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**AGENDA  
REGULAR MEETING  
FREDERICK COUNTY BOARD OF SUPERVISORS  
WEDNESDAY, JULY 8, 2015  
7:00 P.M.  
BOARD ROOM, COUNTY ADMINISTRATION BUILDING  
107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

**4:30 P.M. – Closed Session:**

There will be a Closed Session Pursuant to Section 2.2-3711 A (7) of the Code of Virginia, 1950, as Amended, for Consultation with Legal Counsel and Briefing by Legal Counsel, 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.

**5:30 P.M. – Work Session with Frederick County School Board (See Attached)**

**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: A, D, F, H and J)

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

**Board of Supervisors Comments**

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

1. Regular Meeting, June 10, 2015.

**AGENDA  
REGULAR MEETING  
FREDERICK COUNTY BOARD OF SUPERVISORS  
WEDNESDAY, JULY 8, 2015  
PAGE 2**

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**County Officials:**

1. Employee of the Month Award. **(See Attached)**----- **B**
2. Committee Appointments. **(See Attached)**----- **C**
3. Resolution Approving the Issuance of Bonds by the Economic Development Authority of the County of Frederick, Virginia for the Benefit of Corrugated Container Corporation of Shenandoah Valley.  
**(See Attached)** ----- **D**
4. Request from Commissioner of the Revenue for Refund.  
**(See Attached)** ----- **E**
5. Request from County Attorney to Schedule Public Hearing Re: County Code Amendment - Polling Place Change. **(See Attached)**----- **F**
6. Request from Frederick County Public Schools Finance Director for FY16 Budget Adjustments. **(See Attached)**----- **G**

**Committee Reports:**

1. Parks and Recreation Commission Report. **(See Attached)** ----- **H**
2. Human Resources Committee Report. **(See Attached)** ----- **I**
3. Public Safety Committee. **(See Attached)**----- **J**
4. Public Works Committee. **(See Attached)**----- **K**

**Planning Commission Business:**

**Public Hearing:**

1. Rezoning #02-15 for Blue Ridge Youth Soccer Association, Submitted by Painter-Lewis P.L.C. to Rezone 20.54 Acres from the B2 (General Business) District to the RA (Rural Areas) District. This Property is Located East of the City of Winchester, on the West Side of US Highway 50/17, at the Southeastern Corner of the Intersection of Route 50/17 and W. Parkins Mill Road (Route 644). The Property is Identified with Property Identification Number 77-A-26A in the Shawnee Magisterial District. **(See Attached)** ----- **L**

**AGENDA  
REGULAR MEETING  
FREDERICK COUNTY BOARD OF SUPERVISORS  
WEDNESDAY, JULY 8, 2015  
PAGE 3**

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2. Conditional Use Permit #01-15 for Blue Ridge Youth Soccer Association, for a Commercial Outdoor Recreation Facility. These Properties are Located East of the City of Winchester, on the West Side of US Highway 50/17, at the Southeastern Corner of the Intersection of Route 50/17 and W. Parkins Mill Road (Route 644). The Properties are Identified with Property Identification Numbers 77-A-26A and 77-A-26B in the Shawnee Magisterial District. **(See Attached)** ----- **M**

**Other Planning Items:**

1. Rezoning #04-15 – Abram's Chase – Proffer Revision. **(See Attached)** ---- **N**

**Board Liaison Reports (If Any)**

**Citizen Comments**

**Board of Supervisors Comments**

**Adjourn**

Frederick County  
School Board and Board of Supervisors  
Joint Meeting

Frederick County Administration Office Complex Board Room  
107 N. Kent Street  
Winchester, VA 22601

July 8, 2015  
5:30 p.m.

**AGENDA**

- I. Call to Order
- II. Approval of the Agenda
- III. School Construction Projects
- IV. Adjournment



A



**FREDERICK COUNTY BOARD OF  
SUPERVISORS' MINUTES**

**REGULAR MEETING**

**June 10, 2015**

A Regular Meeting of the Frederick County Board of Supervisors was held on Wednesday, June 10, 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; Gary A. Lofton; Jason E. Ransom; and Robert W. Wells.

**ABSENT**

Robert A. Hess (Arrived at 6:03 p.m.)

**CALL TO ORDER**

Chairman Shickle called the meeting to order.

**CLOSED SESSION**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Fisher, the Board convened in closed session pursuant to Section 2.2-3711 A (3) of the Code of Virginia, 1950, as amended, for discussion or consideration of the acquisition of real property for a public purpose, 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	Absent
Gary A. Lofton	Aye
Jason E. Ransom	Aye
Robert W. Wells	Aye

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

The above motion was approved by the following recorded vote:

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

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Fisher, the Board certified that to the best of each board member's knowledge that only acquisition of real property, pursuant to section 2.2-3711 A (3) of the Code of Virginia, 1950, as amended, specifically discussion or 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 was 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

### **RECESS**

The board recessed 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 AS AMENDED**

Assistant County Administrator Kris Tierney advised that he had one change to the agenda. He noted Rezoning #05-14 of CB Ventures, LLC had been withdrawn at the request of the applicant.

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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**CONSENT AGENDA – APPROVED**

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

- Shenandoah Valley Workforce Development Board/Chief Elected Officials Consortium Agreement – **Tab D**;
- Request to Schedule Work Session Between Board of Supervisors and Frederick County School Board for July 8, 2015 – **Tab F**; and
- Human Resources Committee Report – **Tab H**.

Upon a motion by Supervisor Fisher, 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
Jason E. Ransom	Aye

Robert W. Wells                      Aye

**CITIZEN COMMENTS**

There were no citizen comments.

**BOARD OF SUPERVISORS COMMENTS**

There were no Board of Supervisors' comments.

**MINUTES - APPPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Hess, the Board approved the minutes from the May 13, 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

Upon a motion by Supervisor Lofton, seconded by Supervisor Fisher, the Board approved the minutes from the May 27, 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**COUNTY OFFICIALS**

**COMMITTEE APPOINTMENTS**

**APPOINTMENT OF DR. ROBERT MEADOWS AS STONEWALL DISTRICT REPRESENTATIVE TO THE HISTORIC RESOURCES ADVISORY BOARD - APPROVED**

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

appointed Dr. Robert Meadows as Stonewall District representative to the Historic Resources Advisory Board. This is a four year appointment. Term expires April 13, 2019.

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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**REAPPOINTMENT OF WHITNEY “WHIT” L. WAGNER TO THE BOARD OF BUILDING APPEALS - APPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board reappointed Whitney “Whit” L. Wagner to the Board of Building Appeals. This is a five year appointment. Term expires August 12, 2020.

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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**REAPPOINTMENT OF ELAINE CAIN, ROBERT SOLENBERGER, AND CHARLES TRIPLETT TO THE CONSERVATION EASEMENT AUTHORITY - APPROVED**

Upon a motion by Supervisor Hess, seconded by Supervisor Fisher, the Board reappointed Elaine Cain, Robert Solenberger, and Charles Triplett to the Conservation Easement Authority. This is a three year appointment. Term expires August 24, 2018.

The above motion was approved by the following recorded vote:

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

**APPOINTMENT OF JASON RANSOM TO THE SHENANDOAH VALLEY  
WORKFORCE DEVELOPMENT BOARD CHIEF LOCAL ELECTED  
OFFICIALS CONSORTIUM BOARD - APPROVED**

Upon a motion by Supervisor Lofton, seconded by Vice-Chairman DeHaven, the Board appointed Jason E. Ransom as the Board representative to the Shenandoah Valley Workforce Development Chief Local Elected Officials Consortium 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**MILLWOOD STATION VOLUNTER FIRE AND RESCUE COMPANY 21**

**RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF  
UNDERSTANDING BETWEEN THE COUNTY OF FREDERICK, THE  
FREDERICK COUNTY ECONOMIC DEVELOPMENT AUTHORITY, AND  
THE MILLWOOD STATION VOLUNTEER FIRE AND RESCUE COMPANY 21.  
- APPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Hess, the Board approved the resolution authorizing execution of a memorandum of understanding between the County of Frederick, the Frederick County Economic Development Authority, and the Millwood Station Volunteer Fire and Rescue Company 21, subject to amendments to the memorandum of understanding as deemed appropriate by legal counsel.

**WHEREAS**, the Economic Development Authority of the County of Frederick, Virginia (the



“EDA”) is the owner of real property and improvements located on the south side of Costello Drive in Shawnee Magisterial District, containing approximately four (4) acres more or less and identified as Frederick County property identification number 54-10-5 (the “Property”); and

**WHEREAS**, the EDA, the County of Frederick, and Millwood Station Volunteer Fire and Rescue Company 21 have reached an understanding regarding the continued ownership, use, operations, maintenance, and conveyance of the Property; and

**WHEREAS**, the terms and conditions of the understanding are specified within the attached Memorandum of Understanding Regarding the Ownership, Use, Operations, Maintenance, and Conveyance of Millwood Fire and Rescue Station.

**NOW, THEREFORE, BE IT RESOLVED** that the Frederick County Board of Supervisors hereby authorizes the County Administrator to execute said Memorandum of Understanding.

**ADOPTED** this 10<sup>th</sup> day of June, 2015.

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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF  
FREDERICK 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 OTHER RELATED ACTIONS. - APPROVED**

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

**WHEREAS**, on February 23, 2007, 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 \$3,000,000 Taxable Lease Revenue Bond

(Millwood Station Project) Series 2007 (the "2007 EDA Bond") in order to provide funds for the construction and equipping of the Millwood Volunteer Fire Station (the "2007 Project");

**WHEREAS**, the Board of Supervisors (the "Board") of the County of Frederick, Virginia (the "County") intends to refinance the costs of the 2007 Project by refunding all or a portion of the 2007 EDA Bond (the "Millwood Project");

**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 Millwood 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 Millwood 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 2007 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 2007 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 Millwood 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 portion of the 2007 EDA Bond 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 Millwood 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 Millwood 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 \$3,000,000 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 2007 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 2007 EDA Bond.

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. **Repeal of Conflicting Resolutions.** All resolutions are repealed to the extent they are inconsistent with this Resolution.

