues that VDOT is very concerned with getting this done quickly.

3. Eastern Road Plan Update Discussion

Staff noted a desire to complete a comprehensive update to the Eastern Road Plan. The opportunity to align the discussion with the Comprehensive Plan update was discussed and staff was asked to develop a timeline.

4. Safety Evaluation Discussion

Staff discussed the possibility of creating a document that quantifies key areas of safety concern in Frederick County. This will provide a tool to decision makers during planning exercises such as plan updates as well as rezonings. Staff noted that this will require significant coordination with VDOT.

5. County Road Project Updates

Tevis Extension and Bridge

Has reached 30% design and is on hold at this time.

Valley Mill Road Realignment

Has reached 30% design and staff is preparing to meet with private partners to proceed to the next phase. Staff also noted there is a pending revenue sharing application for the construction phase of this project.

Snowden Bridge Boulevard

Design has been approved. Right-of-way plats are being reviewed and bid package prepared. This should go to bid in approximately 1 month.

Renaissance Drive

No activity

Coverstone Drive

Application for Revenue Sharing is pending.

6. Other

Mr. Fisher is seeking guidance from VDOT on what to tell frustrated drivers in his district regarding the continued lack of permissive left opportunities which is leading to people running red lights out of frustration. VDOT noted that five (5) local intersections have been selected as pilot locations for permissive lefts and this includes the intersection he brought up.

Mr. Racey noted issues at the Double Tollgate intersection where both left turn arrows are activating when only one is needed. VDOT is looking into the issue.

ANNUAL REPORTS

DEPARTMENT FISCAL YEAR 2015-2016 ANNUAL WORK PROGRAMS. (FOR INFORMATION ONLY) – APPROVED UNDER CONSENT AGENDA

PLANNING COMMISSION BUSINESS

PUBLIC HEARING

DISCONTINUANCE AND ABANDONMENT – PORTION OF GOLD ORCHARD ROAD (ROUTE 708) – CONSIDER A PROPOSAL TO ABANDON GOLD ORCHARD ROAD (ROUTE 708), FROM .02 MILES NORTH OF CARPERS PIKE (ROUTE 259) UNTIL THE END OF STATE MAINTENANCE, PER §33.2-909, CODE OF VIRGINIA, 1950, AS AMENDED. - APPROVED

Deputy Planning Director – Transportation John Bishop appeared before the Board regarding this item. He advised this was a public hearing on the potential abandonment of Gold Orchard Road (Route 708) from approximately .02 miles north of Carpers Pike (Route 259) until the end of state maintenance. The right-of-way is encompassed by a single property owner. He concluded by saying the Transportation Committee 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 Hess, the Board approved the discontinuance and abandonment of a portion of Gold Orchard Road (Route 708).

WHEREAS, it appears to this Board that Secondary Route 708 (Gold Orchard Road) from approximately .02 miles north of Carpers Pike (Route 259) until the end of state maintenance, 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 of Supervisors is hereby directed to post and publish notice of the Board's intent to abandon the aforesaid section of Route 708, pursuant to §33.2-909 of the Code of Virginia, 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.

The above motion was approved by the following recorded vote:

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

BOARD LIAISON REPORTS

Supervisor Lofton reported that the Extension Leadership Council met last Wednesday and staff reviewed the many programs the Extension Service offers. He highlighted the food and nutrition program. He also reported the horse judging team placed first in Virginia.

CITIZEN COMMENTS

Ken Hunter, Back Creek District, stated he must have missed something in the adoption of the budget. He noted there was a difference between the proposed and adopted budget of \$12.4 million and he asked if that difference was a tax increase.

BOARD OF SUPERVISORS COMMENTS

Chairman Shickle stated it appeared the Board could expect a continued round of “supervisor wannabes” getting up and speaking about things in ways that distrust the system and lead the public to erroneous conclusions. He noted that he would attempt to correct them when that happens and he encouraged his other board members to do the same.

Supervisor Hess reported on his participation in a local government week program put on by James Wood High School Service Learning students. He complimented the students on their work and presentation and he commended the James Wood Middle School eighth graders for

their attention and questions.

Supervisor Wells stated he would like the Board to look at reinstating the Thursday hours for the library.

Chairman Shickle asked Interim Administrator Williams to work with staff to put together recommendations on budget matters to include how the Board might do that.

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. (7:26 P.M.)

B



Roderick B. Williams
Interim County Administrator

540/665-6382

Fax 540/667-0370

E-mail: rwillia@fcva.us

MEMORANDUM

TO: Board of Supervisors
FROM: Roderick B. Williams, Interim County Administrator *RBW*
DATE: April 16, 2015
RE: Committee Appointments

Listed below are the vacancies/appointments due through June, 2015. As a reminder, in order for everyone to have ample time to review applications, and so they can be included in the agenda, please remember to submit applications prior to Friday agenda preparation. Your assistance is greatly appreciated.

VACANCIES/OTHER

Historic Resources Advisory Board

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

Parks and Recreation Commission

Greg Brondos, Jr. – Gainesboro District Representative
167 Brass Kettle Court
Winchester, VA 22603
Term Expires: 02/13/16
Four year term

(Staff has been advised that Mr. Brondos has resigned.)

APRIL 2015

Historic Resources Advisory Board

Stacey Yost – Stonewall District Representative
1031 Payne Road
Winchester, VA 22603
Home: (540)662-8418
Term Expires: 04/13/15
Four year term

Sanitation Authority

John V. Stevens – County Representative
324 Round Hill Road
Winchester, VA 22602
Home: (540)667-4527
Term Expires: 04/15/15
Four year term

(The Sanitation Authority is composed of five members as stated in their Articles of Incorporation.)

MAY 2015

No appointments due.

JUNE 2014

Extension Leadership Council

Dr. Robert R. Meadows – Red Bud District Representative
315 Asbury Road
Winchester, VA 22602
Home: (540)808-3304
Term Expires: 06/22/15
Four year term

Lord Fairfax Community College Board

Lynette L. Embree – County Representative
687 Front Royal Pike
Winchester, VA 22602
Home: (540)722-0133
Term Expires: 06/30/15
Four year term

(Staff is waiting to hear as to her interest in continuing to serve. Mrs. Embree was appointed March 2009 to fill out the term of June Wilmot who resigned. Mrs. Embree is eligible to serve another full four year term if it is the Board's desire.)

Social Services Board

James L. Stephens – Opequon District Representative
128 Spanish Oak Road
Stephens City, VA 22655
Home: (540)868-1019
Term Expires: 06/30/15
Four year term

(Members may only serve two terms. This is Mr. Stephens' second term and he is not eligible for reappointment.)

Development Impact Model Committee

The Development Impact Model Committee was established at the June 28, 2006 Board of Supervisors Meeting. Appointments are for a one year term. The following will expire June 28, 2015:

Kris C. Tierney – County Administration Representative

Gary A. Lofton – Board of Supervisors and EDA Representative

Robert A. Hess – Board of Supervisors Representative

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

H. Paige Manuel – Planning Commission Representative

Roger L. Thomas – Planning Commission Representative

Memorandum – Board of Supervisors
April 16, 2015
Page 4

Dr. John Lamanna – School Board Rep.
**(Received correspondence in early 2015 from School Board Office that
Dr. Lamanna would continue to serve for 2015.)**

Stephen Pettler – Top of Virginia Building Association Representative
Phillip A. Lemieux – Top of Virginia Building Association Representative
**(Staff is waiting on recommendation from Top of Virginia Building
Association.)**

RBW/tjp

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C



Roderick B. Williams
Interim County Administrator

540/665-6382
Fax 540/667-0370
E-mail: rwillia@fcva.us

MEMORANDUM

TO: Board of Supervisors
FROM: Roderick B. Williams, Interim County Administrator *RBW*
DATE: April 10, 2015
RE: Set Schedule for Board Meetings During Summer Months and for November and December, 2015 (Holiday Schedule) and Possible Re-Schedule of November Meeting.

As in the past, the Board of Supervisors has canceled meetings during the Summer months due to vacation schedules. Cancellation of the meetings of June 24th, July 22nd, August 26th, September 23rd, and October 28th is requested.

It is also requested at this time to cancel meetings for November and December due to the holidays. Those cancellation dates are November 25th and December 23rd.

In addition, the first Board meeting in November, falls on a holiday, Veterans Day, November 11, 2015 (County Offices are Closed). Should the Board desire to schedule the November meeting for another night, it is recommended to schedule for the following evening, Thursday, November 12, 2015.

Board action at the April 22, 2015 meeting will give staff and the Office of Planning and Development adequate time for scheduling, advertising and notification purposes.

Should you have any questions, please give me a call.

Thank you.

RBW/tjp

D



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: April 13, 2015
SUBJECT: Human Resources Committee Report

The HR Committee met in the First Floor Conference Room at 107 North Kent Street on Friday, April 10th, 2015, at 8:00a.m. All members were present with the exception of Mr. Don Butler.

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

1. None.

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

1. At the request of the Committee, Mr. Ross Spicer and Mr. Andrew Robbins, presented an overview of the objectives and responsibilities of the Commonwealth's Attorney's Office. The presentation also provided the Committee an understanding of his department's role, authority, projects, and topics of importance within his department; presentation attached.
2. The Committee discussed the right-sizing report provided by prm Consulting Group. It was the consensus of the Committee that this report was only one minor element, should it be decided to have an overall staffing plan. At their discretion, the Department Directors will be able to provide feedback. See attached memo and report.
3. The Committee discussed the recent Winchester Star article regarding overtime in the Fire & Rescue Department. Chief Dennis Linaburg was present and offered to provide an overview of the components of overtime at a Committee meeting.
4. A copy of a Total Compensation Benefit Statement that was provided to employees in March is included for information only.

There being no further business, the meeting was adjourned.

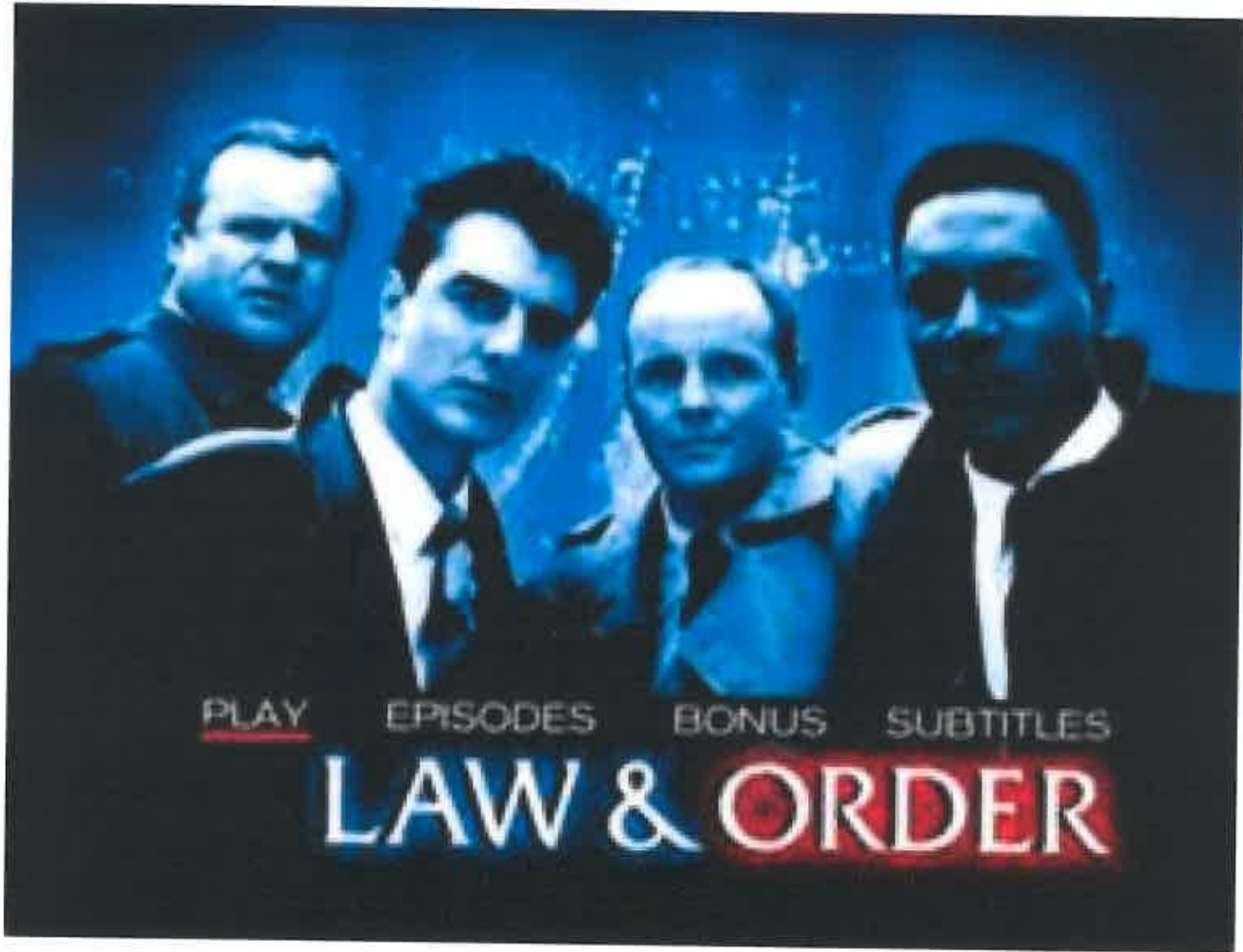
The next HR Committee meeting is scheduled for Friday, May 8, 2015.

Respectfully Submitted,

Human Resources Committee

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

By: 
Paula A. Nofsinger
Director of Human Resources



PLAY

EPISODES

BONUS

SUBTITLES

LAW & ORDER

The Constitution of Virginia

Article 7 Local Government

Section 4. County and city officers. — There shall be elected by the qualified voters of each county and city a treasurer, a sheriff, an attorney for the Commonwealth, a clerk, who shall be clerk of the court in the office of which deeds are recorded, and a commissioner of revenue. The duties and compensation of such officers shall be prescribed by general law or special act.

Regular elections for such officers shall be held on Tuesday after the first Monday in November. Such officers shall take office on the first day of the following January unless otherwise provided by law and shall hold their respective offices for the term of four years, except that the clerk shall hold office for eight years.

Virginia code §15.2-1627(B)
Duties of Attorneys for the Commonwealth and Their Assistants.

B. The attorney for the Commonwealth and assistant attorney for the Commonwealth shall be a part of the department of law enforcement of the county or city in which he is elected or appointed, and shall have the duties and powers imposed upon him by general law, including the duty of prosecuting all warrants, indictments or informations charging a felony, and he may in his discretion, prosecute Class 1, 2 and 3 misdemeanors, or any other violation, the conviction of which carries a penalty of confinement in jail, or a fine of \$500 or more, or both such confinement and fine. He shall enforce all forfeitures, and carry out all duties imposed upon him by § 2.2-3126. He may enforce the provisions of subsection D of § 18.2-268.3.

But that's not all....

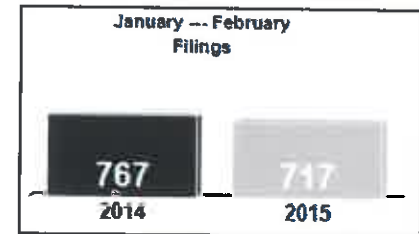
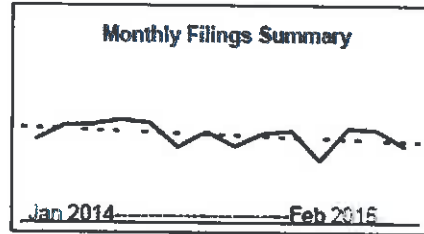
PLN-CCMS-10.01 Caseload Statistics of the Circuit Courts

January 2014 -- February 2015 Filings

Frederick

Court: Frederick Circuit
 Start/End Date: Jan-14 / Feb-15
 2014 Average Month: 376
 Jan-Feb 2014: 767
 Filings Trending: **Downward** ▼

Circuit/Court ID: 26 226069
 Type of Case: Filings
 2015 Average Month: 359
 Jan-Feb 2015 : 717
 Overall AVG. Month: 373



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Thru Feb	% Change	Trending	Total
2014	354	413	417	438	423	321	386	324	378	390	264	401	767			4,507
2015	393	324	-	-	-	-	-	-	-	-	-	-	717	-6.5%	▼	717

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Thru Feb	% Change	Trending	Total	
Civil																	
Administrative Law	2014	-	-	-	1	-	-	1	-	-	-	-	1	0		4	
	2015	1	-	-	-	-	-	-	-	-	-	-	1	0.0%	↔	1	
Contested Divorce	2014	6	12	12	4	7	11	12	8	6	8	3	11	18		100	
	2015	6	10	-	-	-	-	-	-	-	-	-	-	16	-11.1%	▼	16
Domestic and Family - Level 1	2014	-	1	4	7	9	2	4	3	6	3	5	4	1		48	
	2015	1	1	-	-	-	-	-	-	-	-	-	-	2	100.0%	▲	2
Domestic and Family - Level 2	2014	2	2	-	5	1	4	3	-	1	5	1	4	4		28	
	2015	3	1	-	-	-	-	-	-	-	-	-	-	4	0.0%	↔	4
General Civil - Level 1	2014	-	-	1	-	-	-	1	-	-	-	-	-	0		4	
	2015	1	-	-	-	-	-	-	-	-	-	-	-	1	0.0%	↔	1
General Civil - Level 2	2014	8	6	7	5	9	5	4	11	15	7	7	6	14		90	
	2015	6	4	-	-	-	-	-	-	-	-	-	-	10	-28.6%	▼	10
General Civil - Level 3	2014	2	2	5	3	6	7	6	4	6	4	4	5	4		54	
	2015	4	9	-	-	-	-	-	-	-	-	-	-	13	225.0%	▲	13
Probates/Wills and Trusts	2014	-	-	-	-	-	-	1	-	-	-	-	-	0		2	
Probates/Wills and Trusts - Level 2	2014	3	1	2	3	3	3	2	2	2	3	-	2	4	0.0%	↔	26
	2015	2	1	-	-	-	-	-	-	-	-	-	-	3	-25.0%	▼	3
Uncontested Divorce	2014	17	18	23	14	14	19	18	18	19	19	14	35		211		
	2015	13	23	-	-	-	-	-	-	-	-	-	36	2.9%	▲	36	
Criminal																	
Misdemeanor	2014	34	33	54	48	48	24	37	38	65	45	25	41	67		492	
	2015	41	54	-	-	-	-	-	-	-	-	-	-	95	41.8%	▲	95
Non-Capital Felonies and Related Matters	2014	118	178	148	167	201	130	164	118	148	144	108	189	296		1,813	
	2015	200	97	-	-	-	-	-	-	-	-	-	-	297	0.3%	▲	297
Other Criminally Related Matters	2014	2	2	6	3	5	5	6	6	2	4	4	9	4		54	
	2015	5	4	-	-	-	-	-	-	-	-	-	-	9	125.0%	▲	9
Other																	
Miscellaneous	2014	162	157	155	176	120	111	127	115	107	148	85	115	319		1,578	
	2015	110	119	-	-	-	-	-	-	-	-	-	-	229	-28.2%	▼	229
Other	2014	-	1	-	-	-	-	-	-	-	-	-	-	1		3	
	2015	-	1	-	-	-	-	-	-	-	-	-	-	1	0.0%	↔	1

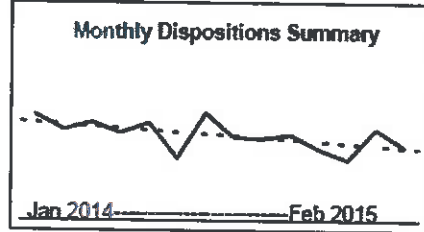
PLN-CCMS-10.11 Caseload Statistics of the Circuit Courts

January 2014 -- February 2015 Dispositions

Frederick

Court: Frederick Circuit
 Start/End Date: Jan-14 / Feb-15
 2014 Average Month: 366
 Jan-Feb 2014: 835
 Dispositions Trending: **Downward** ▼

Circuit/Court ID: 26 226069
 Type of Case: Dispositions
 2015 Average Month: 353
 Jan-Feb 2015 : 706
 Overall AVG. Month: 364



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Thru Feb	% Change	Trending	Total
2014	448	387	417	372	415	266	456	353	349	367	305	261	835			4,396
2015	390	316	-	-	-	-	-	-	-	-	-	-	706	-15.4%	▼	706

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Thru Feb	% Change	Trending	Total	
Civil																	
Administrative Law	2014	1	1	-	-	-	-	-	1	1	-	1	-	2		5	
	2015	1	-	-	-	-	-	-	-	-	-	-	1	-50.0%	▼	1	
Contested Divorce	2014	5	14	9	4	15	5	7	10	9	8	9	4	19		99	
	2015	5	5	-	-	-	-	-	-	-	-	-	-	10	-47.4%	▼	10
Domestic and Family - Level 1	2014	5	4	5	3	2	5	5	8	7	3	5	4	9		56	
	2015	2	2	-	-	-	-	-	-	-	-	-	-	4	-55.6%	▼	4
Domestic and Family - Level 2	2014	2	5	2	4	-	2	4	2	1	2	-	3	7		27	
	2015	4	2	-	-	-	-	-	-	-	-	-	-	6	-14.3%	▼	6
General Civil - Level 1	2014	1	-	2	-	-	-	-	-	-	-	-	-	1		4	
	2015	12	20	17	6	5	6	6	8	9	6	8	7	32		110	
General Civil - Level 2	2014	4	5	-	-	-	-	-	-	-	-	-	-	9	-71.9%	▼	9
	2015	3	7	4	4	7	4	5	8	6	2	7	3	10		60	
General Civil - Level 3	2014	5	5	-	-	-	-	-	-	-	-	-	-	10	0.0%	↔	10
	2015	-	-	-	-	-	-	-	1	-	-	-	-	0		1	
Probates/Wills and Trusts	2014	3	4	1	-	-	4	3	2	1	2	1	3	7	0.0%	↔	24
	2015	3	1	-	-	-	-	-	-	-	-	-	-	4	-42.9%	▼	4
Uncontested Divorce	2014	13	25	16	21	18	9	17	17	16	17	13	23	38		205	
	2015	10	19	-	-	-	-	-	-	-	-	-	-	29	-22.7%	▼	29
Misdemeanor	2014	46	19	55	46	55	31	39	32	30	29	42	24	65		448	
	2015	56	25	-	-	-	-	-	-	-	-	-	-	81	24.6%	▲	81
Non-Capital Felonies and Related Matters	2014	233	109	112	121	182	100	198	135	175	148	113	102	342		1,728	
	2015	177	149	-	-	-	-	-	-	-	-	-	-	326	-4.7%	▼	326
Other Criminally Related Matters	2014	1	1	4	5	5	4	10	4	5	6	4	2	2		51	
	2015	7	5	-	-	-	-	-	-	-	-	-	-	12	500.0%	▲	12
Miscellaneous	2014	123	177	190	158	125	96	162	125	89	143	102	85	300		1,575	
	2015	116	96	-	-	-	-	-	-	-	-	-	-	212	-29.3%	▼	212
Other	2014	-	1	-	-	-	-	-	-	-	-	-	-	1		3	
	2015	-	2	-	-	-	-	-	-	-	-	-	-	2	100.0%	▲	2

Commonwealth of Virginia

Frederick

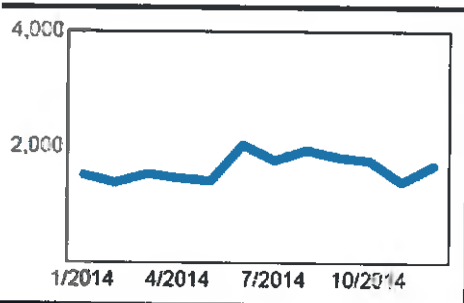
Caseload Statistics of the General District Courts

Jan 2014 - Dec 2014

District 26 FIPS 69

	Fillings	Hearings	Transactions	Concluded	Hearings per Case	Clearance Rate
Criminal						
CA	Capias	284	593	593	2.07	101.1%
CV	Civil Violation	49	123	123	2.52	89.8%
F	Felony	775	1,972	1,976	2.62	97.4%
M	Misdemeanor	2,012	4,517	4,612	2.29	100.0%
MO	Motion	73	80	80	1.10	100.0%
SC	Show Cause	100	262	262	2.58	109.0%
Criminal Total		3,293	7,547	7,646	2.33	99.6%
Traffic						
CA	Capias	105	289	289	2.39	143.8%
CV	Civil Violation	0	1	1	4.00	0.0%
F	Felony	33	94	94	2.72	97.0%
I	Infraction	11,160	5,818	12,437	1.12	101.3%
M	Misdemeanor	2,359	3,793	3,801	1.63	104.0%
MO	Motion	6	7	7	1.17	100.0%
O	Other	6	5	7	1.20	83.3%
SC	Show Cause	12	26	26	1.93	116.7%
Traffic Total		13,681	10,033	16,662	1.22	102.1%

Frederick Filings By Month



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Civil	185	272	187	249	201	239	208	223	179	224	185	250	2,602
Criminal	287	193	274	272	203	370	257	313	296	310	250	268	3,293
Traffic	1,034	908	1,066	933	1,003	1,402	1,291	1,391	1,334	1,214	953	1,152	13,681
Total	1,506	1,373	1,527	1,454	1,407	2,011	1,756	1,927	1,809	1,748	1,388	1,670	19,576

Commonwealth of Virginia
 Caseload Statistics of the J&DR District Courts
 January 2014 thru December 2014

Department of Judicial Planning

Frederick

	Filing Type	Filings	Hearings	Concluded	Clearance Rate
Juvenile					
Abuse or Neglect	AN	34	131	35	102.9%
Protective Order – Non Family Abuse	AP	10	21	10	100.0%
Capias	CA	21	51	28	133.3%
Child in Need of Services	CS	15	29	13	86.7%
Custody Visitation	CV	1,731	3,675	1,668	96.4%
Delinquency Felony	DF	119	461	127	106.7%
Delinquency Misdemeanor	DM	404	1,344	443	109.7%
Emancipation	EP	1	2	1	100.0%
Entrustment Agreement	ET	5	5	5	100.0%
Foster Care Review	FC	33	37	33	100.0%
Protective Order – Family Abuse	FP	1	2	1	100.0%
Initial Foster Care Review	IF	28	34	28	100.0%
Motion - Modify Protective Order	MP	1	2	1	100.0%
Non-Case	NC	7	9	6	85.7%
Permanency Planning	PH	29	37	29	100.0%
Paternity	PT	80	129	78	97.5%
Remand Custody	RC	251	253	253	100.8%
Child at Risk of Abuse or Neglect	RI	16	47	7	43.8%
Remand Visitation	RV	238	239	239	100.4%
Status Offense	ST	27	51	30	111.1%
Traffic	T	130	91	132	101.5%
Termination of Parental Rights	TP	18	33	19	105.6%
Truancy/Runaway (Child in Need of Supervision)	TR	29	43	29	100.0%
Juvenile Total		3,228	6,726	3,215	99.6%

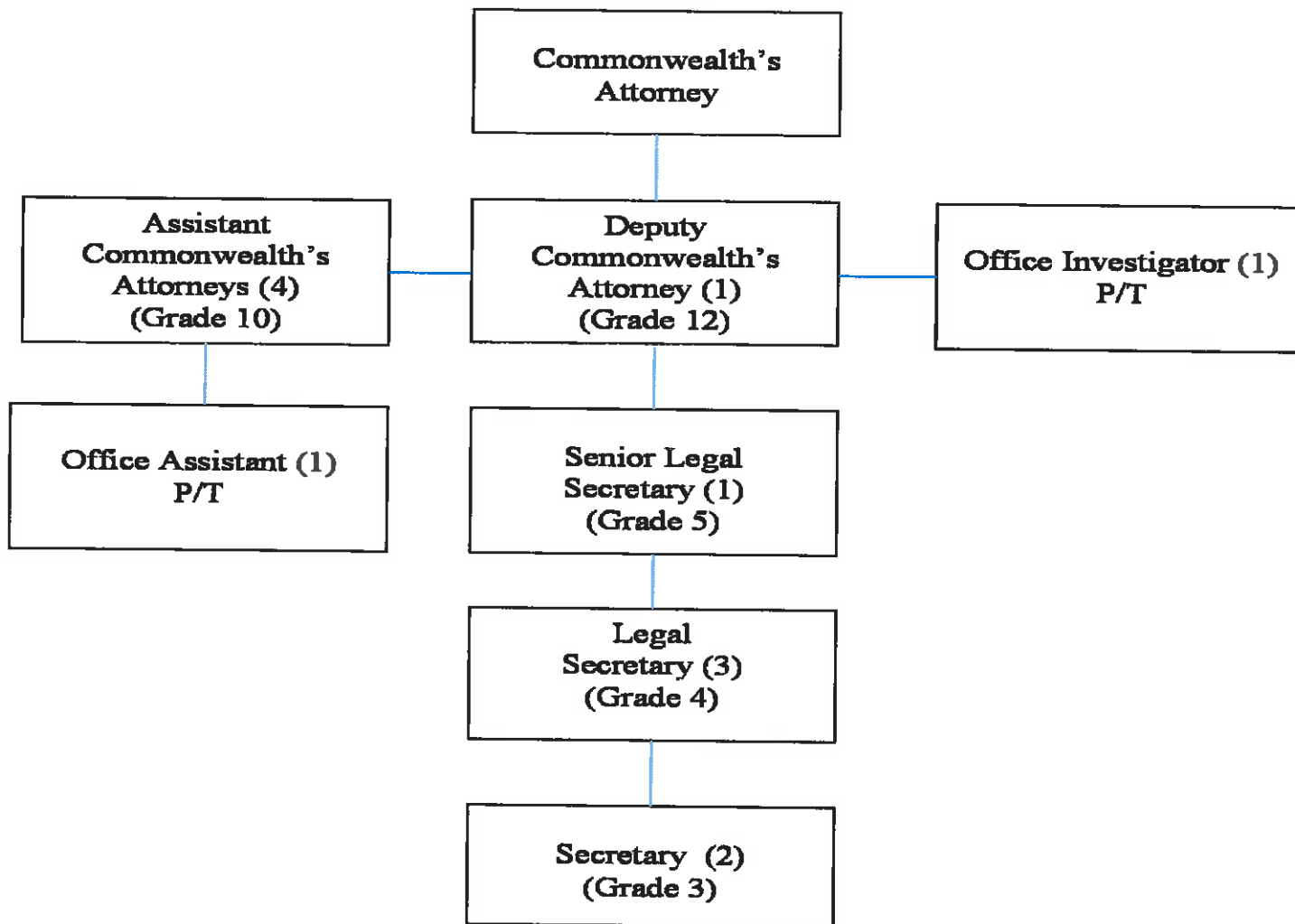
Commonwealth of Virginia
Caseload Statistics of the J&DR District Courts

January 2014 thru December 2014

Department of Judicial Planning

Frederick

	Filing Type	Filings	Hearings	Concluded	Clearance Rate
Adult					
Protective Order - Non Family Abuse	AP	9	16	8	88.9%
Bond Forfeiture Show Cause	BF	2	2	2	100.0%
Capias	CA	155	372	177	114.2%
Criminal Felony	CF	105	310	118	112.4%
Criminal Misdemeanor	CM	383	1,291	464	121.1%
Criminal Support	CS	0	1	1	0.0%
Protective Order – Family Abuse	FP	183	365	180	98.4%
Motion - Modify Protective Order	MP	25	29	22	88.0%
Non-Case	NC	22	22	22	100.0%
Other	OT	4	5	4	100.0%
Protective Order – Stalking/Acts of Violence	PC	1	1	1	100.0%
Violation - Family Abuse Protective Order	PS	1	1	1	100.0%
Protective Order - Violation of Protective Order Conviction	PV	12	12	12	100.0%
Remand Support	RS	152	152	152	100.0%
Show Cause	SC	516	1,107	504	97.7%
Restricted License - Support	SL	28	28	28	100.0%
Civil Support	VS	723	1,231	714	98.8%
Adult Total		2,321	4,945	2,410	103.8%



- Six attorneys, including the Commonwealth's Attorney.
 - One FCSO Investigator.
 - One "Utility Infielder".
 - Two Victim / Witness workers.
 - Six additional support staff workers.
-

- Annual Budget of just over \$1,000,000.00
 - 80% is paid out in salaries and benefits.
 - Victim / Witness is grant funded separately.
-



County of Frederick

Paula A. Nofsinger
Director of Human Resources

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To: HR Committee
From: Paula Nofsinger *Paula Nofsinger*
Date: March 30, 2015
Subject: Comparative Desk Audit of Staffing

At the beginning of this year's budget cycle, it was requested that a "right-sizing" study be completed to provide general information on the staffing ratios of the County's departments. There was a shared belief that some departments may be understaffed and also a desire to ensure that departments were not overstaffed.