14. **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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**SHENANDOAH VALLY WORKFORCE DEVELOPMENT BOARD/CHIEF  
ELECTED OFFICIALS CONSORTIUM AGREEMENT. – APPROVED UNDER  
CONSENT AGENDA**

The Board of Supervisors of Frederick County, Virginia hereby ordains that, pursuant to Section 15.2-1300 of the Code of Virginia (1950, as amended), that the Shenandoah Valley Chief Local Elected Officials Consortium Agreement, creation of the Shenandoah Valley Workforce Development Area, the Shenandoah Valley Chief Elected Officials Consortium, and the Shenandoah Valley Workforce Development Board, in accordance with Public Law 113-128, the Workforce Innovations and Opportunity Act of 2014, Section 106, is approved.

Enacted this 10th day of June, 2015.

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

Assistant Administrator Tierney advised this was a request from the Commissioner of the Revenue to authorize the Treasurer to refund RDM Hospitality LLC the amount of \$15,342.14, for business personal property (furnishing & equipment) taxes in 2012, 2013, and 2014. This refund resulted from the taxpayer initially giving one figure in 2010 for all personal property of their motel. Upon audit an adjustment was found to be due reducing the taxpayer's original figure. He went on to say the Commissioner verified that documentation and details for this refund met all requirements.

Upon a motion by Supervisor Hess, seconded by Supervisor Lofton, the Board approved the refund request and supplemental appropriation.

The above motion was approved by the following recorded vote:

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

**REQUEST TO SCHEDULE WORK SESSION BETWEEN BOARD OF SUPERVISORS AND FREDERICK COUNTY SCHOOL BOARD FOR JULY 8, 2015. – APPROVED UNDER CONSENT AGENDA**

**RECOMMENDATION FROM COUNTY ADMINISTRATOR RE: MERIT PAY PERCENTAGE FOR FY 2015-2016. – APPROVED 2.4% MERIT PAY PERCENTAGE FOR FY 2015-2016**

Assistant County Administrator Kris Tierney advised the Board had a memo in their agenda packet from County Administrator Brenda Garton recommending a 4% merit pay increase for county employees. He noted that since the drafting of the original memo, staff had received additional information from the school system regarding their proposed 5.5% increase, which was broken down into a 3.1% market adjustment and 2.4% step increase for employees. He noted this information was not available to Ms. Garton when the memo was sent out. He concluded by saying staff was seeking board action regarding the proposed merit increase.

Supervisor Lofton stated that he believed the updated information was in line with what he was finding; therefore, he would recommend a 2.4% merit increase.

Supervisor Lofton moved to approve a 2.4% merit increase. The motion was seconded by Vice-Chairman DeHaven.

Supervisor Lofton stated he appreciated Administrator Garton's efforts and she laid out a good plan in her memo. He went on to say he would like to see the Board send a recommendation to the HR Committee regarding the salary survey particularly how we take care of employees along with the pay scale. He felt the Board needed to establish a philosophy on how they would handle pay raises in the future. He suggested tasking the HR Committee with

developing that philosophy and including more objectivity. He went on to say raises should be assigned based on objective data.

Supervisor Hess advised the salary survey was a step toward that policy; therefore, he felt like the process of developing a philosophy had been started. He concluded by asking if there was a need to act tonight or should it be deferred to go to the HR and Finance Committees.

Chairman Shickle stated the push for an action was due to the joint agencies, particularly those for which Frederick County was fiscal agent. He noted other localities needed to know what we were doing so they could budget accordingly.

There being no further discussion, the motion to approve a 2.4% merit increase 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

### **COMMITTEE REPORTS**

#### **HUMAN RESOURCES COMMITTEE REPORT OF MAY 8, 2015. (VOTE POSTPONED FROM MAY 27, 2015 BOARD MEETING.) – APPROVED UNDER CONSENT AGENDA**

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

##### **1. Update of HR Committee Report from May 27, 2015 Board of Supervisors' Meeting.**

Supervisor Hess requested to the Board that the HR Committee Report from May be tabled until the June Board meeting in order to further discuss actions that were being recommended by the HR Committee.

The items on the report for action are still under discussion and, as a result, it is anticipated that the report will be presented at the July Board of Supervisors' meeting.

### **FINANCE COMMITTEE - APPROVED**



A Finance Committee meeting was held in the First Floor Conference Room at 107 North Kent Street on Wednesday, June 3, 2015 at 8:00 a.m. All members were present. Items 3, 4, 5, and 6 were approved under consent agenda.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board approved items 3, 4, 5, and 6 under the consent agenda.

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
Jason E. Ransom	Aye
Robert W. Wells	Aye

1. The Finance Director requests a funding discussion regarding the Northern Shenandoah Valley Substance Abuse Coalition requests for funding which will advance a number of initiative addressing substance abuse, most prominently, the creation of a Drug Court. See attached application, p. 4-26. A consensus was met by the committee on moving forward with the FY2016 funding request. No action required.
2. The Department of Social Services requests a net General Fund supplemental appropriation in the amount of \$325,600, of which, \$335,600 is an increase in State/Federal dollars and \$10,000 is a reduction of local funds. See attached information, p. 27-29. The committee recommends approval. - **APPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Wells, the Board approved the above item 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

3. The Parks and Recreation Director requests a General Fund supplemental appropriation in the amount of \$8,560 in order to reimburse CLEAN, Inc. for The Third Annual Glow Run 5K registrations collected on their behalf. No local funds required. See attached memo, p. 30. - **APPROVED UNDER CONSENT AGENDA**

4. The Sheriff requests a General Fund supplemental appropriation in the amount of \$600. This amount represents a donation to the K-9 program. No local funds required. See attached memo, p. 31. – **APPROVED UNDER CONSENT AGENDA**
5. The Sheriff requests a General Fund supplemental appropriation in the amount of \$32. This amount represents a reimbursement for a prisoner extradition. No local funds required. See attached information, p. 32. – **APPROVED UNDER CONSENT AGENDA**
6. The Sheriff requests a General Fund supplemental appropriation in the amount of \$3,183. This amount represents reimbursement from the Secret Service. No local funds required. See attached information, p. 33. – **APPROVED UNDER CONSENT AGENDA**
7. The Public Works Director requests an FY 2016 General Fund supplemental appropriation in the amount of \$27,000 in order to purchase a vehicle. See attached memo, p. 34. The committee recommends approval. - **APPROVED**

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

approved the above item 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

8. The Winchester Regional Airport requests an Airport Operating Fund supplemental appropriation in the amount of \$50,000 to cover anticipated cash deficit. A General Fund supplemental appropriation in the amount of \$37,550 is also required for the County portion (local funds). See attached information, p. 35-41. The committee recommends approval. - **APPROVED**

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

approved the above item 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
Jason E. Ransom	Aye

Robert W. Wells

Aye

9. The County Attorney requests a Lake Holiday Sanitary District Fund supplemental appropriation in the amount of \$860,000 for the outstanding sanitary district taxes on 557 undeveloped lots to be acquired by Lake Holiday Country Club, Inc. See attached memo, p. 42-43. The committee recommends approval subject to the following:
  - a. Bond counsel accepting the arrangement,
  - b. Use of the appropriation is limited to the transaction involving the transfer of lots from Lake Holiday Land, Inc. to Lake Holiday Country Club, Inc.,
  - c. Payment of real estate taxes in full, and
  - d. Completion of all transactions by December 31, 2015.

**- APPROVED**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Hess, the Board approved the above item 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**INFORMATION ONLY**

1. The Government Finance Officers Association (GFOA) has awarded the County the Award for Outstanding Achievement for Excellence in Financial Reporting for the June 30, 2017 Comprehensive Annual Financial Report (CAFR). This is the 29<sup>th</sup> consecutive year that Frederick County has received this achievement. See attached, p. 44-46.
2. At the request of the committee, the EDA Executive Director will provide an overview of final reporting mechanism by the Economic Development Authority (EDA) on Local Economic Development Incentive Grants (LEDIG) at the next Finance Committee meeting.

**DEVELOPMENT IMPACT MODEL OVERSIGHT COMMITTEE – APPROVED  
CRITICAL INPUTS**

The Development Impact Model-Oversight Committee (DIM-OC) met on Thursday, May 21, 2015 at 10:00 AM.

Members Present  
Robert Hess

Member Absent  
Roger Thomas

Dr. John Lamanna  
Phil Lemieux  
Gary Lofton  
H. Paige Manuel  
Stephen Pettler  
Kris Tierney

Eric Lawrence, Wayne Lee, Ellen Murphy, and Al Orndorff were present.

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

The DIM-OC reviewed the critical inputs for the Annual Update of the Development Impact Model (DIM). The inputs are essential in order to maintain an updated DIM. It is important to note that the DIM is a planning tool which projects anticipated operational and capital facility costs associated with land use planning, although the DIM is also commonly referenced as the model utilized to project the capital facility costs associated with development and rezoning proposals.

Upon approval of the DIM-OC's recommendation, staff will use the updated model in the consideration of land use planning analysis and for future rezoning petitions. The critical input spreadsheet and resulting projected capital facilities costs are attached for your information.

Upon utilizing the critical input updated figures, the DIM projects the following impacts on the County's capital facilities:

		<b>NEW</b>	
		<b><u>FY16</u></b>	<b><u>FY15</u></b>
Single Family Dwelling Unit	=	\$19,681	\$19,583
Town Home Dwelling Unit	=	\$13,681	\$13,347
Apartment Dwelling Unit	=	\$13,880	\$12,697

**By unanimous vote, the DIM-OC recommends the use of the updated critical inputs, and for their incorporation into the Development Impact Model.**

Upon a motion by Supervisor Hess, seconded by Supervisor Lofton, the Board approved the inputs and their incorporation into the Development Impact Model.

Chairman Shickle asked staff to look at how long it had been since we looked at what other localities were doing and was this model doing the job for us

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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**\*\*\*Informational Purposes Only\*\*\***

The DIM-OC briefly reviewed how the annual updated project costs were developed, and identified a few items that were deemed noteworthy of mentioning:

- It was noted that the cost values utilized for the school facilities were all inclusive – turn-key costs – which included land, architectural and engineering (A&E) services, construction, and furniture and fixtures. The non-school project costs were inclusive of A&E (as applicable) and construction.
- The updated figures include a \$37,500,000 projected cost for a new Joint Administration Building (combined General Government and Schools) complex. When introducing this new joint project and value to the DIM, the School Board's proposed office project (\$14,510,000) was removed from the DIM.
- The Judicial Center Building cost of \$24,065,500 is associated with estimates to renovate and/or construct an Annex to the courthouse.

Please contact staff should you have questions.