Therefore, the vendor that assisted us with our salary study also assisted us with our desk audit on staffing. It is referred to as a desk audit because it is a general overview of how Frederick County compares in department staffing levels to other similar jurisdictions. Other general information was requested with respect to comparing our public safety personnel to land mass areas and citizens served. Likewise, basic comparative data was requested from other Regional Jails to determine if staffing at our Jail needed further consideration.

The audit has been completed and the report is attached for your review. In general, comparative results indicated that the total number of County employees is low when compared to the Peer group used in the audit. The intent with this report was to simply identify, overall, how the County appears with respect to staffing from only an empirical data view. Additionally, it was also intended to identify if there are any areas that may need further review and consideration when planning for a long term recruitment strategy. Should this type of strategy be considered, this report would serve as the beginning step in that larger comprehensive project.

Thank you for your support and please contact me with any questions.



Comparative Desk Audit of Departments

March 9, 2015

Confidential

Prepared by:

PRM Consulting Group, Inc.
1814 13th Street, NW
Washington, DC 20009
(202) 745-3700

Draft Report

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I. Introduction

A. Background

- Frederick County, Virginia (**the County**) is strategically located at the northern entrance of Virginia's Shenandoah Valley.
 - The County has seen significant growth between 2010 and 2013, as the population has increased from 78,300 residents to an estimated 81,300, based on the latest census estimates.
 - The County's land mass is about 413 square miles.
 - The County has one city (Winchester), two towns (Middleton and Stephens City) and 50 unincorporated communities within its borders.
 - The median household income during the last census was \$67,694.
 - The County has about 509 active employees, as well as 199 employees working for the Northwestern Regional Detention Center for a total of 708.
- The County is governed by an elected Board of Supervisors, which serves as its policy making body. The Board's vision statement is:

“Insuring the quality of life of all Frederick County citizens by preserving the past and planning for the future through sound fiscal management. “

A. Background

- It is the goal of maintaining this sound fiscal policy that led to the Board to request a desk audit (*defined for this report as an evaluation of the number of positions in each department*) of all County Departments, with particular emphasis on public safety:
 - There is a general belief that some departments are understaffed, particularly in the area of public safety.
 - In the last seven years, the County has maintained a hiring practice whereby each replacement hire has been reviewed and approved by the County Administrator, which was not a practice prior to 2008.
 - There is a realization that the County continues to lose employees to other jurisdictions.
- The County seeks to compare department staffing levels to other similar jurisdictions in the State, to determine if any department staffing level is low (or high) when compared to other counties.
 - The County desires to compare public safety personnel to areas and citizens served for comparison purposes.
 - The County also seeks to compare data on jail personnel to determine if any deficiencies exist in staffing of this important public safety area.
- The County engaged PRM Consulting Group, Inc. (PRM) to conduct the desk audit and provide analysis and any recommendations. During the conduct of this study, PRM completed the following services:
 - Collaborated with the County to identify comparative counties in the state (defined as **Peer Group**);
 - Obtained and reviewed data on the Peer Group;
 - Compared Peer Group metrics to the County;

A. Background

- Conducted analysis of the comparative data, and provided comments as appropriate; and
- Completed this draft report for the County’s review and feedback.
- There are few government studies that provide “right sizing of county staffing” given all the parameters that differentiate counties across the State. For example, is a sheriff’s department of 150 employees enough to police a land mass of 400 square miles and 81,000 residents? Are four employees appropriate to manage a Human Resource Department of 500 employees? Does a jail with 600 inmates need more than 150 staff members to run it efficiently and safely? The answers to these and other questions depend on many variables. However, having a comparative analysis to address these types of questions will allow the County to have a comparative baseline to make decisions in the future regarding department staffing levels.
- This report is a preliminary overview of the general staffing levels of departments within the County compared to the staffing levels of the Peer Group. However, comparing staffing is an inexact science when it does not include a deeper look at the efficiency of how departments are operating, the culture within each department, the needs of the citizens, and the level of customer service provided to the public. Accordingly, any findings relating to departments that may be understaffed in comparison to the Peer Group, may need additional analysis to examine the necessity to add additional headcount to those areas.
- This report contains PRM’s study methodology, analysis, and comments based on the results of the analysis.

B. Executive Summary

- The following Counties were selected as the “Peer Group” for comparison purposes:
 - Albemarle
 - Bedford
 - Campbell
 - Fauquier
 - Hanover
 - Roanoke
 - Rockingham

- The County has a total of 509 active employees, not including personnel working for the jail system. With 6.26 employees per 1,000 residents that live in the County, ***comparative results indicate that the total number of County employees is low when compared to the Peer Group.*** The mean for the Peer Group in this category is 8.28 employees per 1,000 residents. This low ratio should not be surprising as the County has lost employees over the last five years and has not always replaced the positions.

- In comparing eight specific departments that are common across the Peer Group (exclusive of Fire & Rescue and Sheriff’s Departments), ***the County is below the mean in four of the eight departments when comparing staff as a percentage of the total number of employees*** for each Peer Group member. The departments and their primary functions are listed below to provide a perspective on comparing the department functions to those carried out by the County to ensure a true comparison of duties:
 - **Finance** is generally responsible for the overall financial management including financial reporting, assessment and collection of all local revenues, cash management, debt management, risk management, and financial systems management functions. Finance also includes payroll, accounts payable, revenue forecasting, procurement, and capital financing, and budget forecasting. In Fauquier County, Rockingham County, Roanoke and Hanover County, Finance also provides services to the

B. Executive Summary

public schools. Accordingly, as these Peer Group members have more responsibilities than the County, having more staff for them may be justifiable.

- **Human Resources** provides internal services to the employees of the county and serve as a resource for all departments by providing training opportunities, benefit administration, employee recognition and employee relations. Human Resources also administers and coordinates the hiring process for vacant positions. For the County, being below the mean in Human Resources also has some additional challenges because the HR area is one of only two counties to provide support for the jail system, with Hanover being the other as they support the Pamunkey Regional Jail. Because the County HR staff provides more services than most Peer Group members, understaffing in this department may be a challenge to County staff to efficiently provide the HR services needed across the County.
- **Information Technology** manages the County's technology infrastructure and central systems used by all departments. These systems include financial, personnel, revenue management, email, data sharing, and the website presence. IT also implements and manages departmental computer systems and provides support to departmental computer systems infrastructure, and manages the help desk and maintains computer inventory.
- **The Clerk's Office** is responsible for administrative matters for the court such as deeds, plats, and also authority to probate wills, grant administration of estates, and appoint guardians. The department files and processes suits including motor vehicles, divorces, injunctions, appeals, adoption proceedings, and name changes.
- The results also indicate that *the County is above the Peer Group mean in the following departments:*
 - Social Work;
 - Parks and Recreation;
 - Treasurer's Office; and
 - Commonwealth Attorney's Office.

B. Executive Summary

- Even though the County is above the mean for these departments in comparison to the Peer Group, ***it is PRM's opinion that the County is not overstaffed in any departments based strictly on staffing headcount levels.*** The possibility of overstaffing would be apparent if the County was at the top of the Peer Group for a particular department by at least 30%, and that was not the case in any department for the County.
- However, results indicate that ***the County ranks in the lower quartile (25th percentile) of the Peer Group in Fire & Rescue, and slightly below the median (50th percentile) in the Sheriff's Department*** when compared to the Peer Group in terms of employees per 1,000 residents served. This is an important metric to evaluate in providing service to the citizens of the County.
- In addition, Roanoke and Albemarle, two Peer Group members with higher ratios than the County when compared to the residents served, only provide court security and civil process out of the Sheriff's Department, while the County provides law enforcement ***and*** court security. This suggests that ***the County is doing more with less in the Sheriff's Department compared to the Peer Group.***
- The County has 1.032 Fire and Rescue employees for every 1,000 residents, and 1.45 Sheriff employees per 1,000 residents. The mean for the Fire and Rescue Peer Group in this category is 1.120, indicating that the County is below the mean. For the Sheriff's Department, the mean for the peer Group is 1.75, again demonstrating that ***the County is below the mean of the Peer Group when compared to staffing per 1,000 residents for these functions.***
- Results also indicate that the County has .20 Fire & Rescue employees per square mile, and .28 Sheriff employees per square mile, ranking in the 75th percentile in both Departments when compared to the Peer Group, highlighting that ***for the land mass the County has to patrol and protect, it ranks relatively high when compared to the Peer Group.***

B. Executive Summary

- Staffing a jail is an expensive proposition. Such a costly resource must be carefully managed. Determining the true staff needs of a jail requires the analysis of the interaction between the facility, the prisoner population, management, budget considerations, and standards and court requirements. Having too few staff can lead to such problems as security issues, morale problems, high turnover, and day to day operational issues. Lawsuits against jails have historically focused on inadequate staffing when a prisoner or inmate is injured or dies. For the County, this assessment is an overview of the staffing levels against other jails in the state. The jail data highlights that the Northwestern Regional Adult Detention Center, located in the County, ranks third out of five in terms of ratio of staff- per- inmate. The results are generally in line with the staffing of the other detention centers based on the average number of inmates it serves.

- Results indicate that the County is the only one of the Peer Group that includes jail data as another department. The only other Peer Group member that had a similar structure was the Hanover Human Resource Department as it supports the Pamunkey Regional Jail All other jails have their own separate human resource and finance areas.

- The County may want to supplement the findings in this report with an internal employee satisfaction survey to determine the level of satisfaction within the County, while assessing work life balance issues, cross training needs, and overall morale, which can have an overall effect on how County services are provided to residents.

- The next step in the process is for the County to take a comprehensive look at all departments listed in this report where the County trails the Peer Group members based on percentage of staff, or on a per capita or land based approach. For each area, there should be a thorough review to address the following:
 - How effective is the department in light of the staffing levels?

 - Can cross training occur to supplement staffing where deficiencies may exist?

B. Executive Summary

- As the County population has grown in the last ten years, and the staff population has decreased, what sacrifices have been made in terms of public service to the citizens of the County and can they be reversed with additional staffing?
 - Are there any residential surveys indicating how citizens view County services? If not, consider conducting such a survey on a limited basis for areas that interact with citizens.
 - In addition to cross training, are there ways to merge areas for budget purposes and still provide a high level of service?
- The County should take the steps outlined above in addressing these issues in an attempt to live up to its mission of **“preserving the past and planning for the future through sound fiscal management”**.

II. Methodology

A. Overview

- PRM incorporated the following **elements** into the analysis to review the comparative information of the County data against the Peer Group:



- In addition to assessing the staffing levels for each department, land area per square miles for the County was evaluated to determine the effect, if any, on any correlation between land mass, population, and number of employees.
- There are several strategic workforce metric formulas commonly used in conducting human capital management.
 - Some of the more strategic examples include Monthly Turnover Rate, or Revenue per Employee.
 - For this study, we used the per-capita HR analysis typically used by the Society of Human Resources Management (SHRM).
- For consistency in county reporting, we updated the data, including data for the jails, with 2013 census data from a variety of sources.

B. Identify Peer Group

- Prior to the actual data collection, we collaborated with the County’s Human Resources staff to identify which counties around the State should be included in the Peer Group.
 - We identified counties based on population, land area, and number of employees.
 - We purposely identified a few counties with varying levels of size and land mass to determine if either metric resulted in any major differences in the analysis.

- We identified seven counties to compare metric data to the data of the County:

Selected Counties	Brief Description
Albemarle County	103,000 residents and encompasses 720 square miles.
Bedford County	76,300 residents and encompasses 753 square miles.
Campbell County	55,200 residents and encompasses 504 square miles.
Fauquier County	67,200 residents and encompasses 647 square miles.
Hanover County	104,100 residents and encompasses 469 square miles.
Roanoke County	92,700 employees and encompasses 250 square miles.
Rockingham County	78,100 residents and encompasses 49 square miles.

B. Identify Peer Group

- In addition, we identified five regional jails to be included in this study:

Regional Jail	Jurisdiction
Northwestern Regional Adult Detention Center	Serving Clark County, Fauquier County, Frederick County, and the City of Winchester.
Prince William Manassas Regional Detention Center	Serving Prince William County, Town of Occoquan, Town of Dumfries, Town of Haymarket, City of Manassas, and City of Manassas Park.
Western Tidewater Regional Jail	Serving City of Franklin, Isle of Wright County, City of Suffolk.
Hampton Roads Regional Jail	Serving City of Hampton, City of Newport News, City of Norfolk, City of Portsmouth.
Albemarle Charlottesville Regional Jail	Serving Albemarle and Nelson and Charlottesville jurisdictions.

- Exhibit 1 contains a listing of the published survey data used to supplement our research for this report.

Frederick County, Virginia

Listing of Research Sources Used

- 2012 and 2013 Census Data County Reports
- Annual Budget and Audit Reports for 2012 and 2013
- Association of Regional Jails Website and Newsletter
- Commonwealth of Virginia Compensation Board Reports
- County Annual Reports, FY2012 and FY2013
- FBI Uniform Crime Report, 2010
- National Fire Protection Association Report
- Official County Websites
- SHRM Human Capital Benchmarking Study
- Staffing Analysis Workbook for Jails (Miller and Liebert)
- Virginia Annual County Comprehensive Financial reports

C. Discovery and Data Collection

- The Peer Group was selected based not only on similar size and geography to the County, but also the land mass.
- We identified the appropriate personnel within the Human Resource Department of each Peer Group member and requested the following information:
 - Name of each department within the county, along with total active employees or approved budget positions as of the most recent date;
 - A breakout of support staff and professional staff;
 - Total number of employees for the county; and
 - Census data the county uses in determining the total number of citizens served.
- All counties were sent data request by email, followed by a telephone call. Repeated calls and emails were conducted throughout the process for those who did not respond initially.
- To augment the information we received, we conducted additional research of county websites and collected additional data including strategic plans and annual reports. We used 2010 and 2013 census data as reported by each county in the Peer Group.
- We contacted some of the jurisdictions, where necessary, to clarify the roles and responsibilities for certain jobs to ensure comparability.
- The definitions of the reported summary statistics are as follows:
 - **25th percentile** represents the figure above which 75% of all reported figures fall.
 - **Mean** represents the average of all figures reported.

C. *Discovery and Data Collection*

- 75th percentile represents the figure above which 25% of all reported figures fall.
- Our primary informants were the HR Department personnel and in several instances, they were either understaffed or without staff. For example, one county had been without an HR professional for several months. In another instance, the HR Director was a Compensation Rewards Specialist who was tasked with leading the HR Department. In a third example, our key contact was on extended medical leave; thus we had to rely on contract staff for department data.
- In our analysis of the jail data, we compared the active personnel count to the average daily population in lieu of the average capacity. In each instance, the daily population average was greater than the jail capacity. Accordingly, to determine a more accurate ratio, we used the total number of employees to average daily capacity numbers.
- It's important to recognize the differences in the responsibilities as you review the results in this report. As data was evaluated for comparison purposes, it became clear that not all functions for the same departments for Peer Group members had the same responsibilities. For example, the County's Fire & Rescue and Sheriff's Departments have similar responsibilities as the public safety personnel of the Peer Group members. However, for the Sheriff's Department, responsibilities vary by county as outlined below:
 - Fauquier County provides *law enforcement, jail responsibility, court security and civil process*.
 - Bedford, Campbell, Hanover and Rockingham, are all similar to the County in that they *provide law enforcement, court security, and civil process*.
 - Albemarle and Roanoke only provide *court security and civil process*.
- In addition, Dispatch is a separate department for all Peer Group members and not included in the Sheriff's Department. Dispatch is typically in the Communication Department.

C. Discovery and Data Collection

- For the Fire & Rescue Departments, all the Peer Group members have volunteer forces with combined fire and rescue systems.
 - Albemarle County has a Fire and Rescue Department with career and volunteer staff serving fourteen (14) stations. The stations consist of four (4) rescue squad stations that provide emergency medical transport and rescue services and ten (10) fire and rescue stations that provide fire protection and suppression as well as emergency medical and non-transport and rescue services.
 - Bedford County has a combination department made up of primarily volunteers mixed with supplemental career staffing. It has eleven (11) fire departments and one (1) volunteer fire department serving the county. There are twelve (12) rescue squads.
 - Campbell County has eight (8) volunteer fire departments and six (6) rescue squads supporting the county.
 - Fauquier County has eleven (11) fire and rescue stations, with 67 career staff and about 530 volunteers.
 - Hanover County has twelve (12) volunteer fire companies, four (4) rescue squads, and one (1) EMS that has a combination of career and volunteer staff.
 - Roanoke County has a combination department with both career and volunteer personnel operating out of fourteen (14) stations and one administrative office.
 - Rockingham County has ten (10) Volunteer Fire Departments, seven (7) volunteer rescue squads, with 70 full-time staff and approximately 530 fire and emergency volunteers. Career staff provide staffing in nine (9) fire and rescue stations.

C. Discovery and Data Collection

- The County has eleven (11) volunteer fire and rescue companies operated by approximately 200 operational volunteer personnel, supported by 85 uniform career staff and seven (7) office staff. The agency coordinates with the volunteer companies to deliver firefighting and emergency medical services in the County.
- Some Peer Group members have departments that play a shared role in their functions with their respective county and local government, as highlighted below. This is important when comparing department staffing of the County to the Peer Group members.
 - Albemarle County’s Human Resources functions are shared with the county schools. The Emergency Communications Center is shared with the City of Charlottesville.
 - Fauquier County’s Finance Department provides services to both the county government and public schools.
 - Hanover County’s Finance Department provides financial information and services to all county and public school departments.
 - Hanover Human Resources support County and the Pamunkey Regional Jail.
 - Roanoke’s Finance Department is responsible for the centralized acquisition of goods and services and serves as purchasing agent for Roanoke public schools.
 - Rockingham County’s Finance Department includes public school and county payroll functions.

D. Market Data

- Exhibit 2 contains a summary of the 2013 population and land mass for the County as well as the Peer Group.
- PRM benchmarked a total of eight (8) Counties across the state, including Frederick County.
 - Charlottesville is the county seat and home of the University of Virginia. It is a large area within **Albemarle County** which also benefits from robust tourism.
 - Considered a fast growing County, **Bedford County** was once the home of Thomas Jefferson who was the architect of the University of Virginia. The county is well known for tourist attractions such as Smith Mountain Lake, vineyards and wineries, as well as access to the Appalachian Trail.
 - Located in the foothills of the Blue Ridge Mountains, **Campbell County** based its original growth on tobacco. Now, the County boost of a rich heritage and a strong manufacturing history, making it a diverse and balanced community.
 - Located 15 minutes north of Richmond and located in central Virginia, **Hanover County** has a nationally recognized suburban school system and a resilient economy with a balance between residential, commercial, industrial and agricultural tax bases.
 - Winchester is the economic center with several large corporations in **Frederick County**. It also is a high volume tourist area due to the attraction of Shenandoah Valley.
 - **Rockingham County**, situated between the Allegheny Mountains on one side and Blue Ridge Mountains on the other, has approximately 33% of the County protected by Federal government as National Forest and National Park land.
 - **Roanoke County** includes the town of Vinton, and is the home of the prestigious Hollins University. It also surrounds the cities of Salem and Roanoke.

D. Market Data

- Located only 40 miles west of Washington, D.C., **Fauquier County** prides itself on having a small town atmosphere with access to a global community.

Frederick County, Virginia

Counties by Land Area and Population

Counties of the Commonwealth of Virginia

County	2013 Population Estimate	Land Area/ Square Miles	Population/ Square Miles	Total Employees
Albemarle	103,000	720.20	143.1	709
Bedford	76,309	753.02	101.3	627
Campbell	55,235	503.87	109.6	464
Fauquier	67,203	647.45	103.8	698
Frederick	81,207	413.50	196.4	509*
Hanover	101,702	468.54	217.1	975
Roanoke	92,703	250.52	370.0	955
Rockingham	77,741	849.09	91.4	485

* Excludes jail personnel

D. Market Data

- Exhibit 3 contains a summary comparison chart of the number of staff in each department for each Peer Group member as well as the County.
 - Not every county had the same department for comparison purposes.
 - Accordingly, we created the chart to compare similar departments based on our research findings.
 - During the conduct of this study, we compared the number of staff in each department to the overall number of employees in each Peer Group member to determine how each department compared to the overall group.
- For some of the Peer Group members, department names did not match up directly with the County. Therefore, we created an “Other” category and referenced what some of those departments were for each Peer Group member.
- For the County, we did not include the jail personnel in the total active employee count.
- The Public Works Department is an example of how Peer Group members differ in department functions as inspections are included under Public Works for the County. However, Campbell County inspectors are included under the Department of Communication and Development. Roanoke, Albemarle, Bedford, Rockingham and Fauquier all include their inspectors under Community Development.

Frederick County, Virginia

Summary of Department Staffing Levels

Department	Active Count for Each County							
	Frederick	Albemarle	Bedford	Campbell	Fauquier	Hanover (Z)	Roanoke	Rockingham
Clerks Office	8	10	--	8	16	17	16	17
Commissioner of Revenue	18	--	9	8	20	17	13	14
Commonwealth Attorney's Office	12	10	12	13	17	18	14	26
Comprehensive Services	1	--	--	--	--	--	--	--
County Administrator's Office	6	9	4	3	8	7	4	--
County Attorney's Office	2	8	2	1	--	8	4	6
Department of Social Work	61	116	85	76	49	55	95	--
Division of Court Services	11	--	15	--	--	23	4	11
Economic Development	3	--	2	3	4	5	4	1
Extension Office	2	--	--	--	--	--	--	--
Finance	7	5	7	14	18	22	24	9
Fire and Rescue	84	107	66	37	75	150	159	82
HR Department	3	1	--	4	14	8	8	2
IT Department	14	21	4	9	22	34	87	11
Juvenile probation Office	2	--	--	--	--	3	--	--
Maintenance	9	8	--	24	67 ⁽³⁾	--	--	--
Parks and Recreation	38	18	24	66	33	32	70	9
Planning and Development	11	7	35	14	41	19	47 ⁽⁴⁾	--
Public Safety Communications	18	47 ⁽¹⁾	30	23	--	48	--	--
Public Works	57	--	36	10	37	83	--	73
Registrar's Office	2	--	2	3	3	3	3	2
Sheriff's Office	118	178 ⁽²⁾	87	76	173	225	239	75
Treasurer's Office	11	7	9	10	16	15	12	7
Winchester Regional Airport	11	--	--	--	2	--	--	--
Comparative Total	509	552	429	402	615	792	803	345
Other Departments not Matching Frederick County's list	0	157 (a)	198 (b)	62 (c)	83 (d)	183 (e)	152 (f)	140 (g)
Grand total	509	709	627	464	698	975	955	485

(a) includes community development
 (b) includes nursing home, tourism
 (c) includes Library, Public Information
 (d) Includes Adult Court services

(e) Includes community Services Fund, Community Resources
 (f) Includes Cable television, library
 (g) Includes Switchboard, community development
 (z) Used FY 2015 data

(1) emergency communication center
 (2) Includes police
 (3) Includes maintenance, custodians, carpenters, mechanics
 (4) Includes engineers, planners, inspectors

III. Analysis

A. Total Number of County Employees in Relation to Residential Population

- One barometer used in determining staffing levels and budgets in county departments is the analysis of the number of employees needed to conduct the work necessary for a county to run efficiently. That work includes providing social services, protecting citizens, maintaining fiscal management of taxpayer dollars, maintenance of common areas, and much more. Matching the total number of employees in a county to the total number of residents in a county establishes a ratio of how many employees per 1,000 residents are utilized in carrying out a county's mission. Accordingly, we conducted the analysis to evaluate this ratio for the County and the Peer Group.
- In Table A below, we created a chart highlighting the ratio to compare total staff per 1,000 residents.
- With 6.26 employees per 1,000 residents, it can be surmised that the total number of County employees is low when compared to the staffing levels of the Peer Group members.

Table A Total Employees Per 1,000 Residents	
Fauquier	10.38
Roanoke	10.30
Hanover	9.58
Campbell	8.40
Bedford	8.21
Albemarle	6.88
Frederick	6.26
Rockingham	6.24

A. Total Number of County Employees in Relation to Residential Population

- The mean for the Peer Group is 8.28 employees per 1,000 residents, with results placing the County in the lower 25th percentile based on total employees per 1,000 residents.
- There are various reasons why Peer Group members have staffing levels that differ by department from county to county. For example, large urban areas may need more social services or police presence than others. However, Table A suggests that overall, on a per-capita basis, the County trails all but one member in the Peer Group in terms of total number of employees to its' overall population.
- The results of Table A do not necessarily mean that the County is not sized appropriately. The results suggest that the County is low on a comparative basis. Other factors should be considered if this number is utilized for any future staffing adjustments.

B. Ratio of Fire & Rescue and Sheriff's Department to Residential Population

- Public safety is important to all citizens of every county. Table D is an analysis of the staffing levels of the public safety departments (Fire & Rescue and Sheriff's) in comparison to the number of residents in each County.

Table D Public Safety Department Ratios in Comparison to Residential Population (Per 1,000 Residents)			
Fire and Rescue Department		Sheriff's Department	
Roanoke	1.715	Roanoke	2.578
Hanover	1.474	Fauquier	2.574
Fauquier	1.116	Hanover	2.210
Rockingham	1.053	Albemarle	1.730
Albemarle	1.038	Frederick	1.450
Frederick	1.032	Campbell	1.376
Bedford	0.865	Bedford	1.140
Campbell	0.670	Rockingham	0.965

- The County has 1.032 Fire and Rescue employees for every 1,000 residents, and 1.45 Sheriff employees per 1,000 residents.
- The mean for the Fire & Rescue Department is 1.120, and the mean for the Sheriff's Department is 1.75. Results indicate that the County is below the mean in both areas.