**PLANNING COMMISSION BUSINESS**

**PUBLIC HEARING**

**REZONING #03-15 – MBC, LC, SUBMITTED BY GREYWOLFE, INC., TO REZONE 2.96 +/- ACRES OF PROPERTY FROM B1 (NEIGHBORHOOD BUSINESS) DISTRICT TO B2 (GENERAL BUSINESS) DISTRICT WITH PROFFERS. AND 2.36 +/- ACRES FROM B3 (INDUSTRIAL TRANSITION) DISTRICT TO B2 (GENERAL BUSINESS) DISTRICT WITH PROFFERS. THE PROPERTIES ARE LOCATED ON THE SOUTH SIDE OF ROUTE 7, APPROXIMATELY ¾ MILES EAST OF WINCHESTER AT ECKARD CIRCLE AND ARE IDENTIFIED BY PROPERTY IDENTIFICATION NUMBERS 55-A-34 AND 55-A-34A IN THE RED BUD MAGISTERIAL DISTRICT. - APPROVED**

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

He advised this was an application to rezone 2.96 acres +/- to B2 (General Business) District with proffers. The property is located on the southern side of the Route 7 corridor in the Red Bud Magisterial District. He noted the proposed uses are generally consistent with the

Comprehensive Plan. He noted the applicant has proffered a contribution to off-site pedestrian improvements based upon an increased intensity of the use of this site. Deputy Director Ruddy advised that all B2 uses would be allowed. The applicant did not provide a generalized development plan. The Planning Commission recommended approval of this rezoning application. He concluded by saying the applicant has provided a revised proffer statement dated June 1, 2015, which addresses VDOT's comments.

Supervisor Ransom expressed concern about people pulling into the parking lot and backing up traffic on eastbound Route 7. He asked about a turn lane.

Deputy Director Ruddy responded that the proffer statement includes a turn lane analysis and allows for a turn lane to be installed, if needed.

Supervisor Ransom asked if the applicant was proposing to keep the tree line.

Deputy Director Ruddy advised the applicant had not committed to keeping the trees, but they would put in the required buffers and screening.

**Gary Oates**, Greywolfe, Inc., advised the owner was not proffering money for transportation improvements because the vehicle trips per day for a car lot were the same as the existing use (i.e. model home lot). The applicant has proffered out the use of Eckard Lane. He noted the applicant was not keeping the existing trees because most of them were "junk trees". He went on to say the proposed business would be screened from the existing mobile home park. He showed the proposed storm water management area on the side lot. He concluded by saying after installing the buffers and setbacks that only a  $\frac{3}{4}$  acre site would be left.

Chairman Shickle convened the public hearing.

There were no public comments.

Chairman Shickle closed the public hearing.

Supervisor Ransom stated he would like to see the proffered monetary contribution go to something other than pedestrian improvements.

Mr. Oates advised that the proffers, as currently written, designated the contribution for pedestrian improvements; however, the applicant would be willing to change that designation, if the Board was agreeable.

Deputy Director Ruddy stated the applicant could note on the proffer statement that the contribution would be for general transportation corridor improvements.

Upon a motion by Supervisor Ransom, seconded by Supervisor Hess, the Board approved Rezoning 03-15 with the proffer statement, as modified, with a contribution toward general transportation corridor improvements.

**WHEREAS, Rezoning #03-15, MBC, LC**, submitted by GreyWolfe, Inc., to rezone 2.96 acres from B3 (Industrial Transition) District with restrictive proffers and the MH1 (Mobile Home Community) District with proffers to the B2 (General Business) District to accommodate commercial uses, dated February 26, 2015, last revised on June 1, 2015, was considered. The property is located on the southern side of Route 7 and  $\frac{3}{4}$  miles east of Winchester at Eckard Circle. The property is further identified with PIN(s) 55-A-34 and 55-A-34A in the Red Bud Magisterial District; and

**WHEREAS**, the Planning Commission held a public hearing on this rezoning on May 6, 2015 and recommended approval; and

**WHEREAS**, the Board of Supervisors held a public hearing on this rezoning on June 10, 2015; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors, that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the Zoning District Map to rezone 2.96 acres of land from B3 (Industrial Transition) District with restrictive proffers and the MH1 (Mobile Home Community) District with proffers to the B2 (General Business) District to accommodate commercial uses. The conditions voluntarily proffered in writing by the applicant and the property owner are attached.

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

Passed this 10<sup>th</sup> day of June, 2015.

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
Jason E. Ransom	Aye
Robert W. Wells	Aye

#### **OTHER PLANNING ITEMS**

**REZONING #05-14 – CB VENTURES, LLC, SUBMITTED BY CB VENTURES, LLC, TO REZONE 2.42 ACRES OF PROPERTY FROM B1 (NEIGHBORHOOD BUSINESS) DISTRICT TO B2 (GENERAL BUSINESS) DISTRICT WITH PROFFERS. THE PROPERTY IS LOCATED AT 1033 AYLOR ROAD IN STEPHENS CITY AND IS IDENTIFIED BY PROPERTY IDENTIFICATION NUMBERS 74-((A))-104 AND 74-((A))-105 IN THE OPEQUON MAGISTERIAL DISTRICT. (VOTE POSTPONED FROM BOARD MEETINGS OF MARCH 11, 2015 AND MAY 13, 2015.) – APPLICATION WITHDRAWN AT THE APPLICANT'S REQUEST**

#### **DISCUSSION OF FARM BREWERIES AND DISTILLERIES IN THE RA (RURAL AREAS) ZONING DISTRICT – SENT FORWARD FOR PUBLIC HEARING**

Senior Planner Candice Perkins appeared before the Board regarding this item. She advised this was a proposed ordinance revision to allow farm breweries and distilleries in the Rural Areas Zoning District. The proposed ordinance changes include the following:

- Addition of Farm Breweries and Distilleries, with updated and new definitions;
- Addition of on-site sales, tasting during regular business hours;
- Kitchen and catering activities related to the business;
- Removal of the site plan requirement and addition of an illustrative sketch plan requirement; and
- Revision to the special events allowance to decrease the number of people permitted onsite without a festival permit from 150 to 100 (consistent with the County Code



requirement for festival permits).

She concluded by saying the Planning Commission agreed with the proposed changes and sent this item forward for the Board's review.

Chairman Shickle asked staff to specifically cite or reference the Code of Virginia where applicable instead of including their specific requirements in the Zoning Ordinance. This would reduce the number of times the County Code would need to be amended if the State Code provisions were to change and, second, it helped clarify what was a State Code requirement and what was a Frederick County requirement.

Vice-Chairman DeHaven stated it was tough to find a balance of letting these business owners do what they want to do. He noted facilities such as these would become destinations and the proposed ordinance seemed restrictive to him. He went on to say there may be ways to keep these uses from becoming so large as to be a concern. He concluded by saying he supported staff's efforts to minimize the process for folks.

Chairman Shickle suggested staff take out the specific provisions that are required by the State Code so he "would not have to defend them".

Upon a motion by Supervisor Hess, seconded by Vice-Chairman DeHaven, the Board approved the resolution directing the Planning Commission to hold a public hearing regarding Chapter 165, Zoning, Part 401 – RA Rural Areas District, §165-401.02 – Permitted Uses; Part 204 – Additional Regulations for Specific Uses, Article II – Supplementary Use Regulations, Parking, Buffers, and Regulations for Specific Uses; §165-204.22 – Farm Wineries, Farm Breweries, and Farm Distilleries; Part 101 – General Provisions, Article I – General Provisions, Amendments, and Conditional Use Permits, §165-101.02 – Definitions and Word Usage, with staff to remove the specific State Code provisions.

**WHEREAS**, the Frederick County Planning Department has drafted revisions to the farm winery text to include allowances for farm breweries and farm distilleries, along with new and updated definitions and revised regulations; and

**WHEREAS**, the Development Review and Regulations Committee (DRRC) reviewed the changes at their April 23, 2015 meeting and agreed with the revisions and sent the item forward for review by the Planning Commission and Board of Supervisors; and

**WHEREAS**, the Planning Commission discussed the revised change at their regularly scheduled meeting on May 20, 2015 and agreed with the revised change; and

**WHEREAS**, the Board of Supervisors discussed the revised change at their regularly scheduled meeting on June 10, 2015; and

**WHEREAS**, the Frederick County Board of Supervisors finds that in the public necessity, convenience, general welfare, and good zoning practice directs the Frederick County Planning Commission hold a public hearing regarding an amendment to Chapter 165; and

**NOW, THEREFORE, BE IT REQUESTED** by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to include allowances for farm breweries and farm distilleries, new and updated definitions, and other minor changes.

Passed this 10<sup>th</sup> day of June, 2015 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

**DISCUSSION OF SITE PLAN REVISIONS AND ADDITIONS TO THE ZONING ORDINANCE – SENT FORWARD FOR PUBLIC HEARING**

Senior Planner Candice Perkins appeared before the Board regarding this item. She advised this was a proposed zoning amendment to include provisions for minor site plans, as well as inclusion of a new illustrative sketch plan. The proposed illustrative plans would be applicable to farm wineries, breweries, and distilleries. She noted there were no fees associated with the sketch plan. She concluded by saying the Planning Commission agreed with the

proposed changes and sent this item forward to the Board.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board approved the resolution directing the Planning Commission to hold a public hearing regarding Chapter 165, Zoning, Article VIII Development Plans and Approvals, Part 802- Site Plans, §165-802.01 Activities Requiring Site Plans; Article I General Provisions; Amendments; and Conditional Use Permits, Part 101 – General Provisions, §165-101.02 Definitions & Word Usage.

**WHEREAS**, the Frederick County Planning Department has drafted revisions to Part 802 of the Zoning Ordinance to include provisions for minor site plans, illustrative sketch plans and updated and new definitions for minor site plans and illustrative sketch plans; and

**WHEREAS**, the Development Review and Regulations Committee (DRRC) reviewed the changes at their April 23, 2015 meeting and agreed with the revisions and sent the item forward for review by the Planning Commission and Board of Supervisors; and

**WHEREAS**, the Planning Commission discussed the revised change at their regularly scheduled meeting on May 20, 2015 and agreed with the revised change; and

**WHEREAS**, the Board of Supervisors discussed the revised change at their regularly scheduled meeting on June 10, 2015; and

**WHEREAS**, the Frederick County Board of Supervisors finds that in the public necessity, convenience, general welfare, and good zoning practice, directs the Frederick County Planning Commission hold a public hearing regarding an amendment to Chapter 165; and

**NOW, THEREFORE, BE IT REQUESTED** by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to include provisions for minor site plans, illustrative sketch plan, and updated and new definitions for minor site plans and illustrative sketch plans.

Passed this 10<sup>th</sup> day of June, 2015 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
Jason E. Ransom	Aye
Robert W. Wells	Aye

### **BOARD LIAISON REPORTS**

There were no Board liaison reports.

### **CITIZEN COMMENTS**

**Shawn Graber**, Back Creek District, asked “when is enough enough?” He stated the Board was spending money that was not budgeted. He advised that he had a friend who showed the fire chief how to save overtime costs, but nothing has been done and this has cost the taxpayers a considerable amount of money. He cited the Winchester Regional Airport’s finances and stated they needed to look at cutting employees and equipment in order to save money. With regard to the fourth high school, there has been no public hearing on this matter and the public should have input on whether or not to spend this amount of money. He concluded by saying if we “don’t stick to a budget then all it is good for is the trash can.”

### **BOARD OF SUPERVISORS COMMENTS**

Supervisor Lofton stated he appreciated Mr. Graber’s comments; however, people need to avail themselves of all of the information available before commenting or their comments might not be accurate.

Supervisor Fisher noted the Winchester Regional Airport was an economic development tool for the community. He stated they were experiencing some issues and were trying to improve them. He concluded by saying it provided an intangible benefit to the community.

Supervisor Hess noted the Government Finance Officers Association (GFOA) had awarded Frederick County the Award for Outstanding Achievement for Excellence in Financial Reporting for the 29<sup>th</sup> consecutive year.

### **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. (8:47 P.M.)**

B

# Employee of the Month Resolution

for:

## Grant Pearson

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, Grant Pearson who is employed by the Frederick County Fire & Rescue Department was nominated for Employee of the Month; and,

WHEREAS, Grant Pearson who serves as a Firefighter/EMT stationed at Middletown is awarded for going above and beyond his job as a Firefighter for regularly showing his compassion and support to a fellow volunteer. The constant dedication that Firefighter Pearson has to not only his job but also to this volunteer is commended; and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 8<sup>th</sup> day of July, 2015, that Grant Pearson is hereby recognized as the Frederick County Employee of the Month for July 2015; and,

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

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



County of Frederick, VA  
Board of Supervisors

-----  
Richard C. Shickle, Chairman

Dedication

***County of Frederick***

Employee of the Month

July 2015

***Grant Pearson***

Hardworking

Excellence

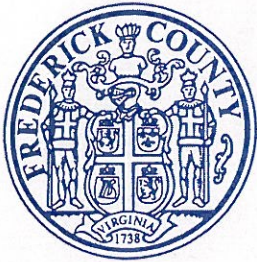
Professional

---

Richard C. Shickle  
Chairman, Board of Supervisors



C



COUNTY of FREDERICK

**Brenda G. Garton**  
County Administrator

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

**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Brenda G. Garton, County Administrator  
**DATE:** June 30, 2015  
**RE:** Committee Appointments

Listed below are the vacancies/appointments due through September, 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

*(As the Board may recall, Dr. Robert Meadows was appointed as the Red Bud District representative on the Historic Resources Advisory Board at the May 13, 2015 Board meeting. Since that time, staff discovered Dr. Meadows had moved and now resides in Stonewall District, not Red Bud. Dr. Meadows believed he was still in the same district.)*

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

*(As the Board may recall, Dr. Robert Meadows was reappointed as the Red Bud District representative on the Extension Leadership Council at the May 13, 2015 Board meeting. Since that time, staff discovered Dr. Meadows had moved and now resides in Stonewall District, not Red Bud. Dr. Meadows believed he was still in the same district.)*

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

**(Mrs. Embree does not wish to be reappointed.)**

**JULY 2015**

No remaining appointments.

**AUGUST 2015**

No remaining appointments.

**SEPTEMBER 2015**

Northern Shenandoah Valley Regional Commission (NSVRC)

Eric R. Lawrence, Planning Director – Frederick County Representative  
Kris C. Tierney, Asst. County Administrator – Serves as Fred. County Alternate  
Terms Expire: 09/30/15  
Three year term

*(Elected Officials serve their elected term of office while others serve a three year term. Current County representatives on the Commission are Supervisors DeHaven and Robert Hess, County Administrator Brenda Garton, and Planning Director Eric Lawrence. Assistant County Administrator Kris Tierney serves as the alternate.)*

Social Services Board

Susan W. Marsh – Stonewall District Representative  
160 Canterbury Lane  
Winchester, VA 22603  
Home: (540)662-6423  
Term Expires: 09/28/15  
Four year term

**(Ms. Marsh is eligible for reappointment.)** *(Members serve a four year term and are limited to two consecutive terms.)*

BGG/tjp



D



**BRYAN & COLEMAN, P.L.C.**  
**ATTORNEYS AT LAW**

116 SOUTH BRADDOCK STREET  
WINCHESTER, VIRGINIA 22601  
TELEPHONE: (540) 545-4130  
FAX: (540) 545-4131

MICHAEL L. BRYAN, ESQUIRE

Email: mbryan2@earthlink.net



June 4, 2015

✓ Roderick B. Williams, Esquire  
Frederick County Attorney  
107 North Kent Street  
Winchester, VA 22601

✓ Mr. Jay Tibbs, Deputy  
County Administrator  
107 North Kent Street  
Winchester, VA 22601

Re: Board of Supervisors Resolution Approving  
Issuance of Bonds

Dear Rod and Jay:

It is anticipated that the Economic Development Authority of Frederick County, Virginia will approve the issuance of Bonds on behalf of Corrugated Container Corporation of Shenandoah Valley in an aggregate maximum amount of \$5,000,000.00 at its meeting scheduled for June 30<sup>th</sup>. The purpose of the Bonds is to finance acquisition and installation of a large press and related equipment for manufacturing corrugated boxes and the making of building renovations at the Company's plant located on Development Lane, in Frederick County, Virginia. As required by the Internal Revenue Code and applicable Virginia law, it is necessary to have the Board of Supervisors approve the issuance of the Bonds.

Enclosed is the proposed Resolution approving the issuance of the Bonds for consideration by the Board. Please have this Resolution adopted on a roll call vote. Please place this matter on the Board's agenda for its July 8<sup>th</sup> meeting. Corrugated Container hopes to close this transaction promptly after July 8<sup>th</sup>. I will forward a Report of the Public Hearing and the Fiscal Impact Statement immediately after the EDA meeting on June 30<sup>th</sup>.

Very truly yours,

Michael L. Bryan

MLB/smb  
Enclosure

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS  
OF FREDERICK COUNTY, VIRGINIA**

**RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE ECONOMIC  
DEVELOPMENT AUTHORITY OF THE COUNTY OF FREDERICK, VIRGINIA,  
FOR THE BENEFIT OF CORRUGATED CONTAINER CORPORATION OF  
SHENANDOAH VALLEY**

WHEREAS, the Economic Development Authority of the County of Frederick, Virginia (the "Authority") has considered the request of Corrugated Container Corporation of Shenandoah Valley (the "Company"), whose principal place of business is 100 Development Lane, Winchester, Virginia 22602, for the issuance of the Authority's qualified small issue bonds under Section 144(b) of the Internal Revenue Code in an aggregate maximum amount of \$5,000,000 (the "Bonds") to finance acquisition and installation of a large press and related equipment for manufacturing corrugated boxes and the making of building renovations (the "Facilities"), at the Company's plant for the manufacture of corrugated paper packaging and containers; and

WHEREAS, the owner and operator of the Facilities will be the Company; and

WHEREAS, the Facilities are and will be located at 100 Development Lane, Winchester, Virginia 22602 in Frederick County, Virginia (the "County"); and

WHEREAS, the Authority held a public hearing after reasonable public notice on such request by the Company on June 30, 2015; and

WHEREAS, the Authority has requested the Board of Supervisors of Frederick County, Virginia (the "Board of Supervisors") to approve the issuance of the Bonds to comply with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") and Section 15.2-4906 of the Code of Virginia, 1950, as amended (the "Virginia Code"), which provide that the governmental units having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of the private activity bonds is located must approve the issuance of the bonds; and

WHEREAS, the Authority issues its bonds on behalf of the County, the Facilities are or will be located in the County, and the Board of Supervisors constitutes the highest governmental unit of the County; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds, a summary of the comments made at the public hearing, if any, and a fiscal impact statement relating to the Facilities have been filed with the Board of Supervisors.

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

1. The issuance of the Bonds by the Authority for the benefit of the Company is approved, to the extent required by Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code, to permit the Authority to assist in the financing of the Facilities.

2. The approval of the issuance of the Bonds, as contained in this Resolution, does not constitute an endorsement of the Bonds, the financial viability of the Facilities or the creditworthiness of the Company. Further, as required by Section 15.2-4909 of the Code of Virginia of 1950, as amended, the Bonds shall provide that neither the Commonwealth of Virginia, nor any political subdivision thereof, nor the Authority nor the County shall be obligated to pay the principal of, premium, if any, the interest thereon, or other costs incident thereto except from the revenues and monies pledged therefor and any applicable security, and neither the faith, credit, nor the taxing power of the Commonwealth or any political subdivision thereof shall be pledged thereto.

3. This Resolution shall take effect immediately upon its adoption.



The Clerk of the Board of Supervisors of Frederick County, Virginia, certifies that the foregoing constitutes a true and correct copy of a resolution adopted by a majority of the Board of Supervisors at a meeting of the Board of Supervisors held on \_\_\_\_\_, 2015, that such a meeting was a regularly scheduled meeting, that, during the consideration of the foregoing resolution, a quorum was present during an open meeting, and that the minutes of such meeting show how each member voted on the foregoing resolution.

WITNESS my hand this \_\_\_\_ day of July, 2015.