B. Ratio of Fire & Rescue and Sheriff's Department to Residential Population

- In 2011, according to data provided by the National Fire and Protection Association, the national median of fire fighters per 1,000 residents in cities with 50,000 to 99,000 residents, was 1.35.
- Police agencies typically don't like the use of officers per 1,000 residents as a recommended approach to increase or decrease staffing levels as they believe it does not tell the entire story as to the needs of adding staff. As a matter of fact, the International Association of Chiefs of Police (IACP) believes that ratios such as officers-per-thousand are totally inappropriate as a basis for staffing decisions. However, the staff per 1,000 residents approach is the best method to compare data as a *starting point* to a more robust analysis to confirm or explain why there may be a need for more staff.
- When reviewing Table D, you should also keep in mind that Roanoke and Albemarle only provide court security, jail transportation, and civil process. The County provides these services and conducts officer patrols, thus suggesting that the County is doing more with less as it provides law enforcement and court security.
- The FBI Uniform Crime Report from 2010 indicated that cities with populations between 50,000 to 99,900 residents in Mid-Atlantic States had 2.1 full-time law enforcement officers per 1,000 residents. This number includes mostly cities where larger staffing is typically needed to provide security and protection to citizens. However, it can serve as a general parameter in looking at the County's ratio of 1.45.
- The National Fire and Protection Association does not recommend standard staffing levels, but recognizes that the number of fire fighters per 1,000 residents is a good way to develop a sense of the size of the department relative to the population they protect.
- As illustrated by the results, the County ranks in the lower quartile (25th) of the Peer Group in Fire & Rescue, and slightly below the 50th percentile in the Sheriff's Department when compared to the Peer Group.

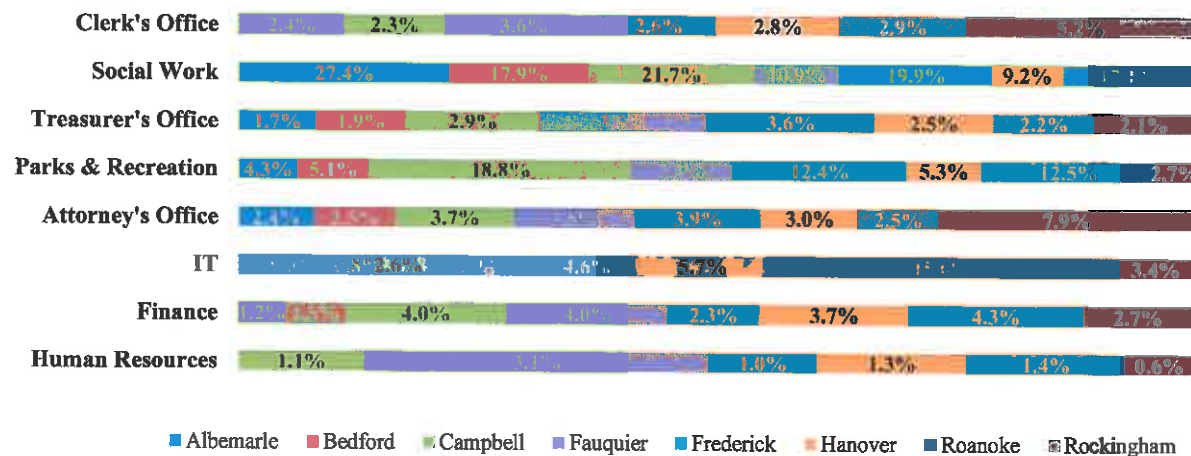
B. Ratio of Fire & Rescue and Sheriff's Department to Residential Population

- When compared to the residents served, the County trails the Peer Group on a per-capita basis. However, there are many other factors that should be considered if this information will be used in the future to examine staffing levels. For example:
 - What's the public's perception of public safety in the County?
 - Has crime remained relatively low or has it increased over the years?
 - Have the operations of the public safety areas been evaluated to make sure they are being run efficiently?
 - What's the projection for growth in the region over the next ten years?
 - Does the County have a good understanding of the compensation being paid by neighboring counties to compete for talented staff?
- These are the types of issues that must be addressed if the County wants to take the next step in budgeting additional money to increase staffing across the public safety areas.

C. Department Analysis in Relation to Total Number of Employees (Exclusive of Fire & Rescue and Sheriff's Department)

- As noted earlier in this report, not all counties have the same departments. Table E is a bar chart that outlines the staffing level percentages of specific departments compared to the total number of employees in each Peer Group member.
- As you examine the bar chart, you will notice that the County ranks in the middle or lower third in most departments when compared to the Peer Group. For example, for Human Resources, only 1% of County employees make up HR, while 3.1% of Fauquier County's staff consists of HR employees.

Table E: Percentage of Total Number of County Employees by Department



C. Department Analysis in Relation to Total Number of Employees (Exclusive of Fire & Rescue and Sheriff's Department)

- Table E can also be used to identify the percentage of staff in each department.
 - The mean for the Clerk's Office is 3.1%, and the County is *below* the level at 2.6%.
 - The mean for Social Work is 17.7% and the County is *above* the mean at 19.8%.
 - The mean for Parks and Recreation is 8.6%, and the County is *above* that level at 12.4%.
 - In the IT area, the mean for the group is 5.3%, and the County is *below* that level at 4.5%. However, the average is somewhat skewed based on Roanoke having such a high number at 15.1%.
 - In the Finance Department, the mean is 2.96%, and the County is slightly *below* that level at 2.3%.
 - The mean for the Treasurer's Department is 2.54% and the County is *above* that level at 3.6%.
 - The mean for the Commonwealth Attorney's Office is 3.7%, and the County is *above* that level at 3.9%.
 - Finally, in Human Resources, the mean is 1.4% and the County is *below* that level at 0.98%.

C. Department Analysis in Relation to Total Number of Employees (Exclusive of Fire & Rescue and Sheriff's Department)

- In summary, the County is below the mean in four departments. Listed below is a summary of each department along with their primary functions.
 - **Finance** is generally responsible for the overall financial management including financial reporting, assessment and collection of all local revenues, cash management, debt management, risk management, and financial systems management functions. Finance also includes payroll, accounts payable, revenue forecasting, procurement, and capital financing, and budget forecasting.
 - **Human Resources** provides internal services to the employees of the county and serve as a resource for all departments by providing training opportunities, benefit administration, employee recognition and employee relations. Human Resources also administers and coordinates the hiring process for vacant positions. For the County, being below the Mean in Human Resources also has some additional challenges because the HR area is one of only two counties to provide support for the jail system.
 - **Information Technology** manages county's technology infrastructure and central systems used by all departments. These systems include financial, personnel, revenue management, email, data sharing, and the website presence. IT also implements and manages departmental computer systems and provides support to departmental computer systems infrastructure; and manages help desk and maintains computer inventory.
 - **The Clerk's Office**, responsible for administrative matters for the court such as deeds, plats, and also authority to probate wills, grant administration of estates, and appoint guardians. The department files and processes suits including motor vehicles, divorces, injunctions, appeals, adoption proceedings, and name changes.

D. Analysis of Public Safety to Land Mass

- Land per square miles in county areas may not be a good indicator to measure for public safety because that land may contain more open space in some counties as opposed to condensed space in cities or more populated counties.
- However, we conducted the following analysis evaluating land mass against public safety personnel as indicated in Table F. The numbers reflect total staffing per square mile.

Table F			
Fire and Rescue Department		Sheriff's Department	
Roanoke	.63	Roanoke	.95
Hanover	.32	Hanover	.48
Frederick	.20	Frederick	.28
Albemarle	.14	Fauquier	.26
Fauquier	.11	Albemarle	.25
Rockingham	.09	Campbell	.15
Bedford	.08	Bedford	.11
Campbell	.07	Rockingham	.08

- Based on these results, the County has .20 Fire & Rescue employees per square mile, and .28 Sheriff employees per square mile.

D. Analysis of Public Safety to Land Mass

- Not surprisingly, Roanoke, with the smallest land area of the Peer Group at 250 square miles, has the highest ratio of employees-to-land ratio. Alternatively, Rockingham with the largest land mass at 849 square miles, ranks close to the bottom in both departments when compared to the other Peer Group members.
- When you review the data from Exhibit 2 that contains population per square miles, combined with the information from Table E, we create the following ratio scenarios:
 - The County has .20 Fire & Rescue employees per square mile to service 196.4 residents per square mile.
 - The County has .28 Sheriff Department employees per square mile to service 196.4 employees per square mile.
 - The resulting ratios place the County in the top 75th percentile in terms of public safety staffing based on land mass.
 - Results indicate that for the land the County has to patrol and protect, it ranks relatively high when compared to the Peer Group.

V. Analysis of Jail Data

A. Analysis of Jail Data

Staffing a jail is an expensive proposition. Such a costly resource must be carefully managed. Determining the true staff needs of a jail requires the analysis of the interaction between the facility, the prisoner population, management, budget considerations, and standards and court requirements. Having too few staff can provide such problems as security issues, morale problems, high turnover, and day to day operational issues. Lawsuits against jails have historically focused on inadequate staffing when a prisoner or inmate is injured or dies. For the County, this assessment is an overview of the staffing levels against other jails in the state.

- We assessed the personnel data for five regional jails to determine if the staffing levels are similar. Based on the data highlighted in Exhibit 4, the following results can be concluded:
 - Albemarle/Charlottesville has 2.29 employees per inmate;
 - Hampton Roads has 3.11 employees per inmate;
 - Northwestern Regional Adult Detention Center has 3.086 employees per inmate;
 - Prince William/Manassas has 2.81 employees per inmate; and
 - Western Tidewater Regional has 4.27 employees per inmate.

- The lower the ratio between staff and inmates, the better the relationship for security purposes. Accordingly, Northwestern Regional, located in the County, ranks third out of five in terms of number of staff to inmates.

- Even when you factor in the total budgeted number of staff versus the active number for the County, the ratio for Northwestern Regional does not change enough to move to a better position.

- Overall, Northwestern Regional appears to be staffed appropriately when compared to the staffing levels of the other detention centers.

Frederick County, Virginia

Regional Jails Comparison

REGIONAL JAILS COMPARISON					
STAFFING	NorthWestern Regional Adult Detention Ctr	Albemarle/Charlottesville	Hampton Roads**	Prince William/Manassas	Western Tidewater Regional Jail
ACTIVE COUNT	190	188	364	337	165
TOTAL BUDGETED	194 ***	188	364	337	165
JAIL METRICS					
CAPACITY	556	329 *	798	1003 ****	552
AVERAGE DAILY POPULATION	583	431	1134	949	706

*Services are shared with the Blue Ridge Juvenile Detention Center and numbers represent both entities and information taken from County of Albemarle Department Statistics, 6/30/14

**Information obtained from the Compensation Board, ending 2014

*** Data from Northwestern Adult Detention Center Fiscal Year 2013 Annual Report

**** From web site; 667 is capacity at main facility and 336 is where the jail operated independently in the Peumansend Creek Regional Jail

In this study, our research indicates that the departmental shared service for the jail systems is somewhat limited for the Peer Group. For example, the County’s Human Resource Department also supports the employees at the Regional Jail. However, the only other Peer Group member that had a similar role was the Hanover Human Resource Department as it supports the Pamunkey Regional Jail. Other than that, none of the Peer Groups provide any shared services with the jails.

IV. Recommendations for Next Steps

IV. Next Steps

- The County may want to consider conducting an internal employee satisfaction survey focusing on the culture, workload, and work life balance, to supplement the findings in this report. The survey could confirm that people feel overwhelmed by doing more with less, provide insight on how employees feel they are servicing the citizens of the County, or provide feedback that the workload and culture is fine.
- Staffing for the Fire & Rescue and the Sheriff's Department is complicated. According to an audit conducted in 2011 on the performance of city firefighters, the standard number of firefighter's called for four firefighters per fire truck. The primary benefit of staffing a minimum of four firefighters is to increase efficiency in handling fire incidents. Staffing Fire & Rescue departments also takes into consideration fire equipment, how much overtime is being requested and/or generated, and much more. Similar analysis is needed for policing. Therefore, it is not as simple as stating that the County needs to add more fire and rescue personnel because it trails the Peer Group members. One of the biggest factors in staffing is, what is the community willing to pay for and the level of risk the community is willing to incur? This is also true for the Sheriff's Department.
- The next step in the process is to take a comprehensive look at all departments listed in this report that indicates that the County trails the mean of the Peer Group. For each area, there should be a thorough review to address the following:
 - How effective is the department in light of the staffing levels?
 - Can cross training occur to supplement staffing where deficiencies may exists?
 - From 2010 to 2013, the last time census data was evaluated, the County population increased by almost 4%. During that same period, very few, if any, new hires were added to the staff. With a growing employee population, what sacrifices have been made in terms of public service to the citizens of the County and can they be reversed with additional staffing?

IV. Next Steps

- Are there any residential surveys indicating how citizens view County services? If not, consider conducting such a survey on a limited basis for areas that interact with citizens to determine the level of trust and customer satisfaction of its citizens?
- In addition to cross training, are there ways to merge areas for budget purposes and still provide a high level of service?

TOTAL COMPENSATION STATEMENT

2014 Benefits Statement

Dear [REDACTED]:

This personal benefits statement is a brief outline of the benefits Frederick County provides to you. It summarizes each benefit and illustrates the significance of your benefits package as part of your total compensation. Frederick County is pleased to be able to offer these valuable benefits to you, and we thank you for being a partner in our success.

TOTAL COMPENSATION:

\$73,820.62

Personal Information		Employment Information	
Employee ID:	[REDACTED]	Date of Hire:	7/1/1997
Name:	[REDACTED]	Annual Base Salary:	\$55,250.97
Address:	[REDACTED]		
City, State, Zip	[REDACTED]		

Benefit Name	Benefit Description	Annual Employer Cost	Annual Employee Cost
Medical	Anthem BC/BS	\$7,177.20	\$2,232.00
Dental	Guardian	\$514.04	\$171.84
Life Insurance Life Value: \$112,000.00 Acc.Life Value: \$224,000.00	Through VRS - Basic Group Life Insurance	\$644.30	\$0.00
VRS	Retirement	\$5,952.22	\$2,707.06
FICA Tax		\$4,226.69	\$4,226.69
Workers' Compensation		\$55.20	\$0.00
Total Benefits Cost:		\$18,569.55	\$9,337.59
Plus Annual Base Salary:		\$55,250.97	
TOTAL COMPENSATION:		\$73,820.62	
Cost of employer-sponsored benefits as a percentage of total compensation:		25%	

Paid Leave Benefits	Benefit Value:
PTO Hours/Hourly Rate/Dollar Value	339 / \$26.56 / \$9,003.84
Holidays Hours/Hourly Rate/Dollar Value	112 / \$26.56 / \$2,974.72
Miscellaneous Benefit	Benefit Value
Wellness Reward	\$175.00

Every effort has been made to ensure that the information in this statement is accurate, however no warranty of complete accuracy is made. This report does not in any way constitute a contract of employment. Frederick County reserves the right to amend pay and benefits at any time without notice. If you feel an error has been made or have any questions, please contact Human Resources. © 2010, 2014 Zywave, Inc. All rights reserved.

E



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: April 15, 2015
SUBJECT: Finance Committee Report and Recommendations

A Finance Committee meeting was held in the First Floor Conference Room at 107 North Kent Street on Wednesday, April 15, 2015 at 8:00 a.m. There was a Budget Work Session immediately following. Member Angela Rudolph was absent. (b) Items 2, 4 and 5 were approved under consent agenda.

FINANCE COMMITTEE

1. The Fire and Rescue Chief requests a General Fund supplemental appropriation in the amount of \$170,530 to cover overtime expenses through the end of fiscal year 2015. \$160,000 of this request represents local funds and the remainder represents a grant for hazmat training. This item was postponed at the February Finance Committee meeting. See attached information, p. 4. The committee recommends approval.
2. (b) The Fire and Rescue Chief requests a General Fund supplemental appropriation in the amount of \$16,060. This amount represents a Local Emergency Management Performance Grant to purchase replacement radios and equipment for use in the Mobile Command Post and the EOC. No local funds required. See attached info, p. 5 – 8.
3. The Fire and Rescue Chief requests a General Fund supplemental appropriation in the amount of \$2,642. This amount represents funds collected for SCBA Parts/Repairs and

- will be used for uniforms. No local funds required. See attached memo, p. 9. The committee recommends approval.
4. (b) The Sheriff requests a General Fund supplemental appropriation in the amount of \$5,286. This amount represents an insurance reimbursement for an auto claim. No local funds required. See attached memo, p. 10.
 5. (b) The Sheriff requests a General Fund supplemental appropriation in the amount of \$10,627. This amount represents prisoner extradition reimbursements. No local funds required. See attached memo, p. 11.
 6. The Registrar requests a General Fund supplemental appropriation in the amount of \$24,495. This amount represents expenses for the June 9, 2015 Republican Primary. Local funds are required. See attached memo, 12 – 13. The committee recommends approval.
 7. The EDA Executive Director requests an EDA Fund supplemental appropriation in the amount of \$3,500. This amount represents funds for The Widget Cup. No local funds required. See attached memo, p. 14 – 16. The committee recommends approval.
 8. At the request of the committee, the EDA Executive Director provides an overview of audit process conducted by the Economic Development Authority (EDA) on Local Economic Development Incentive Grants (LEDIG). No action is required. See attached information, p. 17 – 19. The committee requests further information on a final reporting mechanism.
 9. At the request of the committee, the Commissioner of the Revenue provides follow up information on tables presented in the CAFR. No action is required. See attached information, p. 20 – 22.
 10. At the request of the committee, the Assistant Finance Director provides a draft Grant Application & Acceptance Policy for review and recommendation. See attached,

p. 23 – 25. The committee postpones the item awaiting review by the new County Administrator.

BUDGET WORK SESSION

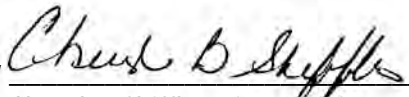
1. At the request of the BOS and the Finance Committee, the Finance Director provides information on comparable salary increases for all county employees.

INFORMATION ONLY

1. The Finance Director provides a Fund 10 Transfer Report for March 2015. See attached, p. 26.
2. The Finance Director provides financial statements for the month ending March 31, 2015. See attached, p. 27 – 37.
3. The Finance Director provides an FY 2015 Fund Balance Report ending April 9, 2015. See attached, p. 38.

Respectfully submitted,

FINANCE COMMITTEE
Charles DeHaven, Chairman
Richard Shickle
Judy McCann-Slaughter
Gary Lofton
Bill Ewing

By 
Cheryl B. Shiffler, Finance Director

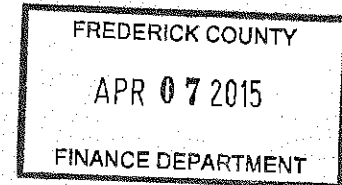


FIRE AND RESCUE DEPARTMENT


1080 Coverstone Drive
Winchester, VA 22602

Dennis D. Linaburg
Fire Chief

MEMORANDUM



TO: Cheryl Shiffler, Director
Finance Department

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

SUBJECT: Request for Supplemental Appropriation

DATE: April 3, 2015

As an amendment to our request for a Supplemental Appropriation to cover Overtime, we have reviewed our personnel budget as discussed at the February Finance Committee meeting. We have determined that we can reduce our original request \$140,000 by transferring money within our existing personnel budget to the Overtime line item.

I am requesting money received through a Virginia Office of Emergency Medical Services grant, in the amount of \$10,530.21, for overtime related to HazMat training be placed into line item 4-010-035050-1005-000 Overtime.

Request: \$10,530.21

Additionally, I request \$160,000 be placed into line item 4-010-035050-1005-000 *Overtime* to cover the balance.

Request: \$160,000

If you have any questions or need additional information regarding this request, please do not hesitate to contact me so I may further discuss this will you.

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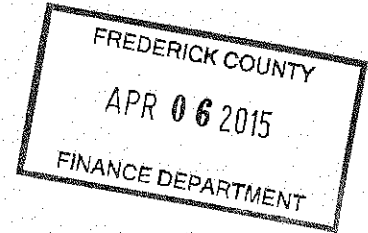


FIRE AND RESCUE DEPARTMENT


1080 Coverstone Drive
Winchester, VA 22602

Dennis D. Linaburg
Fire Chief

MEMORANDUM



TO: Cheryl Shiffler, Director
Finance Department

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

SUBJECT: Request for Supplemental Appropriation

DATE: April 3, 2015

Our Department has been awarded a Local Emergency Management Performance Grant to purchase replacement radios and equipment for use in the Mobile Command Post and Emergency Operations Center. The total purchase price for this equipment will be \$16,060.58, with a state reimbursement of \$32,594.38, which includes the Deputy Emergency Management Coordinator's salary.

Total Request: \$16,060.58

At this time, I am requesting \$14,560.58 be placed into line item 4-010-035050-3505-8003-000, Communication Equipment Capital, and \$1,500 be placed into line item 4-010-035050-3505-5407-000, Repair and Maintenance of Supplies and Equipment.

Attached, you will find the budget breakdown of equipment to be purchased. If you have any questions or need additional information regarding this request, please do not hesitate to contact me so I may further discuss this will you.

/attachments
DDL:msn
CC: file

3-010-024040-0026
(1075)

BUDGET LINE ITEMS

Total Amount Requested: \$32,594.38

PROJECT: DEVELOP/ENHANCE HOMELAND SECURITY/EMERGENCY MANAGEMENT ORGANIZATION AND STRUCTURE

This project is steered towards the replacement of two-way radios that are currently in use in our Mobile command post as well as the purchase of a radio for the vehicle that is used by the Deputy Emergency Management Coordinator

Total for this project: **\$16,060.58**

Investment Justification: FY 14 Emergency Management Performance Grant

Target Category: Response

Target Capability: Operational Communications

Equipment: \$16,060.58

1. Radio, Mobile - Mobile Radio

APPROVED

Function: Equipment

Category: Interoperable Communications Equipment

Discipline: Emergency Management

Description/Rationale:

The purchase of these radios will provide dual band communications to jurisdictions that we provide and receive mutual aid from. One being Shenandoah County that operates on UHF and the City of Winchester that will be operating in the 800 MHz band in 2015.

Quantity: 2 *Unit Cost:* \$7,280.29 *Total:* \$14,560.58

Line Item Log

Action	User	Date/Time	Comment	Q	Unit Cost	Total
Line item updated	Chester Lauck	09/09/2014 01:30 PM		2	\$7,060.58	\$14,121.16
Line item updated	Chester Lauck	09/09/2014 01:28 PM		2	\$7,500.00	\$15,000.00
Line item updated	Chester Lauck	09/09/2014 01:24 PM		2	\$7,060.58	\$14,121.16
Line item updated	Chester Lauck	09/09/2014 01:22 PM		2	\$7,500.00	\$15,000.00
Line item updated	Chester Lauck	09/03/2014 10:51 AM		2	\$7,500.00	\$15,000.00
Line item updated	Chester Lauck	09/03/2014 10:50 AM		2	\$7,500.00	\$15,000.00
Line item created	Chester Lauck	09/03/2014 10:46 AM		2	\$7,500.00	\$15,000.00

2. Radio, Portable - Portable radio

APPROVED

Function: Equipment
Category: Interoperable Communications Equipment
Discipline: Emergency Management
Description/Rationale:
To add the ability to provide a means of communications while away from any mobile radios.

Quantity: 1 *Unit Cost:* \$1,500.00 *Total:* \$1,500.00

Line Item Log

Action	User	Date/Time	Comment	Q	Unit Cost	Total
Line item updated	Chester Lauck	09/09/2014 01:28 PM		1	\$1,939.42	\$1,939.42
Line item updated	Chester Lauck	09/09/2014 01:26 PM		1	\$1,500.00	\$1,500.00
Line item created	Chester Lauck	09/09/2014 01:21 PM		1	\$1,500.00	\$1,500.00

PROJECT: ESTABLISH/ENHANCE EMERGENCY OPERATIONS CENTER

To provide a dedicated printer to the EOC to provide a means to print documents as needed without sending the print job to a remote location in the building. Thus providing more security for the document and the EOC staff

Total for this project: **\$236.80**

Investment Justification: FY 14 Emergency Management Performance Grant

Target Category: Response

Target Capability: Operational Coordination

Equipment: \$236.80

3. Equipment and Supplies, Information/Operations

APPROVED

Center - EOC Printer

Function: Equipment
Category: Other Authorized Equipment
Discipline: Emergency Management
Description/Rationale:

Provide a printer for dedicated use in EOC

Quantity: 1 *Unit Cost:* \$236.80 *Total:* \$236.80

Line Item Log

Action	User	Date/Time	Comment	Q	Unit Cost	Total
Line item updated	Chester Lauck	09/09/2014 10:58 AM		1	\$500.00	\$500.00
Line item created	Chester Lauck	09/03/2014 11:02 AM		1	\$500.00	\$500.00

**PROJECT: DEVELOP/ENHANCE HOMELAND SECURITY/EMERGENCY
MANAGEMENT ORGANIZATION AND STRUCTURE**

The use of EM salary as local match

Total for this project: **\$16,297.00**

Investment Justification: FY 14 Emergency Management Performance Grant

Target Category: Protection

Target Capability: Planning

Management and Administration: \$16,297.00

4. EM Salary

REJECTED

Function: Management and Administration

Category: All Other M&A Expenses

Discipline: Emergency Management

Description/Rationale:

The use of EM salary to match grant money

Quantity: 1 *Unit Cost:* \$16,297.00

Total: \$16,297.00

Line Item Log

Action	User	Date/Time	Comment	Q	Unit Cost	Total
Line item rejected	Jocelyn Bagby	10/15/2014 11:53 AM	Salary should be classified as Planning			
Line item updated	Chester Lauck	09/09/2014 01:30 PM		1	\$16,297.00	\$16,297.00
Line item created	Chester Lauck	09/09/2014 11:05 AM		1	\$16,297.00	\$16,297.00



COUNTY OF FREDERICK, VIRGINIA

FIRE AND RESCUE DEPARTMENT

1080 Coverstone Drive

Winchester, VA 22602

FREDERICK COUNTY


APR 01 2015

FINANCE DEPARTMENT

Dennis D. Linaburg
Fire Chief

MEMORANDUM

TO: Cheryl Shiffler, Director
Finance Department

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

SUBJECT: Request for Supplemental Appropriation

DATE: March 26, 2015

Our Department is respectfully requesting the following amounts be transferred from the listed revenue line item to assist in offsetting an increase in uniform expenses we have experienced this fiscal year.

3-010-16170-0001 SCBA Parts/Repairs \$2,642.24

I request these funds be placed into line item 3505-5410-000, Uniforms & Wearing Apparel. If you have any questions or need additional information regarding this request, please do not hesitate to contact me so I may further discuss this with you.

/attachment

DDL:msn

CC: file

FREDERICK COUNTY SHERIFF'S OFFICE

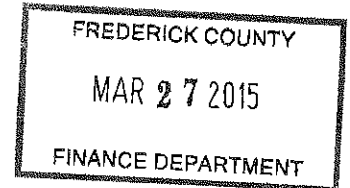


ROBERT T. WILLIAMSON
Sheriff

MAJOR C.L. VANMETER
Chief Deputy

1080 COVERSTONE DRIVE
WINCHESTER, VIRGINIA 22602

540/662-6168
FAX 540/504-6400



TO : Finance Department
FROM : Sheriff R. T. Williamson *RTW*
SUBJECT : Insurance Reimbursement
DATE : March 26, 2015

We are requesting the insurance check received in the amount of \$5,286.51 for the auto claim dated February 26, 2015 involving Deputy Nicholson be appropriated into 3102-3004-000-002.

Thank you.

RTW/asw

C.S. 3-13-15
3-010-018990-0001

FREDERICK COUNTY SHERIFF'S OFFICE

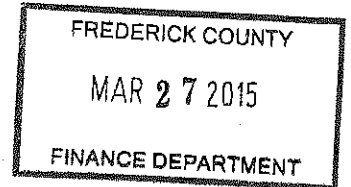


ROBERT T. WILLIAMSON
Sheriff

MAJOR C.L. VANMETER
Chief Deputy

1080 COVERSTONE DRIVE
WINCHESTER, VIRGINIA 22602

540/662-6168
FAX 540/504-6400



COPY

TO : Angela Whitacre – Treasurer's Office
FROM : Sheriff R. T. Williamson *RTW*
SUBJECT : Reimbursements
DATE : March 26, 2015

Attached please find checks totaling \$10,627.54 from the Commonwealth of Virginia-Circuit Courts. These checks represent reimbursements from the State for prisoner extraditions. This amount can be posted to 10FL - 3010-019110-0058.

A copy of this memo will be sent to the Finance Department requesting appropriation.

Thank you.

RTW/asw

Attachments

Cc: Finance – 3102-5506-000-001

C.S. 3-30-15



OFFICE OF VOTER REGISTRATION & ELECTION ADMINISTRATION

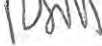
General Registrar of Voters

E-mail: fcvotes@co.frederick.va.us

Rick Miller
540/665-5660
Fax 540/665-8976

MEMORANDUM

To: Frederick County Finance Committee

From: Rick Miller, Voter Registrar, Frederick County 

Subject: Supplemental Budget Request for June 9, 2015 Republican Primary

Date: Friday, April 3, 2015

The Voter Registrar requests to be placed on the Fredrick County Finance Committee Agenda for the Wednesday, April 15, 2015 meeting. The purpose of this request is to seek approval of the Supplemental Budget Request for the Republican House of Delegates 29th District Primary to be held on Tuesday, June 9, 2015.

The amount of the Supplemental Budget Request is \$ 24,495.00. This amount will Cover all expenses related to the Republican Primary on Tuesday, June 9, 2015.

This Supplemental Budget Request is to be done from the 2015 – 2016 Budget year.