\_\_\_\_\_  
Clerk, Board of Supervisors  
of Frederick County, Virginia

EDA\Resolution, Corrugated Container

## REPORT OF PUBLIC HEARING

June 30, 2015

To: Board of Supervisors of Frederick County, Virginia

A public hearing was conducted by Economic Development Authority of the County of Frederick, Virginia (the "Authority") at 8:00 a.m. on June 30, 2015, on the application of Corrugated Container Corporation of Shenandoah Valley (the "Company"), requesting the Authority to issue up to \$5,000,000 of its qualified small issue bonds under Section 144(b) of the Internal Revenue Code to finance the acquisition and installation of a large press and related equipment for manufacturing corrugated boxes and the making of building renovations (the "Facilities") at the Company's plant for the manufacture of corrugated paper packaging and containers in Frederick County. During the public hearing an opportunity was given to interested persons to present their views in connection with the proposed issuance of the bonds or the location and nature of the project. After such hearing, the Authority adopted a resolution (the "Authority Resolution") recommending the approval of the bonds by you. Attached are the following exhibits:

**Exhibit A:** A summary of the public comments, if any, received at the public hearing

**Exhibit B:** A fiscal Impact Statement regarding the Facilities

**Exhibit C:** A copy of the Authority Resolution



ECONOMIC DEVELOPMENT AUTHORITY  
OF THE COUNTY OF FREDERICK, VIRGINIA

By:

*J. Stanley Crockett*  
Chairman

**EXHIBIT A**

**Summary of the Comments Expressed at the Hearing**

The following public comments were expressed at the hearing:

No comments.

## EXHIBIT B

### Fiscal Impact Statement

June 30, 2015

Applicant: Corrugated Container Corporation of Shenandoah Valley  
Facility: Large press and related equipment and building renovations, the Applicants plant for the manufacture of corrugated paper packaging and containers located at 100 Development Lane, Winchester, Virginia 22602

1.	Maximum amount of financing sought	\$5,000,000
2.	Estimated taxable value of the facility's real property to be constructed in the locality	N/A
3.	Estimated real property tax per year using present tax rates	N/A
4.	Estimated personal property tax per year using present tax rates on property	\$54,060.00
5.	Estimated merchants' capital tax per year using present tax rates (local tax, if applicable)	N/A
6.	a. Estimated dollar value per year of goods that will be purchased from Virginia companies with <u>in</u> the locality	\$793,270
	d. Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality	\$4,184,745
	c. Estimated dollar value per year of services that will be purchased from Virginia companies with <u>in</u> the the locality	\$31,200
	d. Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality	\$2,137,882
7.	Estimated number of regular employees on year round basis	6
8.	Average annual salary per regular employee during operation of the facility	\$31,200.00

Economic Development Authority of the County of  
Frederick, Virginia

By: \_\_\_\_\_  
Chairman

\*The information on this Fiscal Impact Statement was provided to the Authority by the Applicant

**INDUCEMENT AND AUTHORIZING RESOLUTION  
OF  
ECONOMIC DEVELOPMENT AUTHORITY OF THE COUNTY OF FREDERICK, VIRGINIA**

**Recitals**

The Economic Development Authority of the County of Frederick, Virginia, a political subdivision of the Commonwealth of Virginia (the "Authority"), is empowered by the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), to issue its revenue bonds for the purpose of, among other things, financing the development of industrial facilities and commercial enterprises, thereby promoting the commerce, safety, health, welfare, convenience and prosperity of the residents of the Commonwealth of Virginia (the "Commonwealth").

The Authority has received the request of Corrugated Container Corporation of Shenandoah Valley, a Virginia corporation (the "Company"), that the Authority issue its revenue bonds to assist the Company in financing the acquisition and installation of a large press and related equipment for manufacturing corrugated boxes and the making of building renovations at the Company's facility for the manufacture of corrugated paper packaging and containers (the "Project") in Frederick County, Virginia (the "County").

The plans for the Project have been described to the Authority in the Company's Application Statement filed with the Authority.

The Company has represented that the acquisition, equipping, and other capital improvement costs of the Project and all expenses of the issue will require an issue of revenue bonds in an aggregate principal amount not to exceed \$5,000,000.

The Authority has determined that its assistance will further the purposes of the Act, thereby benefiting the inhabitants of the County, the surrounding communities and the Commonwealth.

No more than one member of the Board of Directors of the Authority is an officer or employee of the County, and each member has, before entering upon his or her duties during his or her present term of office, taken and subscribed to the oath prescribed by Section 49-1 of the Virginia Code. At the time of their appointments and at all times thereafter, including the date hereof, all of the members of the Board of Directors of the Authority have satisfied the residency requirements of the Act.

To the Authority's knowledge, no member of the Board of Directors of the Authority has engaged in conduct prohibited under the Conflict of Interest Act, Chapter 40.1, Title 2.1 of the Virginia Code, in connection with this Resolution, the bonds to be approved in this resolution, the Financing Documents or any other official action of the Authority in connection therewith.



## Resolution

NOW, THEREFORE, BE IT RESOLVED BY THE ECONOMIC DEVELOPMENT AUTHORITY OF THE COUNTY OF FREDERICK, VIRGINIA:

1. Recitals Incorporated; Findings. The above recitals are incorporated in this resolution. The Authority finds and determines that the acquisition, equipping and other capital costs of the Project will be in the public interest of the Commonwealth and the County and their citizens and that the Project constitutes an "authority facility" within the meaning of the Act.
2. Public Hearing; Inducement. After public notice, the Authority has held a public hearing on the Company's request to finance the Project, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and Section 15.2-4906 of the Act. As an inducement to the Company to cause the Project to be located or to remain in the Commonwealth, and particularly in the County, the Authority agrees to assist the Company to finance the Project and to undertake the issuance of the Authority's revenue bonds (the "Bonds") in an aggregate principal amount now estimated not to exceed \$5,000,000 (the "Maximum Amount"). The Authority recommends that the Board of Supervisors of the County approve the issuance of the Bonds. The Chairman and Secretary of the Authority are authorized and directed to forward to the Board of Supervisors a reasonably detailed summary of the comments, if any, made at the public hearing, a copy of this resolution and a fiscal impact statement relating to the Project.
3. Official Intent. The Authority intends that the adoption of this resolution be considered as a declaration of "official intent" within the meaning of Treasury Resolutions §1.150-2 promulgated under the Code. To that end, the Authority reasonably expects to finance all or a portion of the Project through the issuance of the Bonds in a principal amount not to exceed the Maximum Amount. Based on representations of representatives of the Company, the Authority reasonably expects that the Company will receive reimbursement from the proceeds of the Bonds for certain costs of the Project paid prior to the issuance of the Bonds. The officers of the Authority are directed to make a copy of this resolution continuously available for inspection by the general public during normal business hours at the main administrative offices of the Authority from the date adoption hereof through the date of issuance of the Bonds.
4. Costs. All costs and expenses incurred in connection with the financing and the acquisition, equipping and other capital costs of the Project, including the fees and expenses of the Authority, Bond Counsel, Authority Counsel and Company Counsel shall be paid from the proceeds of the Bonds, to the extent permitted under the Code, or from moneys provided by the Company. If for any reason the Bonds are not issued, it is understood that all such expenses shall be paid by the Company and that the Authority shall have no responsibility for them.
5. Conditions of Issuance. The Bonds shall be issued only after (a) approval of the issuance of the Bonds by the Board of Supervisors of the County pursuant to Section 147(f) of the Code and Section 15.2-4906 of the Act, (b) receipt of an allocation for the issuance of the Bonds, if required by the Virginia Private Activity Bond Act, and (c) receipt by the Authority of the approving opinion of Bond Counsel as to the qualification of the Bonds under the Act and the Code.

6. Financing Documents. There have been presented to the Authority at this meeting forms of the following documents which the Authority proposes to execute to carry out the financing of the Project, copies of which shall be filed with the records of the Authority:

- a. Bond Purchase Agreement (the "Bond Purchase Agreement") between the Authority, the Company and SunTrust Bank (the "Bank");
- b. Loan Agreement (the "Loan Agreement") between the Authority and the Company;
- c. Assignment Agreement (the "Assignment Agreement") between the Authority, the Company and the Bank;
- d. Tax Compliance Agreement, among the Authority, the Company and the Bank; and
- e. Industrial Development Revenue Bond (Corrugated Container Corporation of Shenandoah Valley Project), Series 2015; and

The documents described above, other than the Bonds, are referred to as the "Financing Documents."

7. Authorization of Bond. The Authority determines it to be necessary to, and the Authority shall, issue and deliver the Bonds to the Bank, as provided and authorized in this resolution and in the Bond Purchase Agreement and pursuant to the Act. The Bonds shall be substantially in the form of the bond presented at the meeting of the Authority at which this resolution is adopted, with appropriate completions, deletions and insertions. Either of the Chairman or Vice-Chairman of the Authority is authorized to determine and approve all of the final details of the Bonds, including, but not limited to, their dated date, interest rate or rates or the determination of interest or interest rates by reference to indices and formulas, the payment dates of interest, the payment dates of principal, the amount of each principal payment, the provisions, if any, for yield maintenance if certain events occur, and the provisions for prepayment or redemption, provided that (a) the aggregate principal amount of the Bonds does not exceed \$5,000,000, and (b) the due date of the last installment of principal of the Bonds is not later than 20 years after the date of the Bonds. Such officer's determination and approval of the final details of the Bonds shall be evidenced conclusively by such officer's execution and delivery of the Bonds in accordance with this resolution.

8. Execution and Delivery of Bond. The Chairman or the Vice-Chairman of the Authority is authorized and directed to execute the Bonds by his manual signature, the Secretary or the Assistant Secretary is authorized and directed to affix the seal or a facsimile of the seal of the Authority on the Bonds and attest the same, by his manual signature, and either is authorized and directed to deliver the Bonds to the Bank in accordance with the terms of the Bond Purchase Agreement.

9. Execution and Delivery of Financing Documents. The officers of the Authority are

authorized and directed to execute the Financing Documents and to deliver them to the other parties thereto, which Financing Documents shall be substantially in the forms presented at the meeting of the Authority at which this resolution is adopted, with appropriate completions, omissions and insertions as approved by the officer executing such Financing Document, whose approval will be evidenced conclusively by the execution and delivery of the Financing Document.

10. Other Documents. The Chairman or Vice-Chairman and the Secretary or Assistant Secretary, or any one of those officers, as may be appropriate or requested, are authorized and directed to execute any certifications, financing statements, assignments and instruments, including but not limited to an appropriate non-arbitrage certificate, that are necessary or appropriate to consummate the transactions contemplated in this resolution and the Financing Documents.

11. Extent of Authority. Any authorization made by this resolution to the officers of the Authority to execute a document shall include authorization to execute the document, authorization to the Secretary and any Assistant Secretary to affix the seal of the Authority to such document and attest such seal and authorization to any officer to provide for the recording of such document where appropriate and to deliver it to the other parties thereto.

12. Ten-Million-Dollar Election. The Authority elects to apply the provisions of Section 144(a)(4) of the Code to Bond, which section permits the issuance of a "qualified small issue bond," as defined therein, as part of an issue in an amount greater than \$1,000,000 but not greater than \$10,000,000 under certain conditions, if the issuer so elects.

13. Ratification. All action previously taken by the Authority and by the officers of the Authority not inconsistent with this resolution and directed toward the issuance of the Bonds is ratified, approved and confirmed.

14. Effective Date. This resolution shall be in full force and effect on the date of its adoption.



CERTIFICATE

The undersigned, Secretary of the Economic Development Authority of the County of Frederick, Virginia, (the "Authority") certifies that the foregoing is a true, correct and complete copy of a resolution duly adopted by a majority of the directors of Authority present and voting during the meeting duly called and held on June 30, 2015, and that such resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof.

WITNESS my hand and the seal of the Authority this \_\_\_\_ day of \_\_\_\_\_, 2015.



\_\_\_\_\_  
Secretary, Economic Development  
Authority of the County of Frederick, Virginia

20766.16/7307507

E



COUNTY OF FREDERICK

**Roderick B. Williams**  
County Attorney

540/722-8383  
Fax 540/667-0370  
E-mail [rwillia@fcva.us](mailto:rwillia@fcva.us)

**MEMORANDUM**

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

CC: Brenda G. Garton, County Administrator

FROM: Roderick B. Williams, County Attorney

DATE: June 22, 2015

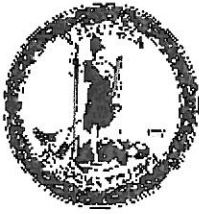
RE: Refund – Brookfield Stephenson Village LLC

I am in receipt of the Commissioner's request, dated June 16, 2015, to authorize the Treasurer to refund Brookfield Stephenson Village LLC in the amount of \$20,539.36, for real estate taxes in 2013 and 2014. This refund results from this property being common area only and considered included in the taxes paid by individual property owners in the Stephenson Village complex.

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

Roderick B. Williams  
County Attorney

Attachment



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



June 16, 2015

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

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Exoneration Brookfield Stephenson Village LLC – Common Area

*E. Murphy*

Please approve a refund of \$20,539.36 for real estate taxes for 2013 and 2014 for Brookfield Stephenson Village LLC. This property is common area only and considered included in the taxes paid by individual property owners in the Stephenson Village complex.

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

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

Exoneration is \$20,539.36.

Date: 6/16/15

Cash Register: COUNTY OF FREDERICK

Time: 15:53:52

Customer Name: BROOKFIELD STEPHENSON VILLAGE LLC      Total Transactions: 838  
Customer Transactions: 4

Options: 2=Edit    4=Delete    5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	RE2013	1	00042400001	\$5,134.84-	\$ .00	\$5,134.84-
-	RE2013	2	00042400002	\$5,134.84-	\$ .00	\$5,134.84-
-	RE2014	3	00043010001	\$5,134.84-	\$ .00	\$5,134.84-
-	RE2014	4	00043010002	\$5,134.84-	\$ .00	\$5,134.84-

Total Paid :            \$20,539.36

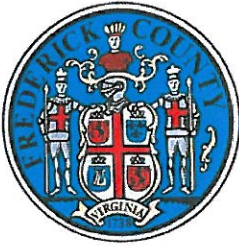
F3=Exit    F14=Show Map#    F15=Show Balance    F18=Sort-Entered    F21=CmdLine

Needs Board Approval



F





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: June 17, 2015

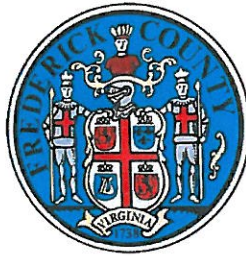
RE: Frederick County Code, Chapter 7 (Elections), Section 7-7

Attached please find draft proposed ordinance amendments concerning Section 7-7 of the County Code. The reason in support of this proposed amendment is as follows:

**Chapter 7 (Elections), Section 7-7 (Precincts and respective polling places enumerated)  
subsection A (Back Creek Magisterial District) – proposed amendment**

The proposed amendment would change “Round Hill Fire Hall” to “Round Hill Fire Event Center” for the name of the polling place for the Russells Precinct within the Back Creek Magisterial District. Construction is currently ongoing, and reasonably anticipated to be completed prior to the November general election, to replace the current Round Hill Fire Hall with two new buildings on Corporate Place and Spinning Wheel Lane, off of National Lutheran Boulevard. The new construction consists of a fire hall and an event center, each in a separate building. This amendment will clarify which building – the event center – is to be used for voting.

Request is made to schedule a public hearing on adoption of this ordinance at the Board’s August 12 meeting.



**ORDINANCE**  
**July \_\_, 2015**

The Board of Supervisors of Frederick County, Virginia hereby ordains that Section 7-7 (Precincts and respective polling places enumerated) of Article II (Election Precincts) of Chapter 7 (Elections) of the Code of Frederick County, Virginia be, and the same hereby is, amended by enacting an amended Section 7-7 (Precincts and respective polling places enumerated) of Article II (Election Precincts) of Chapter 7 (Elections) of the Code of Frederick County, Virginia, as follows and to take effect immediately (deletions are shown in ~~striketrough~~ and additions are shown in **bold underline**):

**CHAPTER 7, Elections**

**ARTICLE II, Election Precincts**

**§ 7-7. Precincts and respective polling places enumerated.**

A. Back Creek Magisterial District. [Amended xx-xx-2015]

**Precinct**

**Polling Places**

Russells Precinct

Round Hill Fire-Hall **Event Center**

Enacted this \_\_\_\_ day of \_\_\_\_\_, 2015.

Richard C. Shickle, Chairman \_\_\_\_\_

Gary A. Lofton \_\_\_\_\_

Robert A. Hess \_\_\_\_\_

Robert W. Wells \_\_\_\_\_

Jason E. Ransom \_\_\_\_\_

Gene E. Fisher \_\_\_\_\_

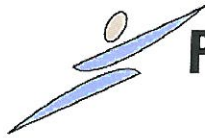
Charles S. DeHaven, Jr. \_\_\_\_\_

A COPY ATTEST

\_\_\_\_\_  
Brenda G. Garton  
Frederick County Administrator



G



# Frederick County Public Schools

... to ensure all students an excellent education

Executive Director of Finance

fryel@frederick.k12.va.us

**DATE:** June 30, 2015

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

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

**SUBJECT:** FY16 Budget Items for Consideration by the Board of Supervisors

At their meeting, June 16, 2015, the School Board approved the following budget adjustments which are subject to consideration and approval by the Board of Supervisors. Please include the following requests for FY2016 budget adjustments on the July 8 agenda for the Board to consider following its joint meeting with the School Board to discuss and review information pertaining to these projects.

**I. Budget adjustment for the school construction fund- 4<sup>th</sup> high school**

A FY 2016 budget adjustment to the school construction fund in the amount of \$ 1.2 million for the 4<sup>th</sup> high school project is requested. This amount represents additional funds needed for the design of the project.

It is further requested that a transfer from the school division's portion of the County Proffers Fund to the school construction fund in the same amount be approved.

**II. Budget adjustment for the school construction fund- 12<sup>th</sup> elementary school**

A FY 2016 budget adjustment to the school construction fund in the amount of \$ 1.5 million for the 12<sup>th</sup> elementary school project is requested. This amount represents the anticipated costs associated with the design of the project.

**III. Budget adjustment for the school construction fund- Armel Elementary School**

A FY 2016 budget adjustment to the school construction fund in the amount of \$ 500,000 for the Armel Elementary School addition and renovation project is requested. This amount represents the anticipated costs associated with the design of the project.

C: David T. Sovine, Ed.D., Superintendent  
Brenda G. Garton, County Administrator  
Jay Tibbs, Deputy County Administrator



H





## COUNTY of FREDERICK

Parks and Recreation Department  
540-665-5678  
FAX: 540-665-9687  
www.fcprd.net  
e-mail: fcprd@fcva.us

# MEMO

**To:** Brenda G. Garton, County Administrator  
**From:** Jason L. Robertson, Director, Parks & Recreation Dept.  
**Subject:** Parks and Recreation Commission Action  
**Date:** June 10, 2015

The Parks and Recreation Commission met on June 9, 2015. Members present were: Kevin Anderson, Patrick Anderson, Randy Carter, Natalie Gerometta, Gary Longerbeam, Ronald Madagan, Charles Sandy, Jr. and Jason Ransom. Members absent were: Marty Cybulski.

### Items Requiring Board of Supervisors Action:

None

### Submitted for Board Information Only:

1. Sherando Park Master Plan North – Mr. Ron Madagan moved to recommend entering into an agreement with Land Planning and Design Associates to prepare a master plan for the Sherando Park northside, second by Mr. Patrick Anderson, motion carried unanimously (7-0).
2. Buildings and Grounds Committee – Rose Hill Park Restroom - The Buildings and Grounds Committee recommended the use of \$95,000 from the Parks and Recreation proffer account for the construction of the Rose Hill Park restroom building and related infrastructure, second by Mr. Patrick Anderson, carried unanimously (7-0). This recommendation will be forwarded to the Finance Committee prior to requiring Board of Supervisor action.

Attachment

cc: Charles R. Sandy, Jr., Chairman  
Jason Ransom, Board of Supervisor Liaison  
Cheryl Shiffler, Finance Committee

I



## County of Frederick

**Paula A. Nofsinger**  
Director of Human Resources

Office : (540) 665-5668

Fax: (540) 665-5669

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

TO: Board of Supervisors  
FROM: HR Committee  
DATE: July 1, 2015  
SUBJECT: Human Resources Committee Report

---

The HR Committee met in the First Floor Conference Room at 107 North Kent Street at 1:00pm on Tuesday, June 25, 2015. All members were present. This report includes action items that were originally postponed from the May 27 and June 10, 2015 Board of Supervisors' meeting.

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

1. The Committee recommends approval of the Employee of the Month award for July.
2. Recommend approval to convert the part time Training Secretary position in the Fire & Rescue Department to a full time Training Secretary position. (Memo and job description are attached.)

The Committee considered a request from Fire & Rescue Chief Dennis Linaburg to convert the part time Training Secretary position in the Fire & Rescue Department to a full time Training Secretary position. Current funds within the department's personnel line items will be transferred to cover additional costs. Following discussion the Committee unanimously agreed to recommend approval to the Board of Supervisors.