June 9, 2015 Republican Party Primary – 29th HOD Only

Supplemental Budget Request

Line Item Budget Requests

13010 - Electoral Board and Officials

1003 – 000 - Part Time/Extra Help	\$ 5,620.00
1006 – 002 - Compensation of Election Officials	\$ 10,575.00
3007 – 000 – Advertising	\$ 200.00
3010 – 000 – Other Contractual Services	\$ 4,786.60
5204 – 000 – Postage and Telephone	\$ 630.00
5401 – 000 – Office Supplies	\$ 200.00
5506 – 000 – Travel	\$ 862.50

13020 – Registrar

1003 – 001 – Part Time/Extra Help	\$ 270.00
1005 – 000 – Overtime	\$ 1,350.90

TOTAL \$ 24,495.00

DATE April 8, 2015

TO: Cheryl Shiffler, Finance Director
Frederick County

FROM: Patrick Barker, CEcD
Executive Director

CC: Rod Williams
Interim County Administrator

RE: Supplemental Appropriation Request for 31-081020-5413-000-000

The Economic Development Authority (EDA) is requesting an appropriation increase to 31-081020-5413-000-000 for FY14-15 in the amount of \$3,500.00. No local public funds are involved.

The appropriation increase will allow us to receive and expend non-local public monies associated with The Widget Cup: An Exploration of Stem done in collaboration with Frederick County Public Schools, Winchester City Schools and generous sponsorship with local businesses.

We hope this request can be added to the next Finance Committee agenda. Please advise our office if you anticipate a delay. Thank you for your consideration.

revenue: 3-031-019110-0007

From: Wendy May <wmay@YesFrederickVA.com>
Sent: Thursday, March 26, 2015 10:11 AM
To: Patrick Barker, CEcD
Subject: Community Hosts Inaugural Widget Cup

Frederick^{CO}VA



PRESS RELEASE

PRESS RELEASE
FOR IMMEDIATE RELEASE

**COMMUNITY HOSTS INAUGURAL WIDGET CUP
– A DESIGN/BUILD CHALLENGE –**

Winchester, Va. (March 26, 2015) The Widget Cup: An Exploration of Stem, the community's inaugural design/build challenge, will be held on April 11, 2015 at Millbrook High School. Student teams from each of the area's four high schools (James Wood, John Handley, Millbrook, and Sherando) will vie for The Widget Cup trophy. Upon receiving the design challenge, competitors will consult, design, and build a widget before presenting the final product to a panel of industry-expert judges. Final products will be donated to a local non-profit, to be announced at the event.

The Widget Cup provides a rare opportunity for fellow students, parents, teachers, and businesses to see STEM (Science, Technology, Engineering, and Math) and CTE (Career & Technical Education) students in action; translating coursework into real-world applications.

The event is a partnership between the Frederick County Economic Development Authority (FCEDA), Frederick County Public Schools, and Winchester City Schools. Generous sponsorship and event-day participation is being provided by Winchester Metals, Founding Sponsor, and Event Sponsors: Annandale Millwork & Allied Systems/Frogale Lumber Supply, Bank of Clarke County, Barrett Machine, Inc., Chick-fil-A Pleasant Valley/Rutherford Crossing, Crown Beverage Packaging, Fabritek/Winchester Tool, Home Depot Rapid Deployment Center 5030, NW Works, RCD Electrical Services, Shenandoah University Harry F. Byrd Jr. School of Business, and Winchester Printers.

"Technically skilled employees, who can demonstrate ingenuity and problem solving skills, are critical to the success of our community businesses," commented Sally Michaels, FCEDA existing business coordinator. "This event showcases what's already being implemented in our education systems to support business needs. It will bring excitement to the areas of STEM and CTE and allow businesses to interact with our future workforce."

"We're excited to be a supporter of The Widget Cup," said Josh Phelps, President of Winchester Metals and Founding Sponsor of the event. "We're looking forward to allowing these students to showcase the skills they've learned in STEM and CTE classes. These students are our future entrepreneurs, trades workers and business leaders and this competition allows them to demonstrate real-world skills that employers need in today's workforce."

Agenda & Logistics

The Widget Cup | April 11, 2015

Millbrook High School | 251 First Woods Dr. Winchester, VA 22603

8:45am-9am Welcome & Event Overview (*gymnasium*)
9-10am Phase I | Design (*gymnasium*)
10am-1pm Phase 2 | Build (*closed shop*)
1-1:30pm Break
1:30-2:30pm Phase 3 | Presentation of Widgets (*gymnasium*)

YesFrederickVA.com/WidgetCup

The event is open to the public. Businesses interested in sponsoring or volunteering for the event should contact Sally Michaels, Frederick County EDA existing business coordinator, at 540.665.0973.

About Frederick County Economic Development Authority

The Frederick County Economic Development Authority works as a catalyst to enhance the economy of Frederick County by promoting quality, balanced business development. The EDA provides a wide array of information and free services designed to help businesses locate or expand operations in Frederick County, Virginia. For additional information about the Frederick County EDA, please visit www.YesFrederickVA.com.

Contacts:

Sally Michaels
Existing Business Coordinator
Frederick County Economic Development Authority
540.665.0973 | smichaels@YesFrederickVA.com

Josh Phelps
President
Winchester Metals
540.667-9000 | jphelps@winchestermetals.com

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45 E. Boscawen St. Winchester, VA 22601 | 540.665.0973

Your Move. Our Commitment.

YesFrederickVA.com

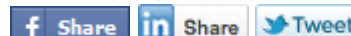
Find Us On Facebook || View LinkedIn Profile

Sent
to: pbarker@yesfrederickva.com
If you prefer not to receive
future e-mails of this type,
[click here](#)

Sent By:
Frederick County EDA
45 E. Boscawen St.
Winchester Virginia 22601
United States

powered by **swiftpage**

Share this email



To view as a web page [click here](#).

DATE April 8, 2015

TO: Cheryl Shiffler, Finance Director
Frederick County

FROM: Patrick Barker, CEcD
Executive Director

CC: Rod Williams
Interim County Administrator

RE: Local Economic Development Incentive Grants Audit Process

The following provides a brief insight into the audit process conducted by the Economic Development Authority (EDA) on Local Economic Development Incentive Grants (LEDIG). ON MINERALS (CHEMSTONE) COMPANY D/B/A CARMEUSE LIME AND STONE (CARMEUSE) will serve as the example.

Like all LEDIGs, a table was developed for staff auditing purposes. Information is first collected by CARMEUSE then cross checked two ways. The Frederick County Commissioner of Revenue's office is contacted to verify the status of capital investment values. Proprietary employment data is purchased by the EDA from the Virginia Employment Commission to verify status of employment goals. If necessary, on-site visits are conducted to verify.

- Capital Investment Goal | \$49,207,277 from June 1, 2012 to June 1, 2016.
- Employment Goal | 25 new jobs (at least) paying average annual wage of at least \$43,673 from June 1, 2012 to June 1, 2016.
- Employment Goal | Maintain current 22 jobs as of June 1, 2012.
- Location of Project | 508 Quarry Road, Clear Brook, VA

Date Required	Progress Report Submitted	Compliance Trend	Notes
December 1, 2012	Yes No	Yes No	
December 1, 2013	Yes No	Yes No	
December 1, 2014 December 1, 2015	Yes No	Yes No	
December 1, 2016	Yes No	Yes No	

Attached is the sample LEDIG audit template provided to CARMEUSE.

SAMPLE LOCAL ECONOMIC DEVELOPMENT INCENTIVE GRANTS AUDIT
COMPANY RESPONSE

COMPANY LETTERHEAD

(Date)

Patrick Barker, CEcD
Executive Director
Frederick County EDA
45 East Boscawen St, Suite 2
Winchester, VA 22601

RE: Performance Agreement CARMEUSE LIME AND STONE July 25, 2012

Dear Mr. Barker

CARMEUSE LIME AND STONE evaluated a number of locations for its manufacturing facility expansion. We selected the location in Frederick County, Virginia, over a potential site in Pennsylvania. The Frederick County, Virginia, location ultimately was chosen, in part, due to local and State incentives provided.

CARMEUSE LIME AND STONE recognizes, as part of receiving these incentives, the need to provide detailed progress reports of our performance goals for these incentives. To comply with the capital investment target as stated below, CARMEUSE LIME AND STONE is providing the enclosed documentation. (copies of purchase orders, County tax filings, installation bills, fixed assets reports etc.). For the employment targets as stated below, CARMEUSE LIME AND STONE submits the enclosed personnel data (records showing last name of employee, date hired and wage rate, as well as, total FTE employee count).

- Make a capital investment of at least \$49,207,277, which involves only taxable real property and/or taxable tangible personal property by June 1, 2016 in addition to the capital improvements at your Frederick County facility as of June 5, 2012.
- Create and maintain at least 25 new jobs at the facility at an average wage of \$43,673, in addition to maintaining the current 22 jobs at the facility as of June 5, 2012.

In the past 30 months, CARMEUSE LIME AND STONE has not downsized, closed or consolidated operations that resulted in employment layoffs in Virginia as a result of this new project.

We appreciate your consideration of this documentation to demonstrate satisfactory compliance with the goals set forth in the performance agreement and will be happy to provide additional information as needed.

Sincerely,

Chief Executive Officer

Company

Sharon Kibler

From: Cheryl Shiffler
Sent: Wednesday, February 18, 2015 1:14 PM
To: Ellen Murphy
Cc: Sharon Kibler; Jennifer Place
Subject: RE: Questions from Finance

Do you want me to include this email in the agenda?

From: Ellen Murphy
Sent: Wednesday, February 18, 2015 1:10 PM
To: Richard Shickle; Cheryl Shiffler
Subject: Questions from Finance

I will address this at the next finance meeting but wanted to get back to you immediately on the following:

TABLE 7:

Finance agenda Page 41 of the CAFR - 2014 Top 10 realty values vs 2005: The 2005 year shows the utility company under Potomac Edison on the chart (we did not value as Allegheny Power) - value being \$83,187,476. For the 2014 year this property was divided up and reported under: Shenandoah Valley Elec Coop at \$43,008.889 AND Rappahannock Elec at \$42,741,797. Other differences are due to new build-outs or new companies taking over the higher value spots.

TABLE 5:

Finance agenda Page 39 of the CAFR - 2014 assessments of all classes of taxable property: Specific question regarding Public Service Property - No local assessment is done on public service property. Per Virginia State Code assessment of all public service and railroad property is completed by the state after the filing by the utility or railroad. I have verified that the numbers we reported and assessed are correct by the filing of the State Corporation Commission. Public Service real estate rate on property applies to the ground and operating equipment permanently attached while the personal property is moveable equipment and trucks (thus the relatively low value on the "personal property" category). This is by state mandate and not negotiable.

Hope this is what you needed. If you have any other questions, please do not hesitate to contact me! Keep warm..... Ellen

Ellen E. Murphy, MCOR
Commissioner of the Revenue
Frederick County, Virginia
107 North Kent Street
Winchester VA 22601
Office: 540.665.5681
Direct: 540.722.8334
Fax: 540.667.6487
emurphy@fcva.us

Principal Property Taxpayers

Current Year and the Period Nine Years Prior

Taxpayer	Type Business	Fiscal Year 2014		Fiscal Year 2005	
		2014 Assessed Valuation	% of Total Assessed Valuation	2005 Assessed Valuation	% of Total Assessed Valuation
Trans Allegheny Interstate	Utility	\$ 122,050,579	0.54%	\$ -	0.00%
Shenandoah Valley Elec Coop	Utility	43,008,889	0.53%	-	0.00%
Rappahannock Elec	Utility	42,741,797	0.49%	-	0.00%
Fort Collier Group	Industrial Park	39,366,400	0.43%	12,312,400	0.29%
Verizon Virginia	Utility	34,756,929	0.42%	33,859,421	0.80%
Cooperwood Fema LLC	Federal Govt	33,970,500	0.42%	-	0.00%
The Village At Orchard Ridge	Retirement Community	33,299,300	0.39%	-	0.00%
H P Hood Inc	Dairy Plant	31,210,100	0.39%	31,872,800	0.75%
EIP Winchester	Distribution	31,086,100	0.28%	-	0.00%
Washington Gas light	Utility	22,251,817	0.00%	18,137,531	0.43%
Potomac Edison	Utility	-	0.00%	83,187,476	1.96%
Kohl's Department Stores	Distribution	-	0.00%	12,468,800	0.29%
Trex Company	Decking	-	0.00%	12,423,400	0.29%
AT&T	Utility - communications	-	0.00%	13,147,258	0.31%
Home Depot, USA	Distribution	-	0.00%	24,781,900	0.58%
General Electric Co.	Incandescent lamps	-	0.00%	14,174,400	0.33%
		<u>\$ 433,742,411</u>	<u>5.42%</u>	<u>\$ 256,365,386</u>	<u>6.42%</u>

Source: Commissioner of Revenue - 2013 RE BOOK, 2013 PUBLIC SERVICE RE TOTAL, FY 2005 CAFR

COUNTY OF FREDERICK, VIRGINIA

Table 5

Assessed Value and Estimated Actual Value of Taxable Property
Last Ten Fiscal Years

Fiscal Year	Real Estate	Personal Property	Mobile Homes	Machinery and Tools	Public Utility		Total Taxable Assessed Value	Total Direct Tax Rate (1)	Estimated Actual Taxable Value	Assessed Value as a Percentage of Actual Value
					Real Estate	Personal Property				
2005	\$ 5,390,315,685	\$ 831,996,886	\$ 31,049,625	\$ 245,449,038	\$ 174,729,621	\$ 2,495,494	\$ 6,676,036,349	1.039	\$ 6,676,036,349	100.00%
2006	6,889,772,707	943,249,786	32,189,875	256,643,746	177,919,118	1,508,096	8,301,283,328	0.989	8,301,283,328	100.00%
2007	7,354,880,957	956,028,615	35,063,205	256,751,924	155,747,099	1,024,865	8,759,496,665	0.970	8,759,496,665	100.00%
2008	7,628,047,323	950,660,132	38,049,501	255,318,207	150,502,779	705,449	9,023,283,391	0.954	9,023,283,391	100.00%
2009	7,811,319,762	931,328,186	39,192,659	257,046,280	185,732,461	776,669	9,225,396,017	0.991	9,225,396,017	100.00%
2010	8,050,510,887	876,964,704	39,530,158	265,744,961	246,737,225	1,091,033	9,480,578,968	0.955	9,480,578,968	100.00%
2011	7,835,124,893	959,116,919	40,906,316	265,929,030	257,825,002	966,246	9,359,868,406	1.029	9,359,868,406	100.00%
2012	7,636,806,650	942,985,301	41,328,639	248,314,706	367,524,033	2,007,550	9,238,966,879	1.060	9,238,966,879	100.00%
2013	7,696,001,768	975,644,445	41,657,064	255,121,648	378,304,245	2,172,968	9,348,902,138	1.071	9,348,902,138	100.00%
2014	7,816,092,895	1,006,173,855	41,946,196	282,244,524	342,658,871	2,194,437	9,491,310,778	1.081	9,491,310,778	100.00%

(1) The total direct tax rate is calculated using the weighted average method

Notes: The County collects real estate and personal property taxes on semiannual installments. Accordingly, assessed values for real property, personal property, machinery and tools, and mobile home taxes include assessments for the second half of the prior calendar year and first half of the current calendar year.

Source: Commissioner of Revenue - based on book values only - abatements not included

GRANT APPLICATION & ACCEPTANCE POLICY

Frederick County, VA

I. PURPOSE

This document outlines the policies for submitting grant applications on behalf of Frederick County, and the acceptance and appropriation of all grant awards. To ensure that grant applications are within the scope of Frederick County's goals and to facilitate coordination between County departments, Administration, Finance and Treasurer.

II. SCOPE

This policy applies to any Frederick County program, department or constitutional office preparing and submitting grant applications to agencies outside the County government for funds, materials or equipment to be received and administered by the County or by an agency for which the County acts as fiscal agent.

III. DEFINITIONS

A. Donations

A donation is a gift given voluntarily for charitable purposes, generally without any requirements or special conditions regarding use. While all unbudgeted revenues must be appropriated by the Board of Supervisors, donations are not subject to the requirements of this policy.

B. Funding Agency/Source

The original financial source for a grant, typically in the form of a government agency or non-profit organization. Another term that can be used is Granting Agency.

C. Grants

A grant may be a sum of money, or services, given for specific purposes, typically as a result of a grant application or proposal which has been submitted to the funding organization.

IV. GUIDELINES

- A.** No grant application shall be submitted to the funding agency or organization without the prior approvals defined in Section V of this policy.
- B.** Grants are to be approved, whenever possible, through the annual budget process.
- C.** All grants require award approval and appropriation from the Board of Supervisors, either through the annual budget process or at regular Board of Supervisors meetings.
- D.** For grant awards that are accepted outside of the annual budget cycle, it is the

responsibility of the requesting department to submit a request for consideration by the Finance Committee.

V. PROCESS

A. Grant Application Approval through the Budget Process

1. Grants are to be approved, whenever possible, through the annual budget process using the appropriate budget revenue(s) and expenditure(s).
2. If the grant is included in the Frederick County Adopted Budget and appropriated during the budget process, i.e. the revenue, expenditures, and local match, then no additional approval is required for the application, acceptance, and appropriation of the grant. The County Administrator may authorize the application and acceptance. The County Administrator will notify the Finance Department of all authorized grant applications.
3. Requesting department shall provide the following information relating to the grant with budget submission:
 - Local match requirements.
 - Source(s) and amount(s) of local match funding, if required.
 - Other associated and/or on-going local costs, not specifically part of the grant, to be incurred if the grant is awarded.
 - Requirements for continued local funding for the program or activity once the grant period expires.
4. The requesting department shall submit the grant application to the Granting Agency.

B. Grant Application Approval Outside the Budget Process

When grant opportunities do not coincide with the annual budget process, the requesting department shall:

1. Provide the following information relating to the grant to the Finance Department for review:
 - Local match requirements.
 - Source(s) and amount(s) of local match funding, if required.
 - Other associated and/or on-going local costs, not specifically part of the grant, to be incurred if the grant is awarded.
 - Requirements for continued local funding for the program or activity once the grant period expires.
 - Completed grant application.

GRANT APPLICATION & ACCEPTANCE POLICY

Frederick County, VA

2. The Finance Department will forward the above information for further action. The approval progression of grant applications is dependent upon the following:
 - a. **No matching funds required from fund balance and requires no continuing obligation to fund the program beyond the grant period.** The County Administrator may authorize the grant application or may determine that an action by the Board of Supervisors is appropriate. The County Administrator will notify the Finance Department of all authorized grant applications.
 - b. **Matching funds requiring a fund balance allocation or a budget amendment or requires the addition of personnel or requires a continuing obligation.** The grant application and appropriation must be approved by the Board of Supervisors, via the Finance Committee whenever possible. Approval by the Board of Supervisors will permit the County Administrator to authorize the grant application. The appropriation will be pending the receipt of the grant award.
3. The requesting department shall submit the grant application to the Granting Agency following the receipt of appropriate approvals.

C. Award and Acceptance

1. Forward the final grant award/acceptance notification to the Finance Department. Include the following information:
 - Revenue and expenditure code(s).
 - Date of Board of Supervisor approval, if applicable.
2. The Finance department will appropriate funds based upon the prior pending appropriation approval by the Board of Supervisors.
3. The Finance department will forward grant and appropriation information to the Treasurer.

DATE	DEPARTMENT/GENERAL FUND	REASON FOR TRANSFER	FROM	TO	ACCT	CODE	AMOUNT
3/12/15	INSPECTIONS	MEMBERSHIP DUES	3401	5413	000	000	(20.00)
	INSPECTIONS		3401	5801	000	000	20.00
3/13/15	INFORMATION TECHNOLOGY	COVER COST OF VMWARE MAINTENANCE SERVICE	1220	3002	000	000	(12,000.00)
	INFORMATION TECHNOLOGY		1220	3005	000	000	12,000.00
3/13/2015	COUNTY OFFICE BUILDINGS/COURTHOUSE	FACILITYDUDE UTILITY BILL	4304	3010	000	000	(7,456.54)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	3002	000	000	7,456.54
3/13/2015	FIRE AND RESCUE	INCREASED COST OF EQUIPMENT	3505	5404	000	000	(1,000.00)
	FIRE AND RESCUE		3505	8009	000	000	1,000.00
3/13/2015	FIRE AND RESCUE	TO COVER LINE ITEM EXPENSES	3505	4003	000	002	(500.00)
	FIRE AND RESCUE		3505	5409	000	000	500.00
3/16/2015	COUNTY ATTORNEY	ADDITIOANL BAR ASSOCIATION DUES	1202	3002	000	000	(53.00)
	COUNTY ATTORNEY		1202	5801	000	000	53.00
3/18/2015	SHERIFF	MEMBERSHIP DUES	3102	5506	000	000	(840.00)
	SHERIFF		3102	5801	000	000	840.00
3/18/2015	CLERK OF THE CIRCUIT COURT	NCSC COURSE	2106	5401	000	000	(700.00)
	CLERK OF THE CIRCUIT COURT		2106	5506	000	000	700.00
3/19/2015	REFUSE COLLECTION	PRINTING SERVICES	4203	3004	000	003	(500.00)
	REFUSE COLLECTION		4203	3006	000	000	500.00
3/19/2015	PARKS MAINTENANCE	BALLFIELD LIGHT POLE INSPECTIONS	7103	3012	000	000	(8,114.85)
	PARKS MAINTENANCE		7109	3012	000	003	(7,934.85)
	CLEARBROOK PARK		7109	3004	000	003	8,114.85
	SHERANDO PARK		7110	3004	000	003	7,934.85
3/20/2015	COUNTY ATTORNEY	FY15 SUMMER INTERN	1202	1003	000	000	(2,400.00)
	OTHER		1224	3002	000	000	2,400.00
3/23/2015	AGRICULTURE	DUES	8301	5506	000	000	(70.00)
	AGRICULTURE		8301	5801	000	000	70.00
3/23/2015	AGRICULTURE	PROGRAM SUPPLIES	8301	9002	000	000	(1.00)
	AGRICULTURE		8301	5401	000	000	1.00
3/24/2015	AGRICULTURE	POSTAGE & PHONE	8301	5506	000	000	(1,100.00)
	AGRICULTURE		8301	5204	000	000	1,100.00
3/24/2015	AGRICULTURE	PROGRAM SUPPLIES	8301	5506	000	000	(173.00)
	AGRICULTURE		8301	5401	000	000	173.00
3/30/2015	FIRE AND RESCUE	EQUIPMENT	3505	8009	000	000	(10,746.60)
	FIRE AND RESCUE		3505	5404	000	000	10,746.60
3/30/2014	FIRE AND RESCUE	UNIFORM EXPENSES	3505	5204	000	000	(5,000.00)
	FIRE AND RESCUE		3505	5410	000	000	5,000.00
4/1/2015	COUNTY ATTORNEY	COURT FILING FEE FOR PSB REFINANCING	1202	3002	000	000	(21.00)
	COUNTY ATTORNEY		1202	5413	000	000	21.00

County of Frederick
 General Fund
 March 31, 2015

ASSETS	FY15 <u>3/31/2015</u>	FY14 <u>3/31/2014</u>	Increase <u>(Decrease)</u>
Cash and Cash Equivalents	47,829,763.46	41,687,884.05	6,141,879.41 *A
Petty Cash	1,555.00	1,555.00	0.00
Receivables:			
Taxes, Commonwealth, Reimb. P/P	2,724,690.61	3,001,517.71	(276,827.10)
Streetlights	1,044.50	1,587.42	(542.92)
Commonwealth, Federal, 45 day Taxes	17,063.69	45,067.93	(28,004.24)
Due from Fred. Co. San. Auth.	734,939.23	734,939.23	0.00
Prepaid Postage	3,061.78	5,642.43	(2,580.65)
GL controls (est. rev / est. exp)	<u>(8,719,798.46)</u>	<u>(11,054,883.66)</u>	<u>2,335,085.20</u> (1) Attached
TOTAL ASSETS	<u>42,592,319.81</u>	<u>34,423,310.11</u>	<u>8,169,009.70</u>
LIABILITIES			
Accrued Liabilities	0.00	589,123.05	(589,123.05) *B
Performance Bonds Payable	491,136.32	420,366.77	70,769.55
Taxes Collected in Advance	181,507.28	201,980.50	(20,473.22)
Deferred Revenue	<u>2,743,112.80</u>	<u>3,048,487.06</u>	<u>(305,374.26)</u> *C
TOTAL LIABILITIES	3,415,756.40	4,259,957.38	(844,200.98)
EQUITY			
Fund Balance			
Reserved:			
Encumbrance General Fund	590,254.35	716,337.46	(126,083.11) (2) Attached
Conservation Easement	4,779.85	2,135.00	2,644.85
Peg Grant	66,131.05	181,138.00	(115,006.95) *D
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	17,303.89	17,264.37	39.52
Animal Shelter	335,530.02	335,530.02	0.00
Proffers	4,023,780.67	2,796,108.30	1,227,672.37 (3) Attached
Economic Development Incentive	550,000.00	550,000.00	0.00
VDOT Revenue Sharing	436,270.00	436,270.00	0.00
Undesignated Adjusted Fund Balance	<u>32,101,358.14</u>	<u>24,121,811.75</u>	<u>7,979,546.39</u> (4) Attached
TOTAL EQUITY	<u>39,176,563.41</u>	<u>30,163,352.73</u>	<u>9,013,210.68</u>
TOTAL LIAB. & EQUITY	<u>42,592,319.81</u>	<u>34,423,310.11</u>	<u>8,169,009.70</u>

NOTES:

- *A Cash increase can be attributed to the increase in fund balance.
- *B Health insurance deposits were moved to the Health Insurance Fund 7/1/14.
- *C Deferred revenue includes taxes receivable, street lights, misc. charges, dog tags, and motor vehicle registration fees.
- *D Upgrade board room audio visual and broadcasting equipment in the amount of \$178,122.95 from Comcast provided PEG funds.