3. Recommend approval to reclassify the Volunteer Coordinator position in the Fire & Rescue department to a Public Safety HR Specialist and transfer the position to the Human Resources Department. (Memo and job description are attached.)

After further discussions about the responsibilities of the recruiting and retention specialist position, the needs of the public safety departments (Fire & Rescue plus Sheriff's office), and the future of the public safety positions, the Committee agreed that it would be best for the County to have the Recruiting and Retention Specialist position be titled Public Safety HR Specialist and be placed in the HR department to serve both Fire & Rescue and the Sheriff's Department in order to best support our public safety staffing needs.

3. Should the Board approve the requested action above, the Committee then recommends approval for the transfer of \$47,734.65 from the Fire and Rescue department's budget to the Human Resources department's budget to cover the costs associated with Public Safety HR Specialist position. Both departments' budgets are in the General Fund. (Memo attached.)



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

1. Discussion about the HR Committee projects and priorities. The HR Director provided to the group a list of projects that have been tabled until our new County Administrator had an opportunity to be involved. (List attached).

The Committee had a thorough discussion regarding the current compensation practice wherein an employee may be at the maximum amount of the position's salary range or very close to the position's maximum salary amount. The current practice, for an employee who may be in either situation, is to continue to provide a salary increase per the merit system. The Committee discussed the option of stopping this practice and begin enforcing maximum thresholds.

Additionally, the Committee discussed beginning the process of enacting an Employee Bonus ordinance to establish a mechanism whereby the County Administrator has the approval authority to issue a bonus, in lieu of a salary increase, to an employee(s) who may be in either situation described above. The bonus, in lieu of a salary increase, would also be calculated according to the merit system. Likewise, should this ordinance be approved, it will provide the County Administrator new options in which to reward employees.

Upon completion of these discussions, the HR Committee made a motion to Ms. Brenda Garton. The motion unanimously supports a decision, to be made by Ms. Garton and effective July 1, 2015, to begin recognizing the maximum thresholds as maximum amounts a position can achieve and begin the process of enacting a Bonus Ordinance.

There being no further business, the meeting was adjourned.

The next HR Committee meeting is rescheduled for Friday, July 24, 2015.

Respectfully Submitted,

**Human Resources Committee**

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

By:

  
Paula A. Nofsinger  
Director of Human Resources





## County of Frederick

**Paula A. Nofsinger**  
Director of Human Resources

(540) 665-5668  
Fax: (540) 665-5669  
pnofsinger@co.frederick.va.us

TO: Human Resources Committee  
FROM: Paula Nofsinger, HR Director *Paula Nofsinger*  
DATE: June 15, 2013  
SUBJECT: Fire & Rescue Positions Request Update

At our last meeting held on May 8, 2015, the committee considered a request from Fire & Rescue Chief Dennis Linaburg to reclassify the Volunteer Coordinator position in the Fire & Rescue department to a Recruitment and Retention Specialist position. The Committee also considered a request from Chief Linaburg to convert the current part time Training Secretary position in the Fire & Rescue Department to a full time Training Secretary position. Following discussion, the Committee unanimously agreed to recommend approval to the Board of Supervisors for both position requests.

As you may know, the HR Committee's recommendations to the Board of Supervisors regarding the Fire & Rescue position(s) were tabled at the Board of Supervisors' May 27<sup>th</sup> meeting. Just prior to the BOS meeting, Mr. Lofton brought to our attention some very good suggestions he had on one of the positions that he wanted to further investigate and discuss before any action by the Board. Subsequently Bob Hess, Mr. Lofton, Chief Linaburg, and I met and had a thorough discussion about the responsibilities of the recruiting and retention specialist position, the needs of the public safety departments (Fire & Rescue plus Sheriff's office), and the future of the public safety positions. The four of us agreed that it would be best for the County to have the Recruiting and Retention Specialist position be in the HR department and serve both Fire & Rescue and the Sheriff's Department in order to best support our public safety staffing needs.

We have modified the job descriptions for both positions to reflect the responsibilities of each and recommend changing the title of Recruitment and Retention Specialist to Public Safety HR Specialist. The complete job descriptions for both positions are attached.

Also as the attached chart shows, funding for the positions will be covered with current money in the Fire & Rescue department. Moreover of the \$93,440.92 total amount required for both positions (salary and fringes), \$47,734.65 will need to transfer from the F&R department budget to the HR department budget.



In addition to the recommendations from our May 8<sup>th</sup> meeting to the Board of Supervisors', I am respectfully requesting that the Recruiting and Retention position (and its appropriate funding) be transferred to the Human Resources department and be titled Public Safety HR Specialist.

Thank you for your continued support.

## County of Frederick, Virginia

### Position Details

Position Title: Secretary (NEW Training Division)		Date Position Created: 5/29/15 (Revised)
Department: Fire and Rescue		Reports To: DC of Training
<input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non-Exempt	Date Prepared: 5/29/15	Prepared By: Administrative Assistant
Range: 3	Grade:	Salary: \$29,500 – \$47,100
G/L Line Item: 4-010-035050-1001-000-099		

### Job Description

**Job Purpose:** Performs advanced level secretarial, clerical, mathematical, and computer work as pertains to the department function. Assists in planning many phases of the department/division functions. **Support new and potential volunteer members through direct contact during academies and through management of the Explorer Program.** Work is performed under the direct supervision of the Training Division Deputy Chief or his/her designee.

### Essential Functions

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily and maintain a satisfactory attendance. Other duties may also be assigned.

- Serves as the Training Division's primary Secretary;
- Serves as the back-up receptionist – answers multi-line telephone, greets citizens, contractors, and personnel arriving at the office;
- Composes and proofreads a wide variety of correspondence and reports from rough drafts, notes, recordings, or verbal instruction;
- **Oversees the maintenance of Training and Volunteer records and files as required;**
- Assists with the organization, maintenance, and control of the inventory of materials and equipment in the Department's Training Library;
- Manages Preceptor Program; schedules students with preceptors in accordance with Lord Fairfax Community College (LFCC) and Lord Fairfax EMS Council (LFEMS) guidelines;
- **Serves as liaison with State Fire/EMS program office regarding training and volunteer station training leaders;**
- **Manage Explorer Program through training/class coordination and advertisement;**
- Assist with planning / organizing Academy graduations;
- Executes proper loan forms and maintains a tracking system of materials and equipment on loan;
- Prepare and distribute incoming and outgoing mail;
- Performs bulk copying of training materials as required for department sponsored training programs;
- Prepares and distributes monthly training course schedules, notices, documents, and certifications;
- Maintain class registrations, rosters and payments;
- Assist instructors with grading and distribution of class assignments
- Maintain division schedules;
- Answer complex questions for customers; answers telephones and responds to telephone inquiries.

### Job Requirements:

**Education:** High School Diploma/GED and a valid and appropriate driver's license. Supplemented by computer and clerical courses; considerable clerical and computer experience performed in a similar, professional environment required.

**Experience:** Minimum two (2) years related experience in an office setting. Preference given to those with at least two (2) years' experience in Fire and Rescue systems.

**Knowledge/Skills:** Thorough knowledge and use of standard office practices, procedures and clerical techniques. Skilled in the use of business English, spelling, and mathematics. Ability to assist with the development of programs that will educate citizens as to opportunities available as a fire and rescue volunteer. Possess strong computer skills. Must have the ability to establish effective working relationships with volunteers, career staff, and outside agencies. Ability to type/keyboard accurately at a reasonable rate of speed. The selected candidate must be well versed in social media, have strong public speaking skills, organizational skills, and the ability to multi-task. Skilled in computer operations using

various programs. Ability to file alphabetically, and follow difficult oral and written instructions. Ability to compose correspondence and other materials independently or from verbal instruction, marginal notes or drafts. Skilled in the use of standard office equipment. Ability to establish and maintain effective working relationships with co-workers. Ability to greet and assist the general public and possess excellent telephone etiquette.

### Working Conditions:

**Physical Demands:** Walking, talking, stooping, bending, reaching, and gripping. Incumbent may be required on occasion to move and/or lift up to 30 pounds (boxes, files, etc); work long periods at a desk; must fully participate as required as a civilian member of an emergency response organization.

### Supervisory Responsibilities:

**Number of Employees Supervised:** 0

**Number of Subordinate Supervisors Reporting to Job:** 0

### Approvals:

Department Director:

Date:

HR Director:

Date:

Finance Director:

Date:

County Administrator:

Date:

Board of Supervisors Approval:

Date:

## County of Frederick, Virginia

### Position Details

Position Title: Public Safety HR Specialist		Date Position Created:
Department: Human Resources		Reports To: HR Director
<input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Non-Exempt	Date Prepared: 5/20/15	Prepared By: HR Director
Range: 4		Salary: \$32,300- \$51,700

G/L Line Item:

### Job Description

**Job Purpose:** The HR Specialist will partner with Public Safety Leaders to anticipate and meet the evolving needs of Public Safety recruiting, and to deliver the best individuals to suit their staffing needs. The position will nurture relationships with prospective individuals and improve on-going relationships. The position will be responsible for delivering all facets of recruiting success throughout the Public Safety organizations which includes off-site locations. This will be achieved through the development of recruiting plans, employing traditional sourcing strategies and resources, as well as developing new, creative recruiting ideas. The position will play a critical role in ensuring we are ultimately hiring the best possible Public Safety Employees. This position is a true contributor to the growth of the Public Safety departments and will provide the people that make Frederick County's Public Safety successful.

### Essential Functions

- Understanding of or ability to learn and understand Public Safety organizations and cultures.
- Develop and implement initiatives for recruiting individuals in a multi-site Public Safety organization. This will require incumbent to work with various Public Safety entities, be flexible to meet the recruiting needs of each department, and be adaptable to work in various off-site locations.
- Partner with Public safety leaders to forecast and develop plans for key staffing initiatives.
- Manage full life-cycle recruiting process to meet the various Public Safety staffing goals.
- Work with hiring managers and interviewing teams to ensure job requirements and expectations are clearly understood and candidates are assessed against appropriate criteria.
- Track and report key metrics designed to measure and predict staffing activity
- Regular follow up with the respective hiring managers and candidates to ensure timeliness of recruitment process
- Actively participate in all staffing related activities and engage in cross functional projects
- Develop and implement search strategy that includes performance metrics for all searches
- Manage recruiting through several different mediums including, but not limited to:
  - Internet based job boards
  - Active role based internet recruiting
  - Employee and personal referrals
  - Telephone contacting
  - Cold calling into passive candidates
- Other HR Specialist duties as assigned by the HR Director

### Job Requirements:

**Education:** Four year degree from recognized college or university, preferably with a sociology, human relations, or similar concentration. A combination of education and experience equivalent to graduation from a four year college or university degree may be substituted for the education preference.