BALANCE SHEET

(1) GL Controls	FY15	FY14	Inc/(Decrease)
Est.Revenue	138,499,390	130,209,536	8,289,854
Appropriations	(61,032,458)	(60,210,277)	(822,180)
Est.Tr.to Other fds	(86,776,985)	(81,770,479)	(5,006,506)
Encumbrances	590,254	716,337	(126,083)
	(8,719,798)	(11,054,884)	2,335,085

General Fund Purchase Orders @3/31/15

DEPARTMENT	Amount	Description
Animal Shelter	17,075.00	(5) Double Stacked Steel Cat Cages on Cabinet Bases
Board of Supervisors	179,615.60	BOS Sound Room Equipment
Commonwealth's Attorney	21,825.00	Criminal Case Management System
Fire & Rescue	1,500.00	APX Dual Band&VHF Radio System
	47,786.49	Uniforms
	11,394.60	Fire Hose
	6,719.20	Multi-Force Door for Training Purposes
	8,064.25	(9) CPR Manikins with Case
	18,205.98	Stretcher and Ramp System
	5,615.00	Patient Ramp with Winch Loading System
	9,334.30	Transport System
MIS	25,634.30	UPS Backup System
	3,250.00	Tax Ticket Paper
Parks	30,032.00	Chemicals for Pools
	8,000.00	Rose Hill Park Engineering Service
	1,817.55	Event Shirts for Half Marathon
	3,850.00	Pool Diagnostic and Repair
	46,602.80	Clearbrook and Sherando Pool Tanks w/Facepiping
	3,401.96	Furniture
	26,013.72	Grass Seed and Fertilizer
	18,749.70	Pole Inspection for Clearbrook and Sherando
Refuse Collection	5,960.00	Concrete Wall/Slab for Gainesboro Citizens Site
Sheriff	4,520.00	(8) Body Armor
	81,125.52	(3) F150 4X4 Supercrew Trucks
Treasurer	4,161.38	Envelopes
Total	590,254.35	

(3)Proffer Information	SCHOOLS	PARKS	FIRE & RESCUE	Designated Other Projects	TOTAL
Balance @3/31/15	2,245,305.93	387,660.93	401,711.57	989,102.24	4,023,780.67

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 @3/31/15

(4) Fund Balance Adjusted	
Ending Balance@3/31/15	36,065,267.35
Revenue 3/15	82,968,623.80
Expenditures @3/15	(44,055,825.95)
Transfers @3/15	(42,876,707.06)
3/15 Adjusted Fund Balance	32,101,358.14

County of Frederick
 Comparative Statement of Revenues, Expenditures
 and Changes in Fund Balance
 March 31, 2015

REVENUES:	<u>Appropriated</u>	FY15 3/31/15 <u>Actual</u>	FY14 3/31/14 <u>Actual</u>	YTD Actual <u>Variance</u>
General Property Taxes	93,490,226.00	43,630,663.77	41,330,048.02	2,300,615.75 (1)
Other local taxes	30,213,611.00	20,325,406.25	19,158,927.97	1,166,478.28 (2)
Permits & Privilege fees	1,248,473.00	1,243,549.75	912,459.52	331,090.23 (3)
Revenue from use of money and property	138,077.30	171,997.49	138,417.48	33,580.01 (4)
Charges for Services	2,372,232.00	1,692,580.89	1,509,871.22	182,709.67
Miscellaneous	542,202.18	440,582.31	324,277.49	116,304.82
Recovered Costs	1,606,021.98	2,214,800.30	2,024,070.77	190,729.53 (5)
Intergovernmental:				
Commonwealth	8,836,046.43	13,222,304.44	13,385,085.88	(162,781.44) (6)
Federal	52,500.00	26,738.60	76,584.77	(49,846.17) (7)
Transfers	.	0.00	0.00	0.00
TOTAL REVENUES	138,499,389.89	82,968,623.80	78,859,743.12	4,108,880.68
 EXPENDITURES:				
General Administration	9,596,919.84	6,986,110.27	7,023,949.69	(37,839.42)
Judicial Administration	2,437,160.85	1,572,869.02	1,508,960.80	63,908.22
Public Safety	30,737,478.20	21,859,505.15	20,662,871.18	1,196,633.97
Public Works	4,299,374.92	2,670,467.76	3,016,596.49	(346,128.73)
Health and Welfare	7,232,385.00	5,075,449.75	4,467,872.35	607,577.40
Education	56,000.00	42,000.00	42,369.75	(369.75)
Parks, Recreation, Culture	5,869,124.59	3,865,945.33	3,640,389.50	225,555.83
Community Development	2,986,029.50	1,983,478.67	2,416,254.02	(432,775.35)
TOTAL EXPENDITURES	63,214,472.90	44,055,825.95	42,779,263.78	1,276,562.17 (8)
 OTHER FINANCING SOURCES (USES):				
Operating transfers from / to	84,594,969.80	42,876,707.06	40,621,868.70	2,254,838.36 (9)
Excess (deficiency)of revenues & other sources over expenditures & other uses	(9,310,052.81)	(3,963,909.21)	(4,541,389.36)	(577,480.15)
 Fund Balance per General Ledger		36,065,267.35	28,663,201.11	7,402,066.24
Fund Balance Adjusted to reflect Income Statement @3/31/15		32,101,358.14	24,121,811.75	7,979,546.39

(1)General Property Taxes	FY15	FY14	Increase/Decrease
Real Estate Taxes	23,107,306	22,569,353	537,954
Public Services	1,158,065	965,025	193,040
Personal Property	18,312,977	16,755,520	1,557,457
Penalties and Interest	817,904	763,834	54,069
Credit Card Chgs./Delinq.Advertising	(25,304)	(22,303)	(3,001)
Adm.Fees For Liens&Distress	259,716	298,619	(38,904)
	43,630,664	41,330,048	2,300,616

(2) Other Local Taxes

Local Sales and Use tax	7,177,687.38	6,644,832.46	532,854.92
Communications Sales Tax	785,647.57	789,486.88	(3,839.31)
Utility Taxes	2,034,666.78	1,994,746.73	39,920.05
Business Licenses	5,686,238.26	5,267,872.66	418,365.60
Auto Rental Tax	70,490.60	75,825.50	(5,334.90)
Motor Vehicle Licenses Fees	514,589.52	518,786.98	(4,197.46)
Bank Stock Taxes & Franchise	-	23,054.00	(23,054.00)
Recordation Taxes	899,743.62	847,969.55	51,774.07
Meals Tax	2,858,651.94	2,698,188.12	160,463.82
Lodging Tax	276,878.36	277,860.78	(982.42)
Street Lights	16,612.32	16,142.67	469.65
Star Fort Fees	4,199.90	4,161.64	38.26
Total	20,325,406.25	19,158,927.97	1,166,478.28

(3)Permits&Privileges

Dog Licenses	32,217.00	36,261.00	(4,044.00)
Land Use Application Fees	7,400.00	4,800.00	2,600.00
Transfer Fees	1,991.47	1,886.17	105.30
Development Review Fees	309,353.92	226,879.85	82,474.07
Building Permits	679,707.80	489,247.64	190,460.16
2% State Fees	11,387.06	3,866.47	7,520.59
Electrical Permits	56,435.00	51,059.00	5,376.00
Plumbing Permits	10,111.00	6,300.00	3,811.00
Mechanical Permits	47,118.50	35,779.39	11,339.11
Sign Permits	1,920.00	2,550.00	(630.00)
Permits for Commercial Burning	500.00	300.00	200.00
Explosive Storage Permits	700.00	200.00	500.00
Blasting Permits	210.00	360.00	(150.00)
Land Disturbance Permits	83,098.00	50,020.00	33,078.00
Septic Haulers Permit	200.00	200.00	-
Sewage Installation License	600.00	300.00	300.00
Residential Pump and Haul Fee	-	100.00	(100.00)
Transfer Development Rights	600.00	2,350.00	(1,750.00)
Total	1,243,549.75	912,459.52	331,090.23

(4) Revenue from use of

Money	113,018.53	85,445.43	27,573.10
Property	58,978.96	52,972.05	6,006.91
Total	171,997.49	138,417.48	33,580.01

(5) Recovered Costs	FY15	FY14	Increase/Decrease
Recovered Costs Treas.Office	44,626.00	44,582.00	44.00
Worker's Comp	950.00	950.00	-
Purchasing Card Rebate	98,068.29	117,213.04	(19,144.75)
Recovered Costs-IT/GIS	20,000.00	25,421.90	(5,421.90)
Fire & Rescue Fee Recovery	216,783.54	-	216,783.54
Round Hill Bond Payment	16,758.26	-	16,758.26
Reimbursement Circuit Court	9,397.87	9,842.27	(444.40)
Reimb.Public Works/Planning Clean Up	723.75		
Clarke County Container Fees	34,793.35	35,040.64	(247.29)
City of Winchester Container Fees	28,576.87	27,263.73	1,313.14
Refuse Disposal Fees	44,521.21	49,161.73	(4,640.52)
Recycling Revenue	46,547.16	64,742.79	(18,195.63)
Sheriff Restitution	-	134.36	(134.36)
Fire & Rescue Merchandise(Resale)	-	78.00	(78.00)
Container Fees Bowman Library	1,159.66	1,270.37	(110.71)
Restitution Victim Witness	8,028.53	4,742.66	3,285.87
Reimb.of Expenses Gen.District Court	21,885.12	20,300.62	1,584.50
Reimb.-Public Work Salaries	-	547.76	(547.76)
Winchester EDC	-	54,000.00	(54,000.00)
Reimb.Task Force	49,344.52	36,532.70	12,811.82
EDC Revenue/Recovered Costs	-	1,400.00	(1,400.00)
Sign Deposits Planning	(50.00)	50.00	(100.00)
Reimb. Elections	4,402.01	2,640.65	1,761.36
Reimb.Street Signs	-	1,394.40	(1,394.40)
Grounds Maint.Frederick Co.Schools	197,106.43	174,265.96	22,840.47
Reimbursement-Construction Projects	385,799.69	-	385,799.69
Westminster Canterbury Lieu of Taxes	24,450.10	-	24,450.10
Comcast PEG Grant	53,095.50	47,286.80	5,808.70
Proffer-Other	449.50	55,000.00	(54,550.50)
Fire School Programs	12,825.00	17,621.00	(4,796.00)
Proffer Sovereign Village	14,634.92	36,587.30	(21,952.38)
Proffer Redbud Run	32,270.00	109,718.00	(77,448.00)
Clerks Reimbursement to County	7,618.29	8,723.89	(1,105.60)
Proffer Canter Estates	8,175.94	12,263.91	(4,087.97)
Proffer Village at Harvest Ridge	7,695.00	12,312.00	(4,617.00)
Proffer Snowden Bridge	440,776.05	420,734.96	20,041.09
Proffer Meadows Edge Racey Tract	352,520.00	463,312.00	(110,792.00)
Sheriff Reimbursement	21,105.74	139,649.33	(118,543.59)
Proffer Cedar Meadows Proffer	9,762.00	29,286.00	(19,524.00)
Total	2,214,800.30	2,024,070.77	190,729.53

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

(6) Commonwealth Revenue	3/31/15	3/31/14	
	FY15	FY14	Increase/Decrease
Motor Vehicle Carriers Tax	36,948.73	37,981.90	(1,033.17)
Mobile Home Titling Tax	89,406.17	60,343.04	29,063.13
Recordation Taxes	254,075.53	257,690.12	(3,614.59)
P/P State Reimbursement	6,526,528.18	6,526,528.18	-
State Noncategorical Funding	-	95,034.88	(95,034.88)
Shared Expenses Comm.Atty.	294,803.58	301,490.85	(6,687.27)
Shared Expenses Sheriff	1,604,477.75	1,555,027.81	49,449.94
Shared Expenses Comm.of Rev.	142,102.73	140,330.08	1,772.65
Shared Expenses Treasurer	108,079.53	108,317.55	(238.02)
Shared Expenses Clerk	266,964.42	285,212.80	(18,248.38)
Public Assistance Grants	2,785,583.64	2,399,767.96	385,815.68
Litter Control Grant	15,515.00	15,502.00	13.00
Other Revenue from the Commonwealth	189,785.00	-	189,785.00
Emergency Services Fire Program	239,007.00	223,725.00	15,282.00
DMV Grant Funding	29,032.16	18,869.14	10,163.02
State Grant Emergency Services	62,786.60	-	62,786.60
DCJS & Sheriff (State Grants)	134,181.10	27,269.40	106,911.70
JJC Grant Juvenile Justice	96,269.00	96,269.00	-
Rent/Lease Payments	221,776.83	193,620.78	28,156.05
Spay/Neuter Assistance-State	2,232.14	2,511.25	(279.11)
State Reimbursement-EDC	-	900,000.00	(900,000.00)
VDEM Grant Sheriff	-	6,598.33	(6,598.33)
Wireless 911 Grant	48,029.34	43,233.64	4,795.70
State Forfeited Asset Funds	18,227.63	12,509.17	5,718.46
Victim Witness	51,610.00	50,111.00	1,499.00
Fire and Rescue OEMS Reimb.	4,882.38	2,142.00	2,740.38
IT/GIS Grants	-	25,000.00	(25,000.00)
Total	13,222,304.44	13,385,085.88	(162,781.44)

*1 Increase for Special Needs

*2 DEQ Stormwater revenue

*3 Abbott Grant \$99,064.88

County of Frederick

General Fund

March 31, 2015

(7) Federal Revenue	FY15	FY14	Increase/Decrease
Federal Forfeited Assets	-	21,693.77	(21,693.77)
Housing Illegal Aliens-Federal	12,449.00	18,814.00	(6,365.00)
Federal Grants Sheriff	10,191.60	36,077.00	(25,885.40)
Emergency Services Grant-Federal	4,098.00	-	4,098.00
Total	26,738.60	76,584.77	(49,846.17)

(8) Expenditures

Expenditures increased \$1,276,562.17 in total. **Public Safety** increased \$1,196,633.97. The Sheriff's department purchased (24) vehicles totaling \$587,223.00. Additionally, the contribution for the local share for the Jail though the third quarter increased \$314,683.60 from the previous year. **Public Works** decreased \$346,128.73 and reflects the \$410,027.71 Gainesboro Citizen's Site in the previous year. The \$432,775.35 decrease in **Community Development** reflects the transfer of the Economic Development Authority to a separate fund. The Transfers increased \$2,254,838.36. See chart below:

(9) Transfers Increased \$2,254,838.36	FY15	FY14	Increase/Decrease
Transfer to School Operating	32,892,257.05	30,679,564.15	2,212,692.90 *1
Transfer to Debt Service Schools	7,313,075.50	7,313,075.50	-
Transfer to Debt Service County	954,525.82	1,425,149.91	(470,624.09) *2
Transfer to Capital Projects Fund	1,000,000.00	800,882.79	199,117.21 *3
Transfer to Development Project Fd(27)	0.00	422,696.00	(422,696.00)
Transfer to School Capital Projects Fund	542,593.92	-	542,593.92 *4
Operational Transfers	174,254.77	(19,499.65)	193,754.42 *5
Total	42,876,707.06	40,621,868.70	2,254,838.36

*1 Increase in FY15 School Operating Transfer.

*2 Final payment on Administration Building made December 2014.

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

*4 Unobligated FY14 Funds to be Used for Capital Maintenance Needs.

*5 Timing of Insurance Charge Outs.

County of Frederick
 FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER
 March 31, 2015

ASSETS	FY2015 <u>3/31/15</u>	FY2014 <u>3/31/14</u>	Increase <u>(Decrease)</u>
Cash	5,481,337.50	5,179,335.85	302,001.65 *1
GL controls(est.rev/est.exp)	<u>(907,271.63)</u>	<u>(507,727.26)</u>	<u>(399,544.37)</u>
TOTAL ASSETS	<u>4,574,065.87</u>	<u>4,671,608.59</u>	<u>(97,542.72)</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 Undesignated Fund Balance	31,557.24	31,557.10	0.14
	<u>2,427,409.63</u>	<u>2,562,523.42</u>	<u>(135,113.79) *2</u>
TOTAL EQUITY	<u>2,458,966.87</u>	<u>2,594,080.52</u>	<u>(135,113.65)</u>
TOTAL LIABILITY & EQUITY	<u>4,574,065.87</u>	<u>4,671,608.59</u>	<u>(97,542.72)</u>

NOTES:

*1 Cash increased \$302,001.65. Refer to the following page for comparative statement of revenues and expenditures and changes in fund balance.

*2 Fund balance decreased \$135,113.79. The beginning for FY15 was \$2,738,357.11 that includes adjusting entries, budget controls FY15(\$510,200), the design and bidding administration for a security system upgrade (\$56,139.20), overtime and inmate medical costs (\$358,000.00), and the year to date revenue less expenditures of \$613,391.72.

Current Unrecorded Accounts Receivable-	<u>FY2015</u>
Prisoner Billing:	25,306.75
Compensation Board Reimbursement 3/15	<u>439,595.53</u>
Total	464,902.28

FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER

REVENUES:	<u>Appropriated</u>	FY2015 3/31/15 <u>Actual</u>	FY2014 3/31/14 <u>Actual</u>	YTD Actual <u>Variance</u>
Credit Card Probation		110.51	-	110.51
Interest	-	6,433.35	5,395.52	1,037.83
Sale of Salvage&Surplus	-	-	76.00	(76.00)
Supervision Fees	43,446.00	29,398.00	27,078.30	2,319.70
Drug Testing Fees	5,000.00	565.00	1,505.00	(940.00)
Work Release Fees	405,150.00	219,728.49	236,089.72	(16,361.23)
Federal Bureau Of Prisons	0.00	3,510.28	1,509.32	2,000.96
Local Contributions	6,253,129.00	5,602,369.54	5,530,765.00	71,604.54
Miscellaneous	15,000.00	5,043.90	16,289.68	(11,245.78)
Phone Commissions	300,000.00	199,725.54	89,852.07	109,873.47
Food & Staff Reimbursement	115,000.00	80,416.17	83,670.67	(3,254.50)
Elec.Monitoring Part.Fees	144,000.00	58,278.34	74,338.60	(16,060.26)
Employee Meal Supplements	200.00	0.00	42.50	(42.50)
Share of Jail Cost Commonwealth	1,066,042.00	608,468.11	509,680.00	98,788.11
Medical & Health Reimb.	50,000.00	48,236.06	44,260.42	3,975.64
Shared Expenses CFW Jail	4,973,170.00	3,554,044.76	3,520,144.85	33,899.91
State Grants	263,263.00	88,116.00	136,612.00	(48,496.00)
Local Offender Probation	252,286.00	67,190.00	125,432.00	(58,242.00)
DOC Contract Beds	0.00	1,751.18	6,624.00	(4,872.82)
Bond Proceeds	0.00	0.00	221,000.00	(221,000.00)
Transfer From General Fund	4,991,484.00	3,664,935.10	3,350,251.50	314,683.60
TOTAL REVENUES	18,877,170.00	14,238,320.33	13,980,617.15	257,703.18
EXPENDITURES:	19,815,998.87	13,624,928.61	12,886,208.54	738,720.07
Excess(Deficiency)of revenues over expenditures		613,391.72	1,094,408.61	(481,016.89)
FUND BALANCE PER GENERAL LEDGER		<u>1,814,017.91</u>	<u>1,468,114.81</u>	<u>345,903.10</u>
Fund Balance Adjusted To Reflect Income Statement 3/31/15		2,427,409.63	2,562,523.42	(135,113.79)

County of Frederick
Fund 12 Landfill
March 31, 2015

ASSETS	FY2015 3/31/15	FY2014 3/31/14	Increase (Decrease)
Cash	31,794,506.73	30,856,663.37	937,843.36
Receivables:			
Accounts Receivable			
Fees	525,785.83	559,198.73	(33,412.90) *1
Accounts Receivable Other	0.00	12.00	(12.00)
Allow.Uncollectible Fees	(84,000.00)	(84,000.00)	0.00
Fixed Assets	43,682,208.64	43,287,786.24	394,422.40
Accumulated Depreciation	(25,115,864.21)	(23,311,767.48)	(1,804,096.73)
GL controls(est.rev/est.exp)	<u>(4,334,719.22)</u>	<u>(2,270,998.40)</u>	<u>(2,063,720.82)</u>
TOTAL ASSETS	<u>46,467,917.77</u>	<u>49,036,894.46</u>	<u>(2,568,976.69)</u>
LIABILITIES			
Accounts Payable	-	-	
Accrued VAC.Pay and Comp TimePay	178,911.24	159,728.90	19,182.34
Accrued Remediation Costs	11,938,535.78	11,908,968.42	29,567.36 *2
Retainage Payable	9,244.62	0.00	9,244.62
Deferred Revenue Misc.Charges	<u>0.00</u>	<u>12.00</u>	<u>(12.00)</u>
TOTAL LIABILITIES	<u>12,126,691.64</u>	<u>12,068,709.32</u>	<u>57,982.32</u>
EQUITY			
Fund Balance			
Reserved:			
Encumbrances	720,670.00	242,234.60	478,435.40 *3
Land Acquisition	1,048,000.00	1,048,000.00	0.00
New Development Costs	3,812,000.00	3,812,000.00	0.00
Environmental Project Costs	1,948,442.00	1,948,442.00	0.00
Equipment	3,050,000.00	3,050,000.00	0.00
Undesignated			
Fund Balance	<u>23,762,114.13</u>	<u>26,867,508.54</u>	<u>(3,105,394.41) *4</u>
TOTAL EQUITY	<u>34,341,226.13</u>	<u>36,968,185.14</u>	<u>(2,626,959.01)</u>
TOTAL LIABILITY AND EQUITY	<u>46,467,917.77</u>	<u>49,036,894.46</u>	<u>(2,568,976.69)</u>

NOTES:

*1 Landfill receivables decreased \$33,412.90. Landfill fees at 3/15 were \$424,301.42 compared to \$390,216.93 at 3/14 for an increase of \$34,084.49. Delinquent fees at 3/15 were \$98,246.49 compared to \$165,233.91 at 3/14 for a decrease of \$66,987.42.

*2 Remediation increased \$29,567.36 for interest.

*3 The encumbrance balance at 3/31/15 was \$720,670.00 and includes \$33,426 for an LED monument sign, \$30,912 for granular silica gel, and \$656,332 for a 2015 CAT 826K with GPS upgrade.

*4 Fund balance decreased \$3,105,394.41. The beginning balance was \$26,789,927.14 and includes adjusting entries, budget controls for FY15(\$1,705,018.00), (2) positions(\$84,734.00), (\$420,000.00) carry forward funds for the final phase of Permit 40, to purchase a used motor grader, and unexpected changes in work to reconstruct the leachate holding pool. Additionally, (\$1,575,000.00) to cover the cost of the closure of nine(9) acres within the construction/demolition debris landfill, and the year to date revenue less expenditures for \$756,938.99.

County of Frederick
 Comparative Statement of Revenue, Expenditures
 and Changes in Fund Balance
 3/31/15

FUND 12 LANDFILL REVENUES	<u>Appropriated</u>	<u>FY15 3/31/15 Actual</u>	<u>FY14 3/31/14 Actual</u>	<u>YTD Actual Variance</u>
Interest Charge	0.00	2,665.57	2,706.16	(40.59)
Interest on Bank Deposits	20,000.00	42,858.08	40,159.40	2,698.68
Salvage and Surplus	0.00	88,001.55	81,679.50	6,322.05
Sanitary Landfill Fees	4,653,000.00	3,295,002.96	3,244,427.86	50,575.10
Charges to County	0.00	234,116.10	232,022.24	2,093.86
Charges to Winchester	0.00	65,960.12	65,034.44	925.68
Tire Recycling	54,000.00	129,726.05	90,942.97	38,783.08
Reg. Recycling Electronics	60,000.00	28,588.01	28,768.60	(180.59)
Greenhouse Gas Credit Sales		3,668.28	0.00	3,668.28
Miscellaneous	0.00	4,843.00	7,990.70	(3,147.70)
Wheel Recycling	144,000.00	10,491.47	0.00	10,491.47
Charges for RTOP	0.00	0.00	0.00	0.00
Renewable Energy Credits	116,262.00	105,313.32	89,917.80	15,395.52
Landfill Gas To Electricity	363,925.00	381,147.32	435,107.30	(53,959.98)
Waste Oil Recycling		7,506.19	17,327.22	(9,821.03)
State Reimbursement Tire Operation	0.00	0.00	0.00	0.00
TOTAL REVENUES	5,411,187.00	4,399,888.02	4,336,084.19	63,803.83
Operating Expenditures	4,740,244.44	2,248,994.11	2,266,353.60	(17,359.49)
Capital Expenditures	5,726,331.78	1,393,954.92	207,830.00	1,186,124.92
TOTAL Expenditures	10,466,576.22	3,642,949.03	2,474,183.60	1,168,765.43
Excess(deficiency)of revenue over expenditures		756,938.99	1,861,900.59	(1,104,961.60)
Fund Balance Per General Ledger		23,005,175.14	25,005,607.95	(2,000,432.81)
FUND BALANCE ADJUSTED		23,762,114.13	26,867,508.54	(3,105,394.41)

County of Frederick, VA
Report on Unreserved Fund Balance
April 9, 2015

Unreserved Fund Balance, Beginning of Year, July 1, 2014 **39,292,350**

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)
C/F Designated School Operating funds	(108,939)
C/F School Operating to School Capital	(542,594)
C/F forfeited assets	(53,015)
C/F EDA incentives	(375,000)
	(1,257,622)

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)
Sheriff PT - court bailiffs	(175,000)
Sheriff - 10 vehicles & equipment	(284,781)
Inspections PT to FT position	(11,843)
COR PT to FT position	(14,393)
Litigation settlement	(118,972)
COR refund - St Beach Spa	(2,670)
COR refund - Autotrademark of Winchester	(4,960)
COR refund - Michael Webber	(3,542)
Parks pools sand filters	(48,000)
COR refund - VFS Leasing Co	(17,575)
COR refund - Ryder Truck Rental Inc	(4,007)
COR refund - ARI Fleet LT	(6,589)
Litigation settlement	(33,321)
COR refund - Chemstone	(33,241)
COR refund - Disabled Veteran	(6,014)
Parks FT Rech Tech position	(18,770)
VJCCA funds returned	(20,488)
COR refund - Quantum	(2,565)
COR refund - Ryder Truck Rental Inc	(3,420)
EDC incentive - Chemstone	(150,000)
Bariatric Equipment - F&R	(16,406)
COR refund - Sonoco	(2,933)
COR refund - United Rentals	(5,523)
COR refund - BMW Financial Services	(2,796)
COR refund - mortgage company	(60,113)
	(1,969,460)

Fund Balance, April 9, 2015 **36,065,267**

F



**APPLICATION FOR OUTDOOR FESTIVAL PERMIT
COUNTY OF FREDERICK, VIRGINIA**



APPLICANT INFORMATION

Name of Applicant: Trumpet Vine Farm (DEMarchi Spears)
 Telephone Number(s): 540-868-1413 home office cell 540-664-8079 home office cell
 Address: 266 Vacluse Rd. Stephens City, Va. 22655
demarchi spears@yahoo.com

FESTIVAL EVENT ORGANIZATIONAL INFORMATION

Festival Event Name of Festival: 12 month Permit

Cost of Admission to Festival: _____ Business License Obtained: Yes No

Date(s)	Start Time	End Time	Maximum No. of Tickets Offered For Sale Per Day	Estimated No. of Attendees Per Day

Location Address: 266 Vacluse Rd. Stephens City Va 22655

Owner of Property Name(s): DEMarchi Spears
 Address: (see above)
 (*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)

Promoter Name(s): DEMarchi Spears
 Address: (see above)
 (*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)

Financial Backer Name(s): DEMarchi Spears
 Address: (see above)

Performer Name of Person(s) or Group(s): TBD.

 (*NOTE: Applicant may need to update information as performers are booked for festival event.)

FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

1. Attach a copy of the printed ticket or badge of admission to the festival, containing the date(s) and time(s) of such festival (may be marked as "sample"). copy attached OR copy to be provided as soon as available *N/A*

2. Provide a plan for adequate sanitation facilities as well as garbage, trash, and sewage disposal for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

Porta potties will be provided and Ample Trash cans provided

3. Provide a plan for providing food, water, and lodging for the persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the VA Department of Health (Lord Fairfax Health District).

T.B.D. For each event

4. Provide a plan for adequate medical facilities for persons at the festival. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

Middle town & Stephens City Fire Depts will be notified prior to Events

5. Provide a plan for adequate fire protection. This plan must meet the requirements of all state and local statutes, ordinances, and regulations, and must be approved by the County Fire Chief or Fire Marshal and the local fire and rescue company.

Same as #4 and Have Fire Extinguishers

6. Provide a plan for adequate parking facilities and traffic control in and around the festival area. (A diagram may be submitted.)

Parking on Farm around Event area

7. State whether any outdoor lights or lighting will be utilized: YES NO

If yes, provide a plan or submit a diagram showing the location of such lights and the proximity relative to the property boundaries and neighboring properties. In addition, show the location of shielding devices or other equipment to be used to prevent unreasonable glow beyond the property on which the festival is located.

General Lighting is usually From Tents or string lights in Venue area and property is large enough that lights will not extend onto neighboring property.

8. State whether alcoholic beverages will be served: YES NO

If yes, provide details on how it will be controlled.

ABC permits will be handled per each Event & Info will be provided

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

FESTIVAL PROVISIONS

Applicant makes the following statements:

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

CERTIFICATION

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



Signature of Applicant

Date: 3/25/15

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

Weddings for 2015

May 23rd Sheilds wedding

May 30th Brick wedding

June 6th Root wedding

June 20th Plaughter wedding

Oct 10th Mckee wedding

The information from any other events that should be booked will be forwarded to Frederick County, as soon as it is confirmed.

Best regards,

DeMarchi Spears

Builday Inspection
Completed & Approved
♀

Fire Marshals office inspected
& signed off as well.

Mr. Williams,

Enclosed is a map of our property and I have marked where events take place. I hope this is sufficient in showing the location of our events. If you should or would like anything else please let me know.

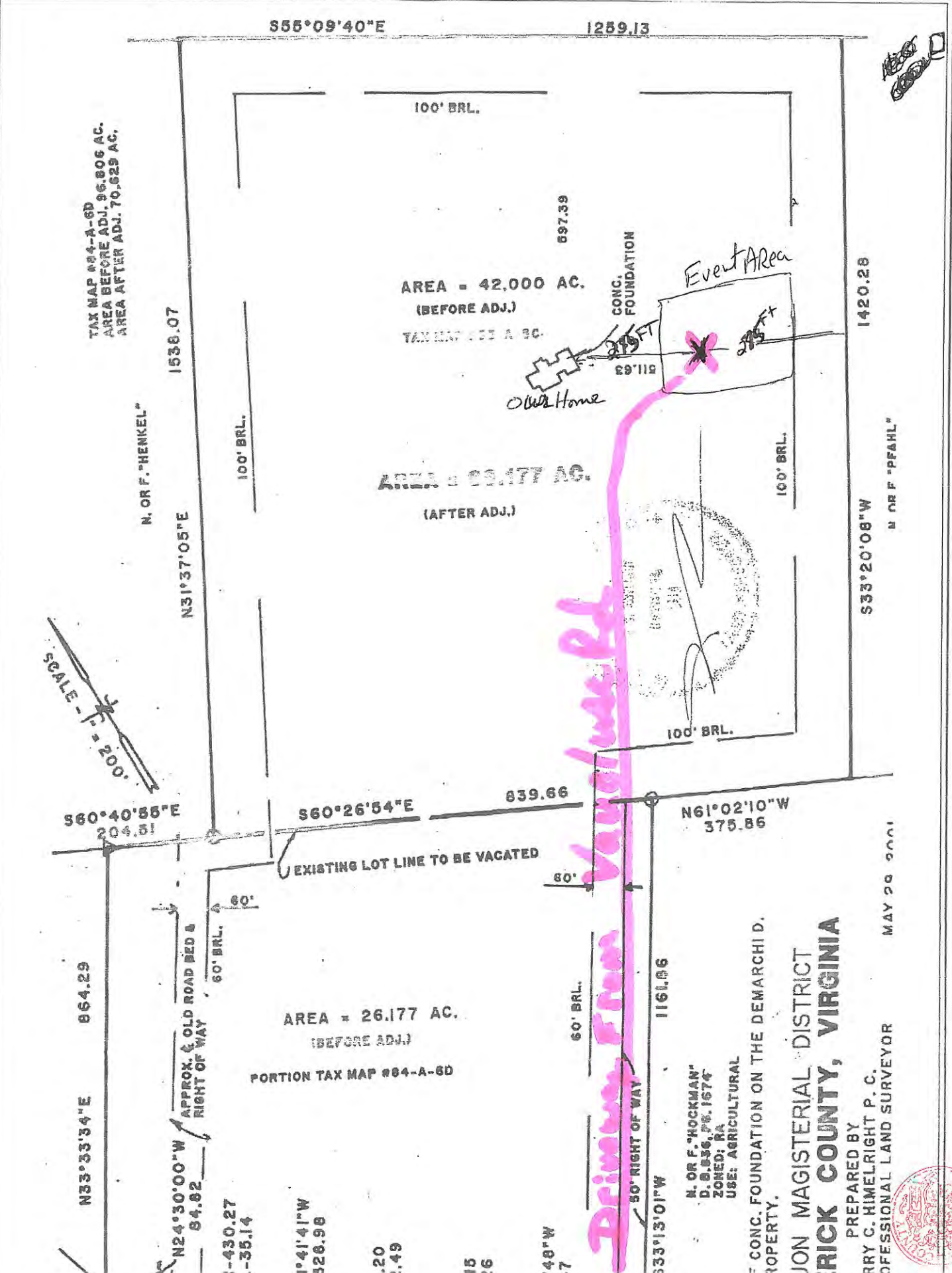
Best regards,

DeMarchi Spears

Trumpet Vine Farm

Borrower: Demarchi and Laura Spears
 Property Address: 266 Vacluse Road
 City: Stephens City
 Lender: MidAtlantic Farm Credit, ACA

File No.: SF0409043
 Case No.:
 State: VA
 Zip: 22655



TAX MAP #84-A-6D
 AREA BEFORE ADJ. 96,806 AC.
 AREA AFTER ADJ. 70,629 AC.

AREA = 42,000 AC.
 (BEFORE ADJ.)
 TAX MAP #84-A-6D.

AREA = 42,477 AC.
 (AFTER ADJ.)

AREA = 26,177 AC.
 (BEFORE ADJ.)
 PORTION TAX MAP #84-A-6D

Driveway From Vacluse Rd

N. OR F. "HOCKMAN"
 D. B. 936, P. 8, 1674
 ZONED: RA
 USE: AGRICULTURAL

F CONC. FOUNDATION ON THE DEMARCHI D.
 PROPERTY.

JON MAGISTERIAL DISTRICT
RICK COUNTY, VIRGINIA

PREPARED BY
 RRY C. HIMELRIGHT P. C.
 PROFESSIONAL LAND SURVEYOR

MAY 28 2000



G



COUNTY OF FREDERICK

Roderick B. Williams
County Attorney

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

MEMORANDUM

TO: Board of Supervisors

FROM: Roderick B. Williams
County Attorney

DATE: April 16, 2015

RE: Lake Holiday Country Club, Inc. v. Frederick County Board of Supervisors, et al.

In April 2012, Lake Holiday Country Club, Inc. ("LHCC") filed suit against the Board of Supervisors regarding the imposition of the Lake Holiday Sanitary District tax against lots owned by LHCC, as the automatic membership association for Lake Holiday. Working with counsel for LHCC and after consultation with relevant County staff and officials, we now have a proposed resolution of the litigation, reflected in the attached proposed final order.

Of particular relevance, the proposed resolution would enable LHCC to acquire the 557 lots owned by Lake Holiday Land, Inc. (an affiliate of Miller & Smith), which lots have been delinquent as to regular real estate taxes and LHSD taxes since the original imposition of the LHSD taxes in 2011. The proposal would allow the LHSD taxes to be treated like regular real estate taxes and therefore not imposed on lots owned by LHSD or acquired by LHSD from Lake Holiday Land, Inc. The proposal would, however, require that all delinquent regular real estate taxes be paid and therefore would not affect any past, present, or future regular real estate taxes.

This litigation was the subject of a Board closed session at its meeting on March 11, 2015. The current public hearing, while not a legal requirement, is being conducted to allow the public the opportunity to provide input on this matter. At the conclusion of the public hearing, if the Board deems it appropriate, the County Attorney requests authorization to agree to entry of the proposed final order.

Attachment

VIRGINIA:

IN THE CIRCUIT COURT OF FREDERICK COUNTY

LAKE HOLIDAY COUNTRY CLUB, INC.,

Plaintiff,

v.

FREDERICK COUNTY BOARD OF SUPERVISORS,
GOVERNING BODY OF THE
LAKE HOLIDAY SANITARY DISTRICT, *et al.*,

Defendants.

Case No. CL12-336

FINAL ORDER

The parties to this matter, Plaintiff Lake Holiday Country Club, Inc. (“LHCC”) and Defendants Frederick County Board of Supervisors (the “Board of Supervisors”), Governing Body of the Lake Holiday Sanitary District (“LHSD”), and the Treasurer of Frederick County (“Treasurer”) having agreed to settle, compromise, and resolve the issues between them in this matter, the Court makes the following agreed findings:

1. By Order entered on October 29, 2009, this Court created LHSD.
2. Pursuant to authority granted under the provisions of Chapter 2 of Title 21 of the Code of Virginia, the Board of Supervisors is authorized to impose sanitary district taxes and charges (“Sanitary District Taxes and Charges”) on lots located within the LHSD.
3. During the relevant period, the Board of Supervisors and Treasurer assessed the Sanitary District Taxes and Charges on lots located within the LHSD on a two-tier basis, dependent upon whether the lot is classified as an “unbuildable” or “membership” lot or if it is a

“buildable” lot. An “unbuildable” or “membership” lot is defined as one that does not have access to water and sewer utility service on the first day of the assessment year; a “buildable” lot is defined as one that has such access on the first day of the assessment year.

4. In accordance with the foregoing, the Board of Supervisors imposed the Sanitary District Taxes and Charges for years 2011, 2012, 2013, and 2014 on lots encompassed within the LHSD: For the 2011 tax year, the Sanitary District Taxes assessed were \$249.00 per lot for unbuildable lots and \$663.00 per lot for buildable lots; for the 2012 tax year, the Sanitary District Taxes were \$264.00 per lot for unbuildable lots and \$678.00 per lot for buildable lots; for the 2013 tax year, the Sanitary District Taxes were \$264.00 per lot for unbuildable lots and \$678.00 per lot for buildable lots; for the 2013 tax year, the Sanitary District Taxes were \$264.00 per lot for unbuildable lots and \$678.00 per lot for buildable lots; for the 2014 tax year, the Sanitary District Taxes were \$264.00 per lot for unbuildable lots and \$678.00 per lot for buildable lots.

5. LHCC is the record owner of 42 lots, situated in the Gainesboro Magisterial District of Frederick County, Virginia, and also in LHSD, and identified by the Frederick County tax parcel numbers set forth on Exhibit A hereto (“LHCC Lots”). LHCC is an automatic membership corporation that manages the common area within the properties in the LHSD for the benefit of its members.

6. Lake Holiday Land, Inc. is the record owner of 557 lots, situated in the Gainesboro Magisterial District of Frederick County, Virginia, and also in LHSD, and identified by the Frederick County tax parcel numbers set forth on Exhibit B hereto (the “Lake Holiday Land Lots”).

7. In 2011, LHCC agreed to acquire property owned by Lake Holiday Land, Inc., located in LHSD, for the purpose of converting the lots into common area.

8. In 2012, the Board of Supervisors and Treasurer assessed the Sanitary District Taxes and Charges against the LHCC Lots for 2011 and 2012 and, subsequently, assessed these properties for 2013 and 2014. As a consequence of the assessment of the Sanitary District Taxes and Charges, LHCC did not close on the acquisition of the Lake Holiday Land Lots as planned due to the attendant Sanitary District Taxes and Charges that could accrue.

9. LHCC challenged the actions by the Board of Supervisors and filed this action on April 17, 2012, and its Amended Complaint on October 28, 2014, seeking, *inter alia*, a ruling that the LHCC Lots should be taxed based on an assessment value of Zero Dollars (\$0.00) and to abate the 2011, 2012, 2013, and 2014 Sanitary District Taxes and Charges assessed on LHCC Lots.

10. Virginia Code § 58.1-3984(A) provides, among other things, that any person assessed with local taxes, aggrieved by any such assessment, may apply for relief to the circuit court of the county or city wherein such assessment was made within three years from the last day of the tax year for which any such assessment is made. LHCC is seeking relief as to 2011, 2012, 2013, 2014 and 2015 Sanitary District Taxes and Charges.

Having made the foregoing findings, IT IS HEREBY ORDERED THAT:

1. The term “common areas”, for the limited purposes of this Order and the matters at issue in this case, and notwithstanding any provision of Virginia Code § 58.1-3284.1 that may be interpreted to the contrary, shall mean such lots used as green space, open areas, parks, parking areas, private streets, walkways, recreational facilities, natural areas, lakes, ponds, and those lots improved with buildings or structures used for recreational, community service, or maintenance purposes, and the carrying on of the official business of LHCC.

2. Lots within LHSD constituting common areas as set forth in paragraph 1 are those lots identified by the Frederick County tax parcel numbers set forth on Exhibit A hereto (collectively, the “LHCC Common Areas”). LHCC is the present owner of all of such lots.

3. The LHCC Common Areas shall not be subject to assessment of any Sanitary District Taxes and Charges, as long as LHCC retains ownership of the LHCC Common Areas and the same continue to be used as set forth in paragraph 1, but for their designation herein as common areas. Such treatment of the LHCC Common Areas shall otherwise have no effect on any application of Virginia Code § 58.1-3284.1 to them for purposes of regular County real property taxes.

4. Pursuant to the Court’s powers under §§ 58.1-3984 and 58.1-3987 of the Code of Virginia, 1950 as amended, to the extent the LHCC Common Areas have for previous years or the current year been assessed with the Sanitary District Taxes and Charges, the Sanitary District Taxes and Charges are hereby exonerated, except that, as to those Sanitary District Taxes and Charges which LHCC may have already paid, LHCC shall not be entitled to a refund.

5. Provided that LHCC shall have paid to the Frederick County Treasurer all outstanding delinquent Sanitary District Taxes and Charges, and any applicable penalties and interest thereon, on all lots that it owns other than the LHCC Common Areas and the outstanding real estate taxes, and any applicable penalties and interest thereon, on any lots it seeks to acquire pursuant to the terms of this paragraph, then, if within six (6) months after the date of entry of this Order, LHCC shall acquire all of the Lake Holiday Land Lots and/or any other lots it intends to use as set forth in paragraph 1 (acquisition to be determined by the date of recordation of a deed in the land records of Frederick County), then, for purposes of this matter and this Order and only for purposes of this matter and this Order, the ownership by LHCC of such lots so

acquired shall be deemed to be retroactive to December 31, 2010, and such lots so acquired shall be deemed to be LHCC Common Areas for the period through and including December 31, 2015, such that no Sanitary District Taxes and Charges, penalties, or interest, shall be due on such lots for years 2011, 2012, 2013, 2014, and 2015, and such Sanitary District Taxes and Charges are hereby deemed to be exonerated, except that, as to those Sanitary District Taxes and Charges which LHCC or any other person may have already paid, neither LHCC nor any other person shall be entitled to a refund.

6. For any subsequent years, as to any and all of the Lake Holiday Land Lots or other lots, acquired by LHCC in compliance with the foregoing paragraph, such lots shall be considered to be LHCC Common Areas not subject to Sanitary District Taxes and Charges, notwithstanding any provision of § 58.1-3284.1 of the Code of Virginia, 1950 as amended, that may be interpreted to the contrary. Fees and costs associated with boundary line adjustments for Lake Holiday Land Lots acquired in compliance with this Order shall be waived by the Board of Supervisors. If LHCC does not acquire the Lake Holiday Land Lots in compliance with the foregoing paragraph, the terms of this Order shall have no effect as to such lots.

7. As to any of the Lake Holiday Land Lots or other lots, acquired by LHCC in compliance with paragraph 5, if on January 1 of any subsequent year the lots are no longer being used as set forth in paragraph 1, such lots shall be subject to the Sanitary District Taxes and Charges for such year and any subsequent years.

8. Nothing further remaining to be done in this matter, the Clerk is directed to place this matter among the closed matters of the Court.

ENTERED this ____ day of _____, 2015.

WE ASK FOR THIS:

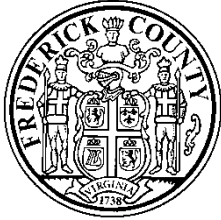
Matthew S. Akers, Esquire
Virginia Bar No. 74615
McCARTHY & AKERS, PLC
302 West Boscawen Street
Winchester, VA 22601
540-722-2181 Office
540-722-2381 Fax

Counsel for the Plaintiff

Roderick B. Williams, Esquire
Virginia Bar No. 34310
County Attorney
County of Frederick, Virginia
107 North Kent St., 3rd Floor
Winchester, VA 22601
540-722-8383 Office
540-667-0370 Fax

Counsel for the Defendants

H



MASTER DEVELOPMENT PLAN #01-15

Graystone Commerce Center

Staff Report for the Planning Commission

Prepared: April 16, 2015

Staff Contact: Candice E. Perkins, AICP, Senior Planner

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

	<u>Reviewed</u>	<u>Action</u>
Planning Commission:	04/15/15	Reviewed
Board of Supervisors:	04/22/15	Pending

PROPOSAL: To develop 271.40 acres zoned M1 (Light Industrial) District with industrial land uses.

MAGISTERIAL DISTRICT: Stonewall

PROPERTY ID NUMBERS: 43-A-158, 44-A-26, and 44-A-27

LOCATION: The properties are located on the north side of Redbud Road (Rt. 661), the east side of the CSX Railroad, the west side of Milburn Road (Rt. 662), and the south side of McCanns Road (Rt. 838).

PROPERTY ZONING & PRESENT USE:

Zoned: M1 Use: Undeveloped

ZONING & PRESENT USE OF ADJOINING PROPERTIES:

North:	RA (Rural Areas)	Use:	Agricultural/Vacant
South:	RA (Rural Areas)	Use:	Agricultural/Residential/Historic
East:	RA (Rural Areas)	Use:	Agricultural (Agricultural District)
	R4 (Residential Planned Community)		Vacant (Snowden Bridge)
West:	RA (Rural Areas)	Use:	Agricultural/Vacant
	M1 (Light Industrial)		Industrial/Vacant

STAFF CONCLUSIONS FOR THE 04/22/15 BOARD OF SUPERVISORS MEETING:

The Master Development Plan for the Graystone Commerce Center depicts appropriate land uses and appears to be consistent with the requirements of Article VIII, Master Development Plan, of the Zoning Ordinance, and this MDP is in a form that is administratively approvable. The MDP is also in conformance with the proffers for Rezoning #03-12. All issues brought forth by the Board of Supervisors should be appropriately addressed by the applicant.

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

REVIEW EVALUATIONS:

Virginia Department of Transportation: We have reviewed the Preliminary Master Development Plan for Graystone Commerce Center dated February 18, 2015 and we offer the following comment:

- VDOT is currently in the preliminary engineering stage for designing the relocation of Redbud Road to connect to Snowden Bridge Boulevard. At this time, the ultimate alignment of Redbud Road has not been determined and may differ from what is proposed on the above-referenced MDP.

Frederick County Fire Marshal: Plan approved.

Frederick County Public Works: Plan approved

Frederick County Inspections: Any removal or demolition of existing structures shall have an asbestos inspection/abatement and require demolition permit. Additional comments shall be made at the site plan submittal phase.

Frederick County Sanitation Authority: *Please see attached letter dated February 26, 2015, Uwe E. Weindel, PE.*

Planning & Zoning:

A) Master Development Plan Requirement

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

B) Site History

The original Frederick County zoning map (U.S.G.S. Stephenson Quadrangle) identifies the subject parcels as being zoned A-2 (Agricultural General). The County's agricultural zoning districts were 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. The subject properties were rezoned with proffers to the M1 District with Rezoning #09-09 and a proffer revision was approved with Rezoning #03-12.

C) Site Suitability & Project Scope

Comprehensive Policy Plan:

The 2030 Comprehensive Plan is an official public document that serves as the community's guide for making decisions regarding development, preservation, public facilities and other key

components of community life. The primary goal of this plan is to protect and improve the living environment within Frederick County. It is in essence a composition of policies used to plan for the future physical development of Frederick County.

Land Use Compatibility:

The North East Land Use Plan, Appendix I of the 2030 Comprehensive Plan, recognizes that this property is planned for industrial land uses. The parcels comprising this MDP application are also located within the County's Sewer and Water Service Area (SWSA).

Site Access and Transportation:

Access to this site will be via a connection to Snowden Bridge Boulevard that would align with an access point already approved with the North Stephenson, Inc., rezoning application. The initial segment of Snowden Bridge Boulevard has been constructed and aligns at a signalized intersection of Martinsburg Pike across from the Rutherford Crossing Shopping Center. The MDP shows the location of Snowden Bridge Boulevard that runs through the property, along with the three access points proposed on the road, the Route 37 corridor area, and the proffered area for the relocation of Redbud Road.

Per the proffers, the applicant has proffered a 350' Route 37 corridor study area and an area for an 800' wide interchange. This study area is available for eight years following the rezoning approval (revised in 2012); the purpose of the study area is to give "Frederick County with an opportunity to determine a final alignment for Route 37 throughout the limits of the Property through the final engineering design sufficient for this purpose". Following the determination of the final alignment, the applicant shall dedicate the right-of-way to Frederick County. Should the final alignment not be made within the eight year timeframe, the applicant may extend the timeframe or dedicate a 225' wide right-of-way dedication for Route 37.

Direct access is prohibited (except for emergency services) on Milburn Road, Redbud Road and McCann's Road.

Snowden Bridge Boulevard through the Graystone property shall be a public street, however; per the proffers, the internal streets shall be private and their locations shall be determined at the site plan stage.

PLANNING COMMISSION SUMMARY FOR THE 4/15/15 MEETING:

Staff gave a brief overview of the proposed Master Development Plan #01-15 for Graystone Commerce Center. A Commission member inquired if the right-of-way for Route 37 is permanent or is there a deadline. Staff explained there is a dedication study period and if that should expire there is a permanent 225' wide right-of-way dedication for Route 37.

No other questions or issues were raised by the Planning Commission. No action was needed by the Commission.

(Note: Commissioner Oates abstained from discussion.)

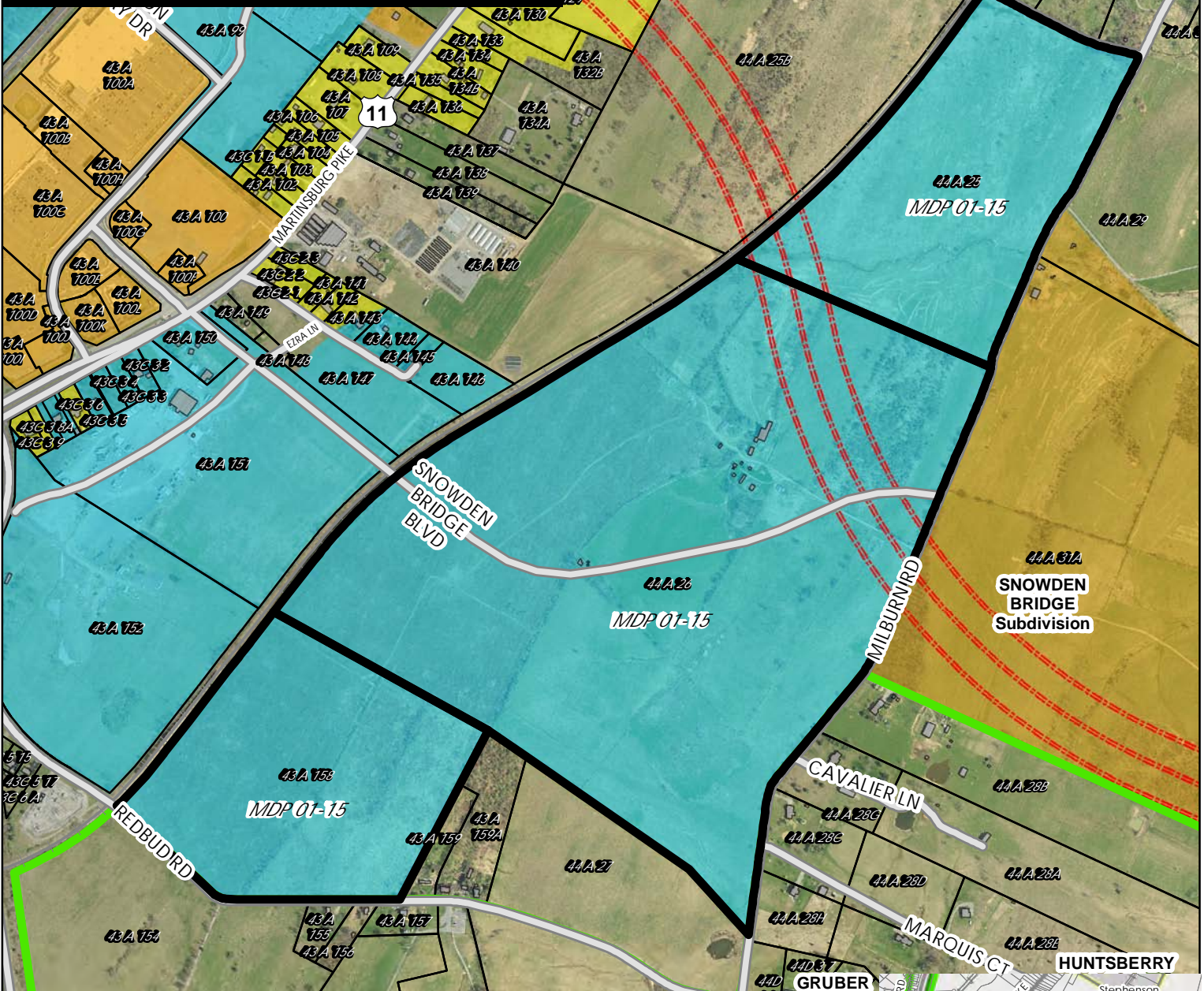
STAFF CONCLUSIONS FOR THE 04/22/15 BOARD OF SUPERVISORS MEETING:

The Master Development Plan for the Graystone Commerce Center depicts appropriate land uses and appears to be consistent with the requirements of Article VIII, Master Development Plan, of the Zoning Ordinance, and this MDP is in a form that is administratively approvable. The MDP is also in conformance with the proffers for Rezoning #03-12. All issues brought forth by the Board of Supervisors should be appropriately addressed by the applicant.

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

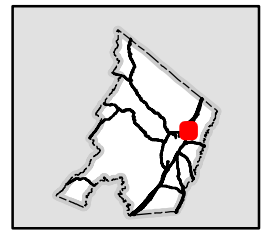
MDP # 01 - 15 Graystone Commerce Center

PINs:
43 - A - 158, 44 - A - 25, 44 - A - 26



- Applications
- Parcels
- Future Rt 37 Bypass
- 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)

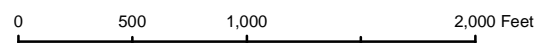
WINCHESTER
ATTLEFIELD
Subdivision



MDP # 01 - 15
Graystone
Commerce Center

PINs:
43 - A - 158, 44 - A - 25, 44 - A - 26

Note:
Frederick County Dept of
Planning & Development
107 N Kent St
Suite 202
Winchester, VA 22601
540 - 665 - 5651
Map Created: March 30, 2015
Staff: cperkins



GRAYSTONE CORPORATION OF VIRGINIA
PROFFER STATEMENT

REZONING: RZ09-09
Rural Area District (RA) to Light Industrial District (LI)

PROPERTY: 271.39± acres
Tax Parcels #43-(A)-158, 44-(A)-25, and 44-(A)-26, (here-in after the "Property")

RECORD OWNER: Graystone Corporation of Virginia

APPLICANT: Graystone Corporation of Virginia
(here-in after the "Applicant")

PROJECT NAME: Graystone Corporation Office and Industrial Park

ORIGINAL DATE OF PROFFER: August 24, 2009

REVISION DATE: February 3, 2012

Preliminary Matters

Pursuant to Section 15.2-2266 F, Sec. of the Code of Virginia, 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to conditional zoning, the undersigned Applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application 09-09 for the rezoning of 271.39± acres from the Rural Area (RA) District to Light Industrial (LI) District, development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the Applicant and such be approved by the Frederick County Board of Supervisors and their legal successors, heirs, or assigns in accordance with the said Code and Zoning Ordinance. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. These proffers shall be binding upon this Applicant and their legal successors, heirs, or assigns.

The Property, more particularly described as the lands owned by Graystone Corporation of Virginia (formerly Crider & Shockey, Inc. of West Virginia), being all of Tax Map Parcels 43-(A)-158, 44-(A)-25, and 44-(A)-26, and further described by Instrument Number 090021588. (Please refer to Rezoning Application D001 Information).

PROFFER STATEMENT

Revision Date: February 3, 2012

not required for the Route 37 mainline section within the Property will be requested from the Applicant. The Applicant shall provide the required right-of-way dedication to Frederick County within 90 days from the date of written notice by Frederick County, which shall occur after an official decision has been made by Frederick County and VDOT for the alignment and right-of-way width for the Route 37 mainline section within the Property. In the event the aforementioned official decision has not been made for the Route 37 mainline section within the time period specified in Section D(1), the Applicant may either extend the time period for this decision, or may provide Frederick County with a 225-foot wide right-of-way dedication for Route 37 within the corridor study area depicted on the proffered GDP. The Applicant shall be allowed to install utilities or other elements necessary for site development within the dedicated right-of-way area, provided that this does not restrict use of the right-of-way.

3. The Applicant hereby proffers to provide for right-of-way dedication sufficient for the development of up to an 800-foot wide diamond interchange at a single point urban interchange (SPUI) in the general location depicted on the proffered GDP. It is agreed that any portion of the right-of-way that is not required for the interchange within the Property will not be requested from the Applicant. It is further agreed that the engineering design and construction of the location, type and right-of-way needs for the new interchange will provide direct access to Snowden Bridge Boulevard. The Applicant shall provide the required right-of-way dedication to Frederick County within 90 days from the date of written notice by Frederick County, which shall occur after an official decision has been made by Frederick County and VDOT for the alignment and right-of-way width for the new Route 37 interchange within the Property. In the event the aforementioned official decision has not been made for the new Route 37 interchange within the time period specified in Section D(1), the Applicant may either extend the time period for this decision, or may provide Frederick County with a 225-foot wide right-of-way dedication for Route 37 within the corridor study area depicted on the proffered GDP. The Applicant shall be allowed to install utilities or other elements necessary for site development within the dedicated right-of-way area, provided that this does not restrict use of the right-of-way.

4. The Applicant hereby proffers to construct Snowden Bridge Boulevard between the Property and Mantoloking Pike (U.S. Route 11 North), including the CSX bridge crossing, prior to the issuance of an occupancy permit for the first office or industrial site plan approved on the Property. The Applicant shall design and construct Snowden Bridge Boulevard as a four-lane, divided where applicable, road throughout the limits of the Property, and shall develop the off-site segment of Snowden Bridge Boulevard consistent with the approved public improvement plan. Snowden Bridge Boulevard shall be initially constructed as a two-lane road section, and shall be constructed as the ultimate four-lane divided road section prior to the issuance of the occupancy permit for the site plan that exceeds 1,000 VPD or in the event the:

Respectfully Submitted:

My Commission Expires: _____

Proffer Statement

Revision Date: February 3, 2012

F. Fire and Rescue Monetary Contribution

1. The Graystone Office and Industrial Park has been demonstrated to provide a positive economic impact to Frederick County services by the Frederick County Development Impact Model. However, the Applicant intends to further support fire and rescue services through the provision of a monetary contribution in the amount of \$600 per square foot of structural development for all land use within the Property. This necessary contribution shall be provided to Frederick County for fire and rescue purposes prior to the issuance of a certificate of occupancy permit for each building permit issued within the Property.

F. Signatures-Graystone Corporation of Virginia

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in the interest of the Applicant and owners. In the event the Frederick County Board of Supervisors grants this rezoning and accepts the conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code.

Respectfully Submitted:

My Commission Expires: _____

Proffer Statement

Revision Date: February 3, 2012

A. Generalized Development

1. The Applicant hereby proffers to submit a Generalized Development Plan (the "GDP") for the Property. The purpose of the GDP is to identify the general location of the MI District office and industrial land bays, the general location of the future Route 37 corridor study area, the general location of the Snowden Bridge Boulevard when four-lane divided collector road system with signalized intersection or roundabout design and limited entrance locations, the general location of on-site and off-site green space buffer areas, and the general location of the adjoining parcels that are within permanent protective easement.

2. The Applicant hereby proffers to develop the Property in substantial conformity with the proffered GDP, prepared by Graystone Engineering dated January 25, 2010. The GDP is recognized to be a conceptual plan and may be adjusted by the Applicant to accommodate final design and engineering constraints without the need of any conditional rezoning approval by the Frederick County Board of Supervisors, provided that the adjustments do not eliminate or substantially relocate the areas indicated on the proffered GDP.

B. MI Light Industrial District Land Uses

1. The Applicant intends to develop the Property to implement industrial and office land uses that are designed to coexist in an office park setting.

2. The Frederick County Board of Supervisors agrees to allow future office and industrial land uses that are included within future amendments to the MI Light Industrial District to be developed on the Property without the need for conditional zoning amendments.

C. MI Light Industrial District Design Standards

1. The Applicant hereby proffers to establish an Architectural Review Board (ARB) to oversee and approve all structural design exterior treatments for new construction and structural additions to ensure high quality development throughout the project. Additionally, the ARB will oversee and approve all monument signs and building mounted signage, to ensure consistency in the design of signage throughout the project. Notwithstanding what is stated herein, the ARB is intended to be in addition to and not intended to override or conflict with any provisions of the Frederick County Code.

2. The Applicant hereby proffers to establish requirements for outdoor green areas and/or outdoor plaza areas for the benefit of employees of the office and industrial park. These outdoor green areas and outdoor plaza areas will be located within each of the MI District land bay areas identified in the proffered GDP.

Proffer Statement

Revision Date: February 3, 2012

Snowden Bridge Boulevard is developed to allow access for additional traffic from outside the Property, the construction of the ultimate four-lane divided road section shall be required when the total trip volume exceeds 8,000 VPD on the Property, which ever first occurs.

5. The Applicant hereby proffers to limit full commercial intersection access on Snowden Bridge Boulevard to establish up to three commercial intersections on Snowden Bridge Boulevard as identified on the proffered GDP. An intersection has been identified on the proffered GDP that could potentially be developed as either a roundabout or a signalized intersection if necessary. Snowden Bridge Boulevard commercial intersections identified on the proffered GDP will be developed with medians to provide for controlled left turn movement access to the Property.

6. The Applicant hereby proffers to allow for the full commercial intersection located on the east side of the Route 37 corridor study area to be closed entirely if necessary when Route 37 is developed by others throughout the limits of the Property. The closure of the full commercial intersection is conditioned upon the provision of street access to this portion of the Property that will be developed by others during the construction of Route 37. The Applicant agrees to cooperate with Frederick County to provide easements on the Property if necessary to facilitate new street access to this portion of the Property if this becomes necessary due to the construction of Route 37.

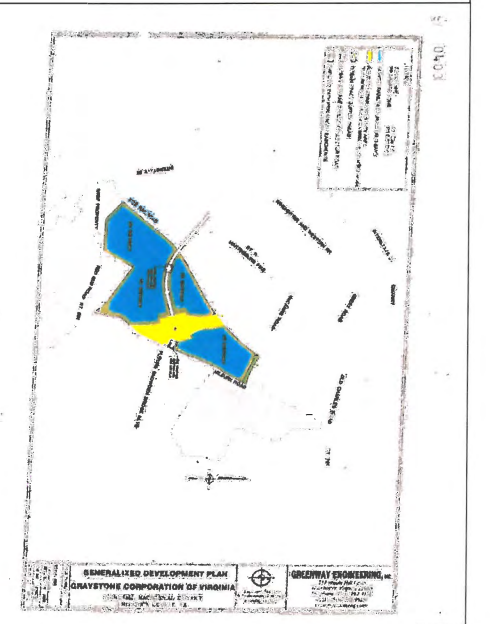
7. The Applicant hereby proffers to prohibit direct commercial access from the Property to existing Redbud Road (Route 661). The County may determine that emergency access from the Property from existing Redbud Road is acceptable provided that it is designed to prohibit access for regular vehicular traffic.

8. The Applicant hereby proffers to prohibit direct commercial access from the Property to existing Redbud Road (Route 661). Frederick County may determine that emergency access from the Property from existing Redbud Road is acceptable provided that it is designed to prohibit access for regular vehicular traffic.

9. The Applicant hereby proffers to prohibit direct commercial access from the Property to McCann's Road (Route 838). Emergency access to the Property from McCann's Road is prohibited as well to prevent the integrity of the buffer identified along this road.

10. The Applicant shall develop Snowden Bridge Boulevard as a public street; however, the Applicant shall have the ability to develop all internal streets as private street systems. All private streets shall be constructed to meet or exceed VDOT vertical base section standards.

Proffer Statement



PROJECT SUMMARY

TOTAL AREA: 271.40 ACRES
EXISTING ZONING: M1
EXISTING USE: UNDEVELOPED
PROPOSED USE: OFFICE AND INDUSTRIAL USES
MAGISTERIAL DISTRICT: STONEWALL
PINS: 43-A-158 50.33 ACRES
44-A-26 170.00 ACRES
44-A-27 51.07 ACRES

BUSINESS AND INDUSTRIAL ZONING DISTRICT DIMENSIONAL AND INTENSITY REQUIREMENTS FOR M-1

Front yard setback on primary or arterial highways (ft):	75
Front yard setback on minor streets (ft)	25
Side yard setbacks (ft)	25
Rear yard setbacks (ft)	25
Floor Area to Lot Ratio (FAR)	1.0
Minimum landscaped area (% of lot area)	25
Maximum height (ft)	60'

1 Height exceptions shall comply with section 201 of the Frederick County Zoning Ordinance.

Revision Date: February 3, 2012

3. The Applicant hereby proffers to establish internal asphalt trails for the benefit of employees of the office and industrial park. These asphalt trails will be a minimum of eight feet in width and will be designed to connect land uses throughout the MI District land bay areas identified in the proffered GDP wherever possible. For each lot or parcel associated with the construction of a building, the Applicant agrees to identify the location on said lot or parcel for trails (if applicable, to said lot or parcel) and to have the trail constructed (if applicable) prior to the issuance of the Certificate of Occupancy for the structure or building on said lot or parcel.

4. The Applicant hereby proffers to establish a 100-foot green space buffer area along the northern boundary of the Property as depicted on the proffered GDP. This green space buffer area will be left in the natural state to provide visual mitigation for the Millburn Cemetery and the Helen-McCann springhouse. Said buffer is in addition to the requirements of the Frederick County Code.

5. The Applicant hereby proffers to provide for evergreen landscaping along the Redbud Road frontage of the Property identified as a green space buffer area on the proffered GDP. The provision of this evergreen landscaping is to provide visual mitigation between the Property and the Stonewall Valley Battlefield Foundation property. Said buffer is in addition to the requirements of the Frederick County Code.

B. Transportation Enhancements

1. The Applicant hereby proffers to provide a corridor study area within the Property as depicted on the proffered GDP that is a minimum of 350 feet in width. The purpose of this corridor study area is to provide Frederick County with an opportunity to determine a final alignment for Route 37 throughout the limits of the Property through the completion of engineering design sufficient for the purpose. The design within the corridor study area depicted on the proffered GDP will provide access to the corridor study area shall be available to Frederick County for a period of eight years from the date of rezoning approval to complete engineering design necessary to determine the appropriate alignment and right-of-way width for Route 37 within the Property. The Applicant agrees to cooperate with VDOT and Frederick County to provide engineering information and reports within the Applicant's possession if needed to assist with this design effort. The Board of Supervisors may allow encroachment into and/or the definition of the corridor study area if necessary to accommodate site development proposals through the Site Approval process.

2. The Applicant hereby proffers to provide for a maximum 350-foot wide right-of-way dedication for the Route 37 mainline section within the Property. The mainline section is intended to include through travel lanes and collector-distributor lanes if necessary. It is agreed that any portion of the maximum 350-foot right-of-way that is

Proffer Statement

Revision Date: February 3, 2012

11. The Applicant hereby proffers to provide for inter-parcel connections where possible to mitigate transportation impacts to the full commercial intersections identified on the proffered GDP.

12. The Applicant admits that it will apply for all such public assistance mechanisms that are available at the time of development to facilitate the installation of the aforementioned transportation/infrastructure improvements. Those mechanisms include, but are not limited to, matching funds, industrial access funds and/or any other transportation/infrastructure funding vehicles, such as CDAs. Without binding any future legislative act, the Applicant and the Frederick County Board of Supervisors agree that the use of said mechanisms are advantageous to the development of the Property and the use of same should be encouraged and that both parties should make all reasonable efforts to cooperate with one another to implement the appropriate mechanism or combination of mechanisms to ensure rapid installation of the aforementioned improvements.

13. The Applicant hereby proffers to provide for a maximum 60-foot right-of-way dedication to Frederick County to provide for the development of a street connection by others between the planned portion of Snowden Bridge Boulevard on the Property and existing Redbud Road (Route 661) immediately south of the Property. The general location of this 60-foot right-of-way shall be delineated on the final Master Development Plan, which shall connect to one of the proposed new full commercial intersections that are located to the west of the Route 37 corridor study area as depicted on the proffered GDP. It is agreed that the 60-foot right-of-way dedication can be located within buffer areas provided that the landscape screening and opaque elements are located between the adjoining properties owned by Applicant and the right-of-way dedication area. The Applicant shall provide the required right-of-way dedication to Frederick County within 90 days from the date of written notice by Frederick County, which shall occur after an official decision has been made by Frederick County and VDOT to construct this street connection. It is noted that the Applicant can construct street access with easements to land bays within the delineated 60-foot right-of-way area provided that the proposed street access meets or exceeds VDOT vertical base section standards. The Applicant shall be allowed to install utilities or other elements necessary for site development within the dedicated right-of-way area, provided that this does not restrict use of the right-of-way.

14. The Applicant has agreed to provide Frederick County with right-of-way dedications within the Property for the Route 37 mainline, the new Route 37 interchange, and the connecting street between Redbud Road and Snowden Bridge Boulevard as described in Sections D(1), D(2), and D(3) of the Proffered GDP. In the event the Frederick County or VDOT decides to rezone this road system to a different use, the Applicant or its successors to right-of-way dedication, the recipient of the dedication agrees to convey the right-of-way dedication to the Applicant within 90 days from the date of this determination.

Proffer Statement

DEVELOPMENT NOTES

UTILITIES

- WATER AND SANITARY SEWER AVAILABLE PER FCSA.
- THERE ARE NO PRE-TREATMENT OR POST-TREATMENT WASTEWATER SYSTEMS EXISTING OR PLANNED.
- THERE ARE NO PRIVATE WASTEWATER TREATMENT FACILITIES PLANNED.
- UTILITY SERVICE LINES ARE TO BE CONSTRUCTED UNDERGROUND FROM THE UTILITY DISTRIBUTION LINES TO THE BUILDING SERVICE CONNECTION.

TRANSPORTATION

- ROADS WILL BE DESIGNED USING URBAN DESIGN STANDARDS.
- WHERE PRACTICAL INTER-PARCEL CONNECTIONS WILL BE UTILIZED.
- A 10' MULTI-USE TRAIL WILL BE CONSTRUCTED ON THE NORTH SIDE OF SNOWDEN BRIDGE BLVD - PROFFER C3.
- A TRAFFIC IMPACT ANALYSIS IS NOT BEING PROVIDED.
- THE COUNTY MAY RELOCATE OF THE PROPOSED REDBUD ROAD RIGHT OF WAY TO A DIFFERENT LOCATION THAT IS MUTUALLY AGREEABLE TO THE COUNTY AND LAND OWNER/DEVELOPER.
- THE OWNER/DEVELOPER CAN RELOCATE THE INTERSECTION TO WHICH THE PROPOSED REDBUD ROAD RIGHT OF WAY CONNECTS TO SNOWDEN BRIDGE BLVD SHOULD A RELOCATION BE NEEDED.

STORM WATER

- STORMWATER MANAGEMENT SHALL COMPLY WITH THE GUIDELINES INCLUDED IN CHAPTER 143 OF THE FREDRICK COUNTY ORDINANCE.
- TO THE EXTENT POSSIBLE, STORM WATER MANAGEMENT BASINS USED TO MANAGE THE QUANTITY OF POST-DEVELOPMENT STORM WATER DISCHARGED FROM THE SITE WILL BE DESIGNED TO SERVE MORE THAN ONE PARCEL.
- TO THE EXTENT POSSIBLE, STORM WATER MANAGEMENT FACILITIES USED TO MANAGE THE QUALITY OF STORM WATER BEING DISCHARGED FROM THE SITE WILL BE DESIGNED TO SERVE ONE OR MORE PARCELS.

DEVELOPMENT

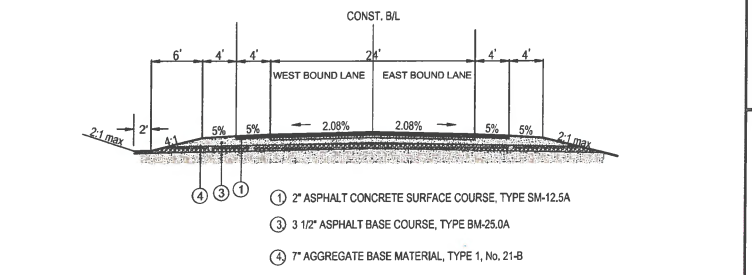
- AN ARCHITECTURAL REVIEW BOARD SHALL BE ESTABLISHED IN ACCORDANCE WITH PROFFER C1.
- THERE ARE NO ENVIRONMENTALLY PROTECTED AREAS TO BE INCLUDED IN OPEN SPACE.
- THE LOCATIONS OF OUTDOOR GREEN AREAS DESCRIBED IN PROFFER C2 SHALL BE DETERMINED AT THE SITE PLAN STAGE.
- TRAILS PER PROFFER C3 SHALL BE DETERMINED AT THE SITE PLAN STAGE.
- THE PROJECT WILL BE DEVELOPED IN A SINGLE PHASE.
- THERE HAVE BEEN NO PRIOR MASTER DEVELOPMENT PLANS FOR THIS PROPERTY.
- THERE HAVE BEEN NO RECENT LAND DIVISIONS IN RELATION TO THESE TRACTS.
- THERE ARE NO STANDING HISTORIC STRUCTURES ON THE SITE. THERE ARE PORTIONS OF TWO CIVIL WAR BATTLEFIELDS WITHIN THE PROJECT AREA. BASED ON A RECENT DETERMINATION BY THE VA DEPT OF HISTORIC RESOURCES THE BATTLEFIELDS RETAIN LITTLE INTEGRITY DUE TO MODERN INTRUSIONS. THE SNOWDEN BRIDGE BLVD PROJECT WAS DETERMINED TO HAVE NO ADVERSE EFFECT ON THE BATTLEFIELDS DUE TO THESE MODERN INTRUSIONS.



SCALE: 1" = 2000'

WAIVER REQUEST

THE APPLICANT IS REQUESTING A WAIVER OF SECTION 144-24C OF THE COUNTY CODE TO ALLOW FOR THE SUBDIVISION OF LOTS WITH ACCESS PROVIDED BY PRIVATE STREETS EXTENDING FROM SNOWDEN BRIDGE BOULEVARD..



EXAMPLE PRIVATE ROAD SECTION

INDIVIDUAL DETAILED ROADWAY SECTIONS WILL BE DEVELOPED WITH INDIVIDUAL SITE PLANS FOR EACH LOT AND MAY VARY DEPENDENT ON THE INDUSTRY NEEDS AND TRAFFIC.

ENVIRONMENTAL FEATURES SUMMARY TABLE

FEATURE	EXISTING ACREAGE	DISTURBED ACREAGE	APPROX. % DISTURBED
FLOODPLAINS ¹	0.0	0.0	0.0%
LAKES & PONDS ²	0.23	0.1	50.4%
WETLANDS ²	1.58	0.57	35.9%
NATURAL DETENTION	0.0	0.0	0.0%
SINKHOLES ³	0.104	0.095	91.3%
STEEP SLOPES (50%+)	0.0	0.0	0.0%

- ALL POND DISTURBANCES ASSOCIATED WITH FUTURE SITE DEVELOPMENT SHALL BE APPROVED BY FREDERICK COUNTY PUBLIC WORKS DEPT.
- ALL WETLAND DISTURBANCES ASSOCIATED WITH FUTURE SITE DEVELOPMENT ARE TO BE PERMITTED BY THE ARMY CORPS OF ENGINEERS AND/OR THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY, AS REQUIRED.
- THE ACTUAL DISTURBED AREAS WILL BE SHOWN ON THE SITE PLANS UPON COMPLETION OF THE DETAILED SITE ENGINEERING AND FINAL DESIGN OF THE PRIVATE ROADS.

OWNER AND DEVELOPER
GRAYSTONE CORPORATION OF VIRGINIA
C/O SHOCKEY COMPANIES
1057 MARTINSBURG PIKE WINCHESTER, VA 22003
PHONE (540) 667-7700

DATE _____

APPROVED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT

DIRECTOR OF PLANNING AND DEVELOPMENT DATE _____

APPROVED BY THE COUNTY ADMINISTRATOR

COUNTY ADMINISTRATOR DATE _____

STOWE ENGINEERING, PLLC
220 Serviceberry Court
Stephens City, VA 22655
(540) 336-0656
fax (540) 869-6984

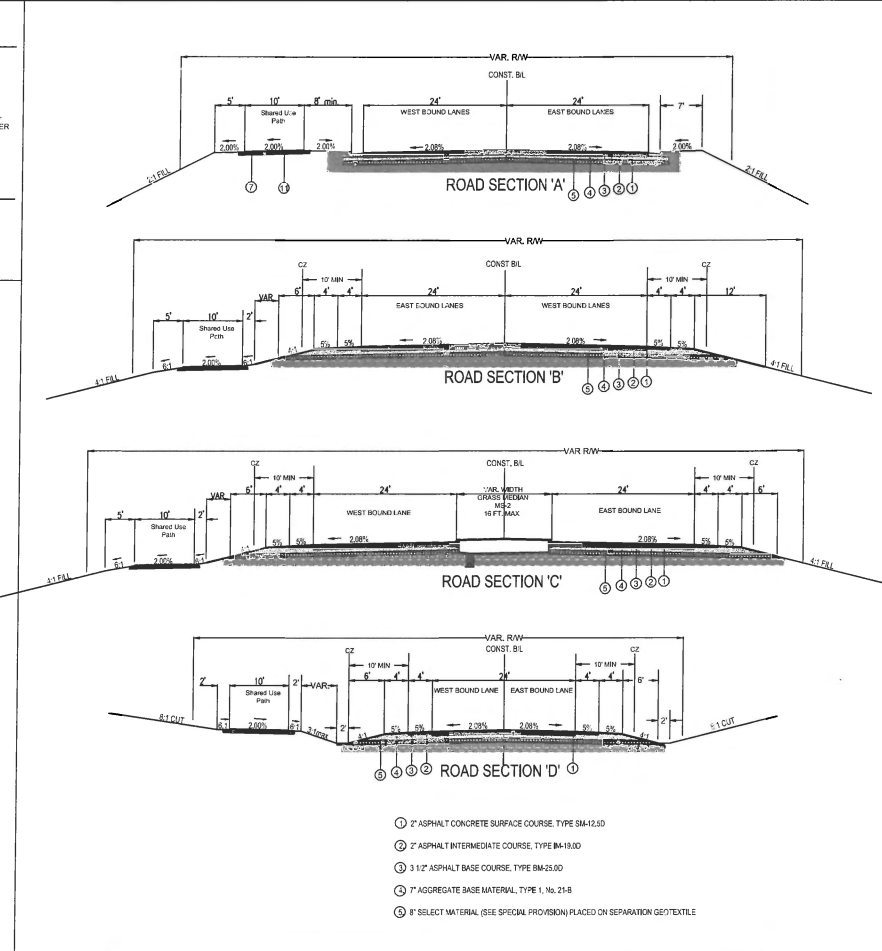
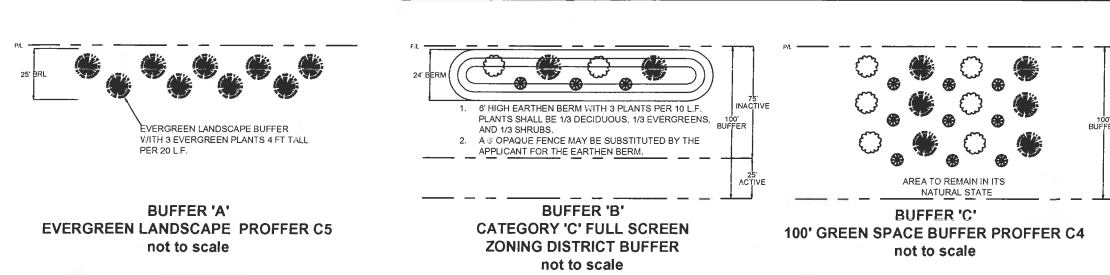
PRELIMINARY MASTER DEVELOPMENT PLAN GRAYSTONE COMMERCE CENTER STONEWALL MAGISTERIAL DISTRICT FREDERICK COUNTY, VIRGINIA

3/30/15
NO. DATE BY DESCRIPTION

1
Agency Review

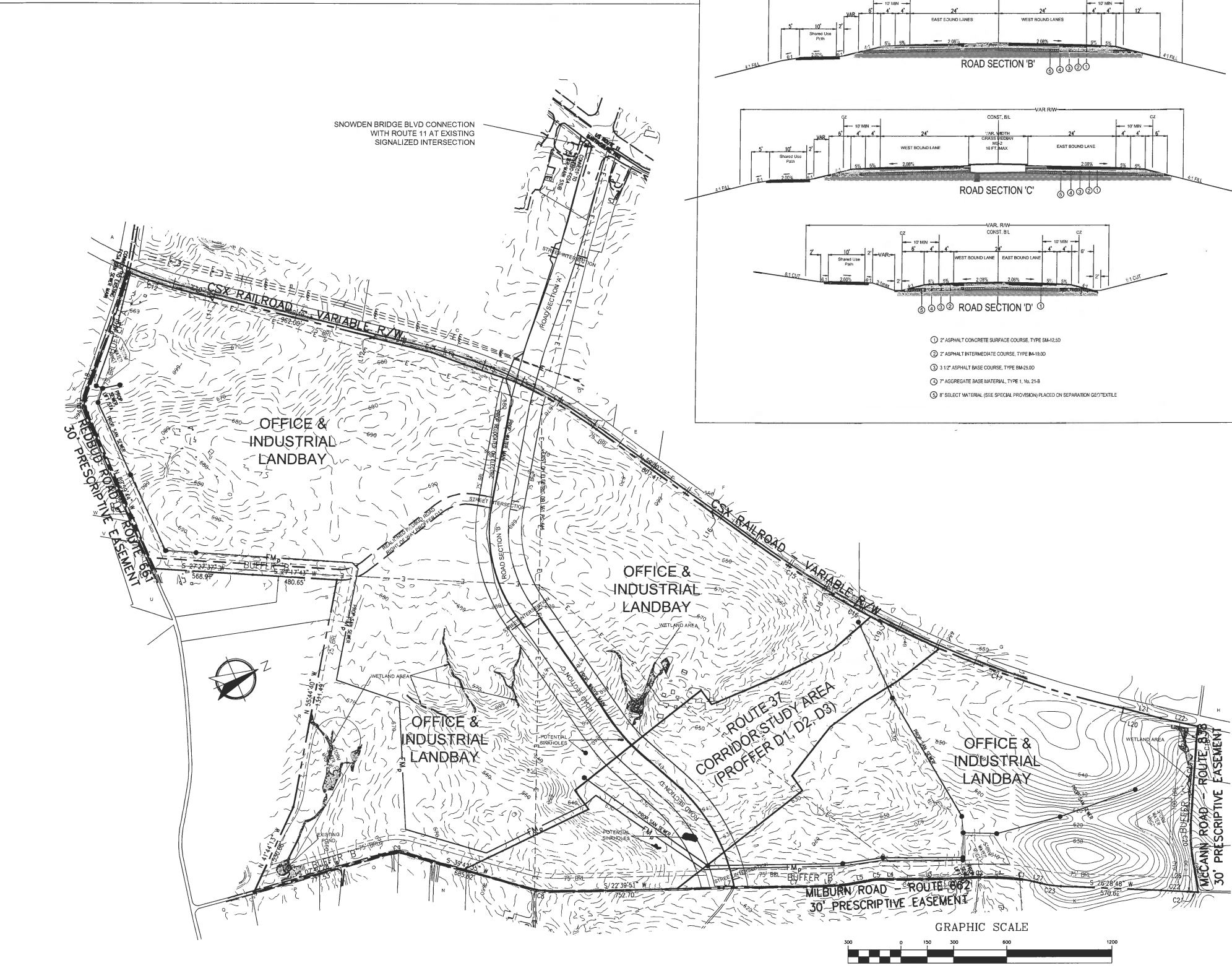
DATE: Feb 18, 2015
SCALE: AS SHOWN
DESIGNED BY: TS
DRAWN BY: TS
CHECKED BY: TS
PROJECT #: 1112
SHEET 1 of 2

Professional Engineer
Timothy S. Stowe
Lic. No. 21924
3-30-15



ADJOINING OWNER INFORMATION

SYM	PIN NO	OWNER	ZONING	USE
A	43-A-153	SVEC	RA	SUB-STATION
B	43-A-152	K&J Investments	M1	Industrial
C	43-A-151	K&J Investments	M1	Industrial
D	43-A-147	K&J Investments	M1	Unimproved
E	43-A-146	K&J Investments	M1	Unimproved
F	43-A-140	Michael S. Weber	RA	Agricultural
G	44-A-25B	Judith McCann Slaughter & Ellen L. Marshall, Trustees	RA	Agricultural
H	44-A-40	Judith McCann Slaughter & Ellen L. Marshall, Trustees	RA	Agricultural
I	44-8-7	Crider & Shockey Inc. of WV	RA	Unimproved
J	44-8-6	Crider & Shockey Inc. of WV	RA	Unimproved
K	44-A-29	Judith McCann Slaughter	RA	Agricultural
L	44-A-31A	Stephenson Associates, LC	R4	Unimproved
M	44-A-28B	Kenneth R. Unger	RA	Residential
N	44-A-28C	Robert R. Jr & Marsha Boden	RA	Residential
O	44-A-28H	Martha Omps Holiday	RA	Residential
P	44D-3-8	Big O Partnership	RA	Unimproved
Q	44-A-27	Darlene Cole	RA	Agricultural
R	44-A-27A	Janice Marie Kirby	RA	Residential
S	43-A-159	R&J Land Development	RA	Residential
T	43-A-157	Patricia A. Zinn & Dorothy C. Ratcliff	RA	Residential
U	43-A-156	JJJA Assoc. C/O Driggs Assoc	RA	Residential
V	43-A-155	Backwoods Property, LLC	RA	Residential
W	43-A-154	Shenandoah Valley Battlefields Foundation	RA	Agricultural



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	719.54	159.35	159.02	S 31°41'35" W	174°51'
C2	1611.28	109.96	109.94	S 23°23'32" W	354°36"
C3	6328.14	149.99	149.99	S 22°06'58" W	171°29"
C4	4102.31	149.98	149.97	S 23°23'32" W	729°45"
C5	561.23	119.35	119.32	S 18°47'20" W	121°16'
C6	765.59	139.61	139.42	S 17°54'39" W	102°54'
C7	54681.24	350.00	350.00	S 22°57'06" W	072°00"
C8	679.66	202.20	201.46	S 31°11'13" W	176°44'
C9	234.54	125.54	123.92	S 23°41'32" W	32°07'
C10	182.83	141.12	137.64	N 67°53'01" W	441°32'
C11	6304.85	508.70	508.56	N 48°04'59" W	4°37'22"
C12	1932.08	327.58	327.19	N 47°41'15" E	94°52'
C13	2842.53	30.07	30.07	N 36°06'06" E	0°36'21"
C14	2844.93	548.14	548.29	N 33°56'02" W	113°54'
C15	5745.65	531.78	531.92	N 56°51'42" E	518°11"
C16	5754.65	301.31	301.27	N 52°42'38" E	370°00"
C17	5747.65	1482.64	1478.54	N 43°49'13" E	144°47'
C18	1587.35	45.15	45.15	S 61°09'11" E	1°37'48"
C19	2064.30	299.99	299.99	S 62°23'04" E	0°51'24"
C20	804.83	179.26	178.89	S 68°12'18" E	174°40'
C21	2913.18	39.94	39.94	S 28°56'27" W	0°47'08"
C22	10071.34	150.00	150.00	S 28°54'25" W	0°51'12"
C23	592.80	119.59	119.39	S 32°15'35" W	11°33'32"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 25°20'50" W	88.74
L2	N 21°28'13" E	36.61
L3	S 22°47'43" W	108.42
L4	S 24°53'28" W	34.32
L5	S 12°41'12" W	65.87
L6	S 23°58'03" W	22.67
L7	S 22°48'05" W	405.93
L8	N 45°48'18" W	158.73
L9	N 50°23'40" W	48.37
L10	N 37°49'49" E	169.00
L11	N 52°07'11" W	4.00
L12	S 32°07'11" E	4.00
L13	N 37°49'49" E	307.70
L14	N 44°11'53" E	198.40
L15	N 42°35'01" E	297.36
L16	S 32°23'53" W	4.00
L17	N 59°30'08" E	309.25
L18	S 33°47'24" E	9.00
L19	N 38°47'24" W	7.00
L20	N 36°25'49" E	2.00
L21	N 39°13'25" E	220.71
L22	N 36°21'59" E	213.71
L23	S 61°58'05" E	42.07
L24	N 62°49'28" W	171.96
L25	S 75°35'08" E	206.70
L26	S 27°20'00" W	19.70
L27	S 38°02'21" W	37.38

DRY UTILITIES

ELECTRIC SERVICE TO BE PROVIDED BY RAPPAHANNOCK ELECTRIC COOP FROM THE SUB-TRANSMISSION LINE RUNNING EAST-WEST THROUGH THE SITE.

NATURAL GAS SERVICE TO BE PROVIDED BY WASHINGTON GAS FROM THEIR EXISTING REGULATOR STATION NORTH EAST OF THE SITE.

ROADWAYS

THE LOACTIONS OF THE PRIVATE INTERNAL ROADWAYS WILL BE DETERMINED AT THE SITE PLAN STAGE.

DIRECT COMERCIAL ROADWAY CONECTIONS TO REDBUD ROAD AND MILBURN ROAD SHALL BE PROHIBITED IN ACCORDANCE WITH PROFFERS D7, D8, AND D9.

STOWENGINEERING, PLC
220 Serviceberry Court
Stephens City, VA 22655
(540) 336-0656
fax (540) 869-6984

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	3/30/15	Agency Review	

PRELIMINARY MASTER DEVELOPMENT PLAN GRAYSTONE COMMERCE CENTER
STONEWALL MAGISTERIAL DISTRICT
FREDERICK COUNTY, VIRGINIA

THOMAS S. STOWE
Lic. No. 21924
5-30-15
PROFESSIONAL ENGINEER

DATE: Feb 18, 2015
SCALE: AS SHOWN
DESIGNED BY: TS
DRAWN BY: TS
CHECKED BY: TS
PROJECT #: 1112
SHEET 2 OF 2

NOTE: BOUNDARY SURVEY INFORMATION FROM PLAT PREPARED BY GREENWAY ENGINEERING ENTITLED BOUNDARY SURVEY OF THE LAND OF HARRY L. MCCANN LAND TRUST DATED 10/9/03.

120004675

**GRAYSTONE CORPORATION OF VIRGINIA
PROFFER STATEMENT**

0396

REZONING: RZ#09-09
Rural Areas District (RA) to Light Manufacturing District (M1)

PROPERTY: 271.39± acres;
Tax Parcels #43-((A))-158, 44-((A))-25, and 44-((A))-26, (here-in after
the "**Property**")

RECORD OWNER: Graystone Corporation of Virginia

APPLICANT: Graystone Corporation of Virginia
(here-in after the "**Applicant**")

PROJECT NAME: Graystone Corporation Office and Industrial Park

ORIGINAL DATE
OF PROFFERS: August 24, 2009

REVISION DATE: February 3, 2012

Preliminary Matters

Pursuant to Section 15.2-2296 Et. Seq. of the Code of Virginia, 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to conditional zoning, the undersigned Applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #09-09 for the rezoning of 271.39±-acres from the Rural Areas (RA) District to 271.39±-acres to the Light Industrial (M1) District, development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the Applicant and such be approved by the Frederick County Board of Supervisors and their legal successors, heirs, or assigns in accordance with the said Code and Zoning Ordinance. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. These proffers shall be binding upon this Applicant and their legal successors, heirs, or assigns.

The Property, more particularly described as the lands owned by Graystone Corporation of Virginia (formerly Crider & Shockey, Inc. of West Virginia), being all of Tax Map Parcels 43-((A))-158, 44-((A))-25, and 44-((A))-26, and further described by Instrument Number 030025588. (Please refer to Rezoning Application Deed Information).

PROFFER STATEMENT

A. Generalized Development

1. The Applicant hereby proffers to submit a Generalized Development Plan (the "GDP") for the Property. The purpose of the GDP is to identify the general location of the M1 District office and industrial land bays, the general location of the future Route 37 corridor study area, the general location of the Snowden Bridge Boulevard urban four-lane divided collector road system with signalized intersection or roundabout design and limited entrance locations, the general location of on-site and off-site green space buffer areas, and the general location of the adjoining parcels that are within permanent protective easements.
2. The Applicant hereby proffers to develop the Property in substantial conformity with the proffered GDP, prepared by Greenway Engineering dated January 25, 2010. The GDP is recognized to be a conceptual plan and may be adjusted by the Applicant to accommodate final design and engineering constraints without the need of new conditional rezoning approval by the Frederick County Board of Supervisors, provided that the adjustments do not eliminate or substantially relocate the areas indicated on the proffered GDP.

B. M1, Light Industrial District Land Uses

1. The Applicant intends to develop the Property to implement industrial and office land uses that are designed to coexist in an office park setting.
2. The Frederick County Board of Supervisors agrees to allow future office and industrial land uses that are included within future amendments to the M1, Light Industrial District to be developed on the Property without the need for conditional zoning amendments.

C. M1, Light Industrial District Design Standards

1. The Applicant hereby proffers to establish an Architectural Review Board (ARB) to oversee and approve all structural design exterior treatments for new construction and structural additions to ensure high quality development throughout the project. Additionally, the ARB will oversee and approve all monument signage and building mounted signage, to ensure consistency in the design of signage throughout the project. Notwithstanding what is stated herein, the ARB is intended to be in addition to and not intended to override or conflict with any provisions of the Frederick County Code.
2. The Applicant hereby proffers to establish requirements for outdoor green areas and/or outdoor plaza areas for the benefit of employees of the office and industrial park. These outdoor green areas and outdoor plaza areas will be located within each of the M1 District land bay areas identified in the proffered GDP.

3. The Applicant hereby proffers to establish internal asphalt trails for the benefit of employees of the office and industrial park. These asphalt trails will be a minimum of eight feet in width and will be designed to connect land uses throughout the M1 District land bay areas identified in the proffered GDP wherever possible. For each lot or parcel associated with the construction of a building, the Applicant agrees to identify the location on said lot or parcel for trails (if applicable, to said lot or parcel) and to have the trail constructed (if applicable) prior to the issuance of the Certificate of Occupancy for the structure or building on said lot or parcel.
4. The Applicant hereby proffers to establish a 100-foot green space buffer area along the northern boundary of the Property as depicted on the proffered GDP. This green space buffer area will be left in its natural state to provide viewshed mitigation for the Milburn Cemetery and the Helm-McCann springhouse. Said buffer is in addition to the requirements of the Frederick County Code.
5. The Applicant hereby proffers to provide for evergreen landscaping along the Redbud Road frontage of the Property identified as a green space buffer area on the proffered GDP. The provision of this evergreen landscaping is to provide viewshed mitigation between the Property and the Shenandoah Valley Battlefield Foundation property. Said buffer is in addition to the requirements of the Frederick County Code.

D. Transportation Enhancements

1. The Applicant hereby proffers to provide a corridor study area within the Property as depicted on the proffered GDP that is a minimum of 350 feet in width. The purpose of this corridor study area is to provide Frederick County with an opportunity to determine a final alignment for Route 37 throughout the limits of the Property through the completion of engineering design sufficient for this purpose. The design within the corridor study area depicted on the proffered GDP will provide access to the Property to the proposed interchange and Snowden Bridge Boulevard. The corridor study area shall be available to Frederick County for a period of eight years from the date of rezoning approval to complete engineering design necessary to determine the appropriate alignment and right-of-way width for Route 37 within the Property. The Applicant agrees to cooperate with VDOT and Frederick County to provide engineering information and reports within the Applicant's possession if needed to assist with this design effort. The Board of Supervisors may allow encroachment into and or the definition of the corridor study area if necessary to accommodate site development proposals through the Site Plan approval process.
2. The Applicant hereby proffers to provide for a maximum 350-foot wide right-of-way dedication for the Route 37 mainline section within the Property. The mainline section is intended to include through travel lanes and collector-distributor lanes if necessary. It is agreed that any portion of the maximum 350-foot right-of-way that is

- not required for the Route 37 mainline section within the Property will ~~not~~ be requested from the Applicant. The Applicant shall provide the required right-of-way dedication to Frederick County within 90 days from the date of written notice by Frederick County, which shall occur after an official decision has been made by Frederick County and VDOT for the alignment and right-of-way width for the Route 37 mainline section within the Property. In the event the aforesaid official decision has not been made for the Route 37 mainline section within the time period specified in Section D(1), the Applicant may either extend the time period for this decision, or may provide Frederick County with a 225-foot wide right-of-way dedication for Route 37 within the corridor study area depicted on the proffered GDP. The Applicant shall be allowed to install utilities or other elements necessary for site development within the dedicated right-of-way area, provided that this does not restrict use of the right-of-way.
3. The Applicant hereby proffers to provide for right-of-way dedication sufficient for the development of up to an 800-foot wide diamond interchange or a single point urban interchange (SPUI) in the general location depicted on the proffered GDP. It is agreed that any portion of the right-of-way that is not required for the new interchange within the Property will not be requested from the Applicant. It is further agreed that the engineering design sufficient to determine the location, type and right-of-way needs for the new interchange will provide direct access to Snowden Bridge Boulevard. The Applicant shall provide the required right-of-way dedication to Frederick County within 90 days from the date of written notice by Frederick County, which shall occur after an official decision has been made by Frederick County and VDOT for the alignment and right-of-way width for the new Route 37 interchange within the Property. In the even the aforesaid official decision has not been made for the new Route 37 interchange within the time period specified in Section D(1), the Applicant may either extend the time period for this decision, or may provide Frederick County with a 225-foot wide right-of-way dedication for Route 37 within the corridor study area depicted on the proffered GDP. The applicant shall be allowed to install utilities or other elements necessary for site development within the dedicated right-of-way area, provided that this does not restrict use of the right-of-way.
 4. The Applicant hereby proffers to construct Snowden Bridge Boulevard between the Property and Martinsburg Pike (U.S. Route 11 North), including the CSX bridge crossing, prior to the issuance of an occupancy permit for the first office or industrial site plan approved on the Property. The Applicant shall design and construct Snowden Bridge Boulevard as a four-lane, divided where applicable, road throughout the limits of the Property, and shall develop the off-site segment of Snowden Bridge Boulevard consistent with the approved public improvement plan. Snowden Bridge Boulevard shall be initially constructed as a two-lane road section, and shall be constructed as the ultimate four-lane divided road section prior to the issuance of the occupancy permit for the site plan that exceeds 8,000 VDP or in the event that

- Snowden Bridge Boulevard is developed to allow access for additional traffic from outside the Property, the construction of the ultimate four-lane divided road section shall be required when the total trip volume exceeds 8,000 VPD on the Property, which ever first occurs.
5. The Applicant hereby proffers to limit full commercial intersection access on Snowden Bridge Boulevard to establish up to three commercial intersections in the general location of intersections identified on the proffered GDP. An intersection has been identified on the proffered GDP that could potentially be developed as either a roundabout or as a signalized intersection if warranted by VDOT. All full commercial intersections identified on the proffered GDP will be developed with medians to provide for controlled left turn movement access to the Property.
 6. The Applicant hereby proffers to allow for the full commercial intersection located on the east side of the Route 37 corridor study area to be closed entirely if necessary when Route 37 is developed by others throughout the limits of the Property. The closure of the full commercial intersection is conditioned upon the provision of street access to this portion of the Property that will be developed by others during the construction of Route 37. The Applicant agrees to cooperate with Frederick County to provide easements on the Property if necessary to facilitate new street access to this portion of the Property if this becomes necessary due to the construction of Route 37.
 7. The Applicant hereby proffers to prohibit direct commercial access from the Property to existing Milburn Road (Route 662). The County may determine that emergency access from to the Property from existing Milburn Road is acceptable provided that it is designed to prohibit access for regular vehicular traffic.
 8. The Applicant hereby proffers to prohibit direct commercial access from the Property to existing Redbud Road (Route 661). Frederick County may determine that emergency access from to the Property from existing Redbud Road is acceptable provided that it is designed to prohibit access for regular vehicular traffic.
 9. The Applicant hereby proffers to prohibit direct commercial access from the Property to McCann's Road (Route 838). Emergency access to the Property from McCann's Road is prohibited as well to protect the integrity of the buffer identified along this road.
 10. The Applicant shall develop Snowden Bridge Boulevard as a public street; however, the Applicant shall have the ability to develop all internal streets as private street systems. All private streets shall be constructed to meet or exceed VDOT vertical base section standards.

11. The Applicant hereby proffers to provide for inter-parcel connections where possible to mitigate transportation impacts to the full commercial intersections identified on the proffered GDP.
12. The Applicant submits that it will apply for all such public assistance mechanisms that are available at the time of development to facilitate the installation of the aforementioned transportation/infrastructure improvements. Those mechanisms include, but are not limited to, matching funds, industrial access funds and/or any other transportation/infrastructure funding vehicles, such as CDAs. Without binding any future legislative act, the Applicant and the Frederick County Board of Supervisors agree that the use of said mechanisms are advantageous to the development of the Property and the use of same should be encouraged and that both parties should make all reasonable efforts to cooperate with one another to implement the appropriate mechanism or combination of mechanisms to ensure rapid installation of the aforementioned improvements.
13. The Applicant hereby proffers to provide for a maximum 60-foot right-of-way dedication to Frederick County to provide for the development of a street connection by others between the planned portion of Snowden Bridge Boulevard on the Property and existing Redbud Road (Route 661) immediately south of the Property. The general location of this 60-foot right-of-way shall be delineated on the final Master Development Plan, which shall connect to one of the proposed new full commercial intersections that are located to the west of the Route 37 corridor study area as depicted on the proffered GDP. It is agreed that the 60-foot right-of-way dedication can be located within buffer areas provided that the landscape screening and opaque elements are located between the adjoining properties owned by Applicant and the right-of-way dedication area. The Applicant shall provide the required right-of-way dedication to Frederick County within 90 days from the date of written notice by Frederick County, which shall occur after an official decision has been made by Frederick County and VDOT to construct this street connection. It is agreed that the Applicant can construct street access with entrances to land bays within the delineated 60-foot right-of-way area provided that the proposed street access meets or exceeds VDOT vertical base section standards. The Applicant shall be allowed to install utilities or other elements necessary for site development within the dedicated right-of-way area, provided that this does not restrict use of the right-of-way.
14. The Applicant has agreed to provide Frederick County with right-of-way dedications within the Property for the Route 37 mainline, the new Route 37 interchange, and the connecting street between Redbud Road and Snowden Bridge Boulevard as described in Sections D(2), D(3), and D(13) of the Proffer Statement. In the event that Frederick County or VDOT decides to not construct these road systems in whole or in part subsequent to right-of-way dedication, the recipient of the dedication agrees to convey the right-of-way dedication to the Applicant within 90 days from the date of this determination.

E. Fire and Rescue Monetary Contribution

1. The Graystone Office and Industrial Park has been demonstrated to provide a positive economic impact to Frederick County services by the Frederick County Development Impact Model. However, the Applicant intends to further support fire and rescue services through the provision of a monetary contribution in the amount of \$0.05 per square foot of structural development for all land uses within the Property. This monetary contribution shall be provided to Frederick County for fire and rescue purposes prior to the issuance of a certificate of occupancy permit for each building permit issued within the Property.

F. Signatures – Graystone Corporation of Virginia

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in the interest of the Applicants and owners. In the event the Frederick County Board of Supervisors grants this rezoning and accepts the conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code.

Respectfully Submitted:

GRAYSTONE CORPORATION OF VIRGINIA

By:

[Signature]
Treasurer
John P. Good, Jr.

Date: 3-23-2012

Commonwealth of Virginia,

City/County of FREDERICK To Wit:

The foregoing instrument was acknowledged before me this 23 day of March 2012 by John P. Good, Jr.

SUSAN D. STAHL NOTARY PUBLIC Commonwealth of Virginia Reg. #290874 My Commission Expires April 30, 2012

[Signature]
Notary Public






My Commission Expires:

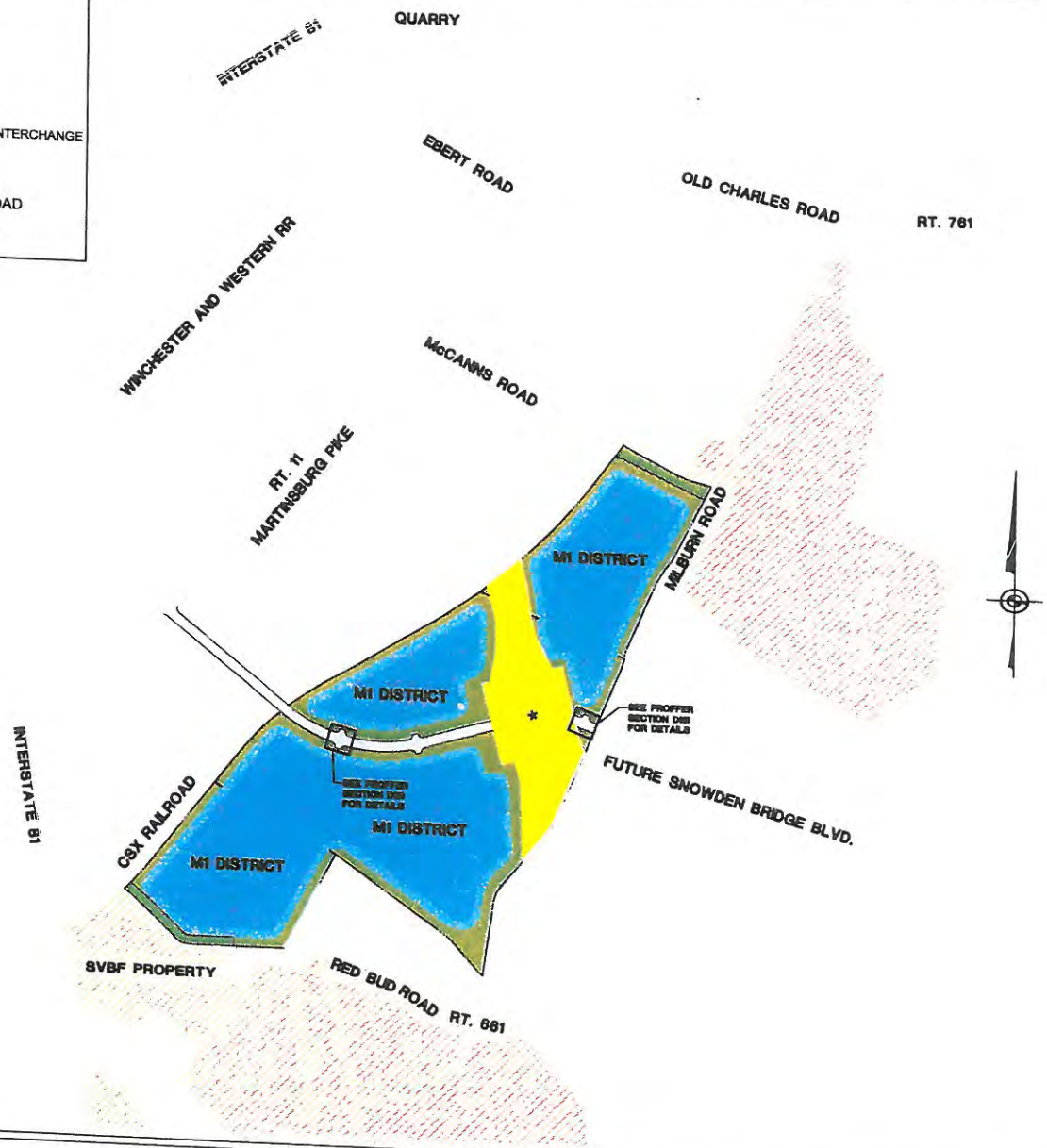
Registration No.: _____

Proffer Statement


LEGEND

TOTAL SITE: 271.39± AC.
 PROPOSED ZONE: M1 DISTRICT

-  OFFICE - MANUFACTURING LAND BAYS
-  ROUTE 37 CORRIDOR STUDY AREA
*FUTURE ROUTE 37 / SNOWDEN BRIDGE BLVD. INTERCHANGE
-  GREEN SPACE BUFFER AREAS
-  URBAN 4 - LANE DIVIDED COLLECTOR ROAD
-  PARCELS WITH PERMANENT EASEMENTS

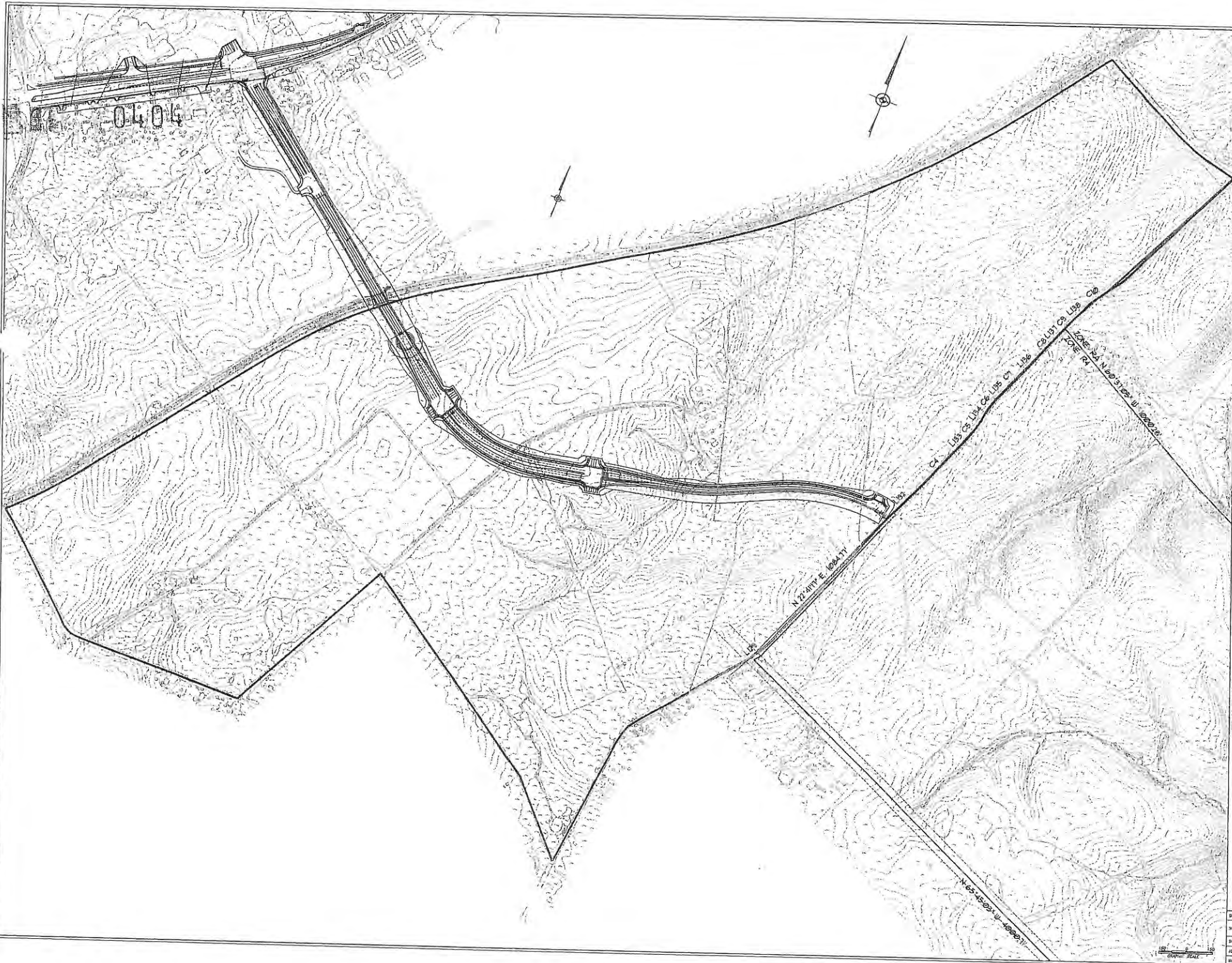


GREENWAY ENGINEERING, INC.
 151 Windy Hill Lane
 Winchester, Virginia 22602
 Telephone: (540) 662-4185
 FAX: (540) 722-9528
 www.greenwayeng.com


 Engineers, Surveyors
 & Environmental Services
 Founded in 1971

GENERALIZED DEVELOPMENT PLAN
GRAYSTONE CORPORATION OF VIRGINIA
 STONEWALL MAGISTERIAL DISTRICT
 FREDERICK COUNTY, VA

DATE:	01/25/10
SCALE:	N.T.S.
DESIGNED BY:	WRS
JOB NO.	2760GC
SHEET	1 OF 1

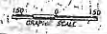


GREENWAY ENGINEERING, INC.
 1000 N. 10th Street
 Frederick, MD 21704
 Phone: 301-771-1111
 Fax: 301-771-1112
 www.greenwayeng.com

GRAYSTONE OFFICE AND INDUSTRIAL PARK

OVERALL PROPERTY EIGHT
 STONEMALL INDUSTRIAL DISTRICT
 FREDERICK COUNTY, VA

DATE: 02-04-11
 SCALE: 1" = 100'
 DESIGNED BY: RLK
 JOB NO: 2765C
 SHEET: 1 OF 1



**MASTER DEVELOPMENT PLAN
APPLICATION FORM**

- Department of Planning & Development Use Only -

Application # 01-15 Date Application Received: 3/27/15
PC Meeting Date 4/15/15 BOS Meeting Date 5/13/15
Fee Amount Paid \$ 24,050.00 Initials: PD Receipt # 583208

1. Project Title: Graystone Commerce Center

2. Applicant:

Name: Graystone Corporation of Virginia Telephone: 540.667.7700

Address: 1057 Martinsburg Pike
Winchester, VA 22603

3. Property Owner (if different than above):

Name: _____ Telephone: _____

Address: _____

4. Design Company:

Name: Stowe Engineering, PLC Telephone: 540.869.8676

Address: 220 Serviceberry Court
Stephens City, VA 22655

5. Please list names of all owners, principals, and/or majority stockholders:

James Donald Shockey Jr.

John P. Good Jr.

6. Magisterial District: Stonewall

7. **Property Location:** east of the CSX railroad; north of Redbud Rd (Rte 661); west of Milburn Rd (Rte 662); south of McCann Road (Rte 838)

(Give State Route # and name, distance and direction from intersection)

8. **Is this an original or amended Master Development Plan?**

Original Amended , Previous MDP# _____

9. **Property Information:**

a) Property Identification Number (PIN): 43-A-158, 44-A-26, 44-A-27
b) Total Acreage: 271.40 acres
c) Current Zoning: M1
d) Present Use: undeveloped
e) Proposed Uses: office and industrial uses

10. **If residential uses are proposed, provide the following:**

a) Density: n/a
b) Number of Units: n/a
c) Housing Types: n/a

11. **Adjoining Property use and zoning:**

	<u>USE</u>	<u>ZONING</u>
North	<u>undeveloped</u>	<u>RA</u>
East	<u>agricultural, residential</u>	<u>RA, R4</u>
South	<u>Residential, agricultural</u>	<u>RA</u>
West	<u>industrial, agricultural</u>	<u>M1, RA</u>

I have read the material included in this package and understand what is required by the Frederick County Department of Planning and Development. I also understand that the master development plan shall include all contiguous land under single or common ownership. All required material will be complete prior to the submission of my master development plan application.

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

Applicant(s): GRAYSTONE CORPORATION OF VIRGINIA Date: _____

BY: [Signature] TREASURER Date: 2-18-2015

Owner(s): GRAYSTONE CORPORATION OF VIRGINIA Date: _____

BY: [Signature] TREASURER Date: 2-18-2015

MDP #01-15

Graystone Commerce Center

PINs 43-A-158
44-A-26
44-A-27

GRAYSTONE COMMERCE CENTER

ADJOINING OWNER INFORMATION				
SYM	PIN NO	OWNER	ZONING	USE
A	43-A-153	SVEC	RA	SUB-STATION
B ✓	43-A-152	K&J Investments	M1	Industrial
C ✓	43-A-151	K&J Investments	M1	Industrial
D ✓	43-A-147	K&J Investments	M1	Unimproved
E ✓	43-A-146	K&J Investments	M1	Unimproved
F ✓	43-A-140	Michael S. Weber	RA	Agricultural
G	44-A-25B ✓	Judith McCann Slaughter & Ellen L. Marshall, Trustees	RA	Agricultural
H	44-A-40 ✓	Judith McCann Slaughter & Ellen L. Marshall, Trustees	RA	Agricultural
I	44-8-7 ✓	Crider & Shockey Inc. of WV	RA	Unimproved
J	44-8-6 ✓	Crider & Shockey Inc. of WV	RA	Unimproved
K	44-A-29 ✓	Judith McCann Slaughter	RA	Agricultural
L	44-A-31A ✓	Stephenson Associates, LC	R4	Unimproved
M	44-A-28B ✓	Kenneth R. Unger	RA	Residential
N	44-A-28C ✓	Robert R. Jr & Marsha Boden	RA	Residential
O	44-A-28H ✓	Martha Omps Holiday	RA	Residential
P	44D-3-8 ✓	Big O Partnership	RA	Unimproved
Q	44-A-27 ✓	Darlene Cole	RA	Agricultural
R	44-A-27A	Janice Marie Kirby	RA	Residential
S	43-A-159 ✓	R&J Land Development	RA	Residential
T	43-A-157 ✓	Patricia A. Zinn & Dorothy C. Ratcliff	RA	Residential
U	43-A-156 ✓	JJJA Assoc. C/O Driggs Assoc	RA	Residential
V	43-A-155 ✓	Backwoods Property, LLC	RA	Residential
W	43-A-154 ✓	Shenandoah Valley Battlefields Foundation	RA	Agricultural

44-A-28G

43-A-159A

Please
reify



FREDERICK COUNTY SANITATION AUTHORITY

Post Office Box 1877
Winchester Virginia 22604-8377

PH. – (540)868-1061
Fax – (540)868-1429
www.fcsa-water.com

Uwe E. Weindel, P.E.
Engineer-Director

February 26, 2015

Mr. Timothy Stowe
Stowe Engineering, PLC
220 Serviceberry Court
Stephens City, Virginia 22655

Ref.: Master Development Plan Comments
Graystone Commerce Center
Tax Map # 43-A-158, 44-A-26 & 44-A-27

Dear Sir:

Per your request, a review of the proposed master development plan has been performed. The Frederick County Sanitation Authority offers comments limited to the anticipated impact/effect upon the Authority's public water and sanitary sewer system and the demands thereon.

The parcels are in the water and sanitary sewer area served by the Authority. Based on the location both water and sanitary sewer service is available within a reasonable distance from the site. Sanitary sewer treatment capacity at the waste water treatment plant is also presently available. Sanitary sewer conveyance capacity and layout will be contingent on the applicant performing a technical analysis of the existing sanitary sewer system within the area to be served and the ability of the existing conveyance system to accept additional load. Likewise, water distribution capacity will require the applicant to perform a technical analysis of the existing system within the area to be served to determine available capacity of both the potable water system and the ability to provide fire protection..

Water and sanitary sewers are to be constructed in accordance with the FCSA standards specifications. Dedicated easements may be requires and based on the layout vehicular access will need to be incorporated into the final design. All easements should be free from any encumbrance including permanent structures (fences, signs, etc.) and landscaping (trees, shrubs, etc.).

Please be aware that the Authority does not review or comment upon proffers and/or conditions proposed or submitted by the applicant in support of or in conjunction with this plan, nor does the Authority assume or undertake any responsibility to review or comment upon any amended proffers and/or conditions which the Applicant may hereafter provide to Frederick County.

Thank you;


Uwe E. Weindel, PE
Engineer-Director