**Experience:** Staffing/Recruitment experience preferred, preferably in a Public organization.



**Knowledge/Skills:** Strong understanding of and ability to recruit in all levels of the organization, excellent interpersonal skills, communication skills, and team-based project experience. Clear understanding of end to end recruitment lifecycle processes. Strong vendor manager skills related to recruitment activities such as search firms and job boards. Must have experience on mapping and sourcing resumes as well as actively recruiting passive candidates. Proficient computer skills including Microsoft Office suite required.

**Working Conditions:**

**Physical Demands:** Typical office position, sitting at desk, standing, attending recruiting activities

**Supervisory Responsibilities:**

**Number of Employees Supervised:** 0

**Number of Subordinate Supervisors Reporting to Job:** 0

**Approvals:**

Department Director:

Date:

HR Director:

Date:

Finance Director:

Date:

County Administrator:

Date:

Board of Supervisors Approval:

Date:

# Fire Rescue Department's Position Requests

	<b>Current Amount in Volunteer Coordinator Line Item</b>		<b>Totals</b>
Salary	\$61,206.65		
Fringe	\$22,465.90		
Total	\$83,672.55		<b>\$83,672.55</b>
	<b>Requested Full Time Training Secretary Position Funding</b>	<b>Requested HR Specialist Position Funding</b>	
Salary	\$30,603.32	\$32,300.00	\$62,903.32
Fringe	\$15,102.95	\$15,434.65	\$30,537.60
Total	\$45,706.27	\$47,734.65	<b>\$93,440.92</b>
<b>Remaining Amount Transferred from Part Time Line Item</b>			<b>\$9,768.37</b>

# HR Committee Projects List

- **Involvement in Budget Process**

- Staffing Plan
- Merit Increase
- Salary Scales

- **Compensation Policy Updates**

- County pay philosophy
- Over maximum practice

- **Total Rewards Study**

- **Incentive/Bonus Policy**

- **Employee Bonus Ordinance**



J





## COUNTY of FREDERICK, VIRGINIA

DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS

1080 Coverstone Drive, Winchester, VA 22602

### MEMORANDUM

LeeAnna Pyles  
Director,  
Public Safety  
Communications

**TO:** Board of Supervisors

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

**SUBJECT:** Public Safety Committee Meeting.  
Report for June 18, 2015

**DATE:** June 25, 2015

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A meeting of the Public Safety Committee was held on Thursday June 18, 2015 at 8:30 a.m. at the Frederick County Public Safety Building, 1080 Coverstone Drive, Winchester, VA. Committee members present were: Committee Chairman Gary Lofton, Ron Wilkins, and Gene Fisher. Members Chuck Torpy and Jason Ransom were absent. Also in attendance were County Administrator Brenda Garton, County Attorney Rod Williams, Fire & Rescue Chief Denny Linaburg, Communications Director LeeAnna Pyles, Human Resources Director Paula Nofsinger, Sheriff Robert Williamson, and Gainesboro Supervisor Robert Hess. The following items were discussed:

#### \*\*\*Items Not Requiring Board Action\*\*\*

1. Update on discontinuing private alarm monitoring by Communications Department:

Public Safety Communications Director LeeAnna Pyles updated the Committee regarding the department's intent to discontinue the provision of private alarm monitoring services for county businesses and schools. Frederick County Public Schools will remove their current alarm monitoring system, presently overseen by Frederick County Dispatch, as of July 1, 2015. Director Pyles has received quotes for monitoring county owned systems, which includes the County Administration Building, Parks & Recreation facilities, Millwood Station, and the radio tower. Director Pyles has discussed the associated fees with the affected departments. The transition will be seamless and monitoring will begin once installed.

*Chairman Lofton and the Committee concurred that no Board action is required.*



**2. Proposed Ordinance for Volunteer Fire & Rescue career and volunteer personnel (See Attached):**

County Attorney Rod Williams and Chief Linaburg presented a draft ordinance amendment regarding background checks of new career and volunteer fire and EMS personnel. Per the proposed ordinance, any new fire and rescue personnel, career or volunteer, will be required to undergo a background check and be fingerprinted. Currently, the potential employee's information is sent to the Department of Health to obtain the proper forms, fingerprint cards. Chief Linaburg noted that typically the department has 2-4 new member enrollments every 2 weeks. Mr. Fisher noted if the program is run through the locality then we would pick up the cost of \$27/career person and \$18/volunteer person and the turnaround time would remain relatively unchanged. This proposed ordinance would allow Frederick County to conduct its own checks. The Committee requested that a clause be added to include optional participation with the Department of Health in case they are backlogged.

*Chairman Lofton requested that County Attorney Rod Williams amend this proposed ordinance draft to reflect our participation to be optional with the Department of Health. A revised draft is to be presented at the next meeting.*

**3. Fire & Rescue Service Plan (See Attached):**

Chief Linaburg sought the committee's feedback on the draft Fire & Rescue Department Service Plan. This is an all-encompassing comprehensive document which outlines all levels of service, apparatus, staffing, volunteer system, etc. showing how it all works as a cohesive department. Chairman Lofton suggested that this packet be broken down into sections and discussed in detail rather than all at one time. Chief Linaburg discussed the need to resolve and strategize priority items for the budget. Both Mr. Fisher and Mr. Wilkens agreed that the packet needs to be studied more in depth. The idea of constructing work sessions with the representatives from the Chiefs work group, Fire & Rescue Association and members of the Public Safety Committee would be beneficial in providing feedback, insight and ideas. Chairman Lofton recommended that several other items be added to the draft including amounts of aid to locality funding, stipend figures for EMS services, MOU on Fee for service, update on travel times, staff retention, and a breakdown of call type/area, to name a few. It was suggested the committee review the packet and bring back any questions for discussion. Chief Linaburg will identify important topics within the plan that need to be addressed first as they could have implications with Fire & Rescue's upcoming budget requests.

*Chairman Lofton requested that the Committee review the draft document again and bring any comments and questions to the next meeting for further discussion.*

**4. Other Business:**

Supervisor Hess brought up new business regarding a past meeting with the HR Committee and the combination of two positions with the Fire & Rescue Department. Chief Linaburg advised the Committee that the past Volunteer Coordinator had resigned leaving that crucial position

vacant. Currently, there is a part-time training secretary who performs the training scheduling, record retention, and volunteer set up. The combination of both the vacant position and the part-time position would result in a full-time position encompassing the current training scheduling as well as HR related duties including retention of employees, benefits, policy management, etc. The new position would be considered an HR position to be housed at the Public Safety Building. The position would also provide services to the Sheriff's Department, as well. Director Nofsinger would like to present this position to the Board of Supervisors at their July meeting. Supervisor Hess stated this position would save the Fire & Rescue Department money and make the department more efficient and productive.

**Next Meeting:** Thursday July 16, 2015 at 8:30 a.m. (tentative)

**Adjourn:**

The meeting was adjourned at 9:35 a.m.

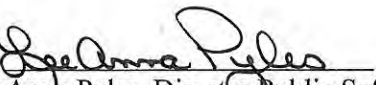
Respectfully submitted,

Public Safety Committee

Gary Lofton  
Brenda Garton  
Sheriff Robert Williamson  
Denny Linaburg  
Jason Ransom

Gene Fisher  
Ann B. Lloyd  
Rod Williams  
Dan Cunningham

Chuck Torpy  
Ronald Wilkins

By   
LeeAnna Pyles, Director Public Safety Communications  
LP/sds



COUNTY OF FREDERICK

**Roderick B. Williams**  
County Attorney

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

**MEMORANDUM**

TO: Public Safety Committee

FROM: Roderick B. Williams  
County Attorney

DATE: June 12, 2015

RE: Frederick County Code, Chapter 89 (Volunteer Membership), Section 89-12  
(Volunteer Fire Fighter and Rescue Members) – Simplified Background Check  
Procedure

Attached please find a draft proposed ordinance amendment concerning Section 89-12 of the County Code. The reason in support of this proposed amendment is as follows:

**Chapter 89 (Volunteer Membership), Section 89-12 (Volunteer Fire Fighter and Rescue Members) – proposed amendment**

The proposed amendment would add a subsection to the existing language of the section. The amendment would serve the purpose of speeding up the process for background checks necessary in order to approve volunteer fire and rescue members. On July 1<sup>st</sup>, 2015 a new subsection, subsection (F), of Section 32.1-115.5 of the Code of Virginia (Certification and recertification of emergency of emergency medical services providers; appeals process) will come into effect. A copy of Section 32.1-115.5, as in effect on July 1<sup>st</sup>, is attached as well, for reference. The General Assembly enacted this subsection to simplify the process to approve volunteer fire fighters and rescue members currently in place under Section 32.1-115.5(E) of the Code of Virginia. Subsection (F) permits the County to submit background checks directly to the Central Criminal Records Exchange (instead of through the State Health Department, for forwarding then to the Central Criminal Records Exchange, a process that has resulted in unreasonably delays by the state agencies), but requires a local ordinance to be adopted for the subsection to apply to the locality. This amendment is to serve as that local ordinance.





**ORDINANCE**  
**\_\_\_\_\_, 2015**

The Board of Supervisors of Frederick County, Virginia hereby ordains that Section 89-12 (Volunteer Fire Fighter and Rescue Members) of Article IV (Volunteer Membership) of Chapter 89 (Fire and Rescue Services) of the Code of Frederick County, Virginia be, and the same hereby is, amended as follows (deletions are shown in ~~bold strikethrough~~ and additions are shown in **bold underline**):

**§ 89-12. Volunteer fire fighter and rescue members.**  
**[Amended xx-xx-2015]**

- A.** Any person, 18 years of age or older, is eligible for membership in a company as a regular member. Persons must apply and be accepted by the company to which application is made according to its rules and regulations, the rules and regulations of the company, and state law. Participation by members must be in accordance with the company rules and regulations and state law.
- B.** **Applicants for membership shall be subject to a background check.**  
**Applications for membership shall require, for the background check, the submission of fingerprints and personal descriptive information, to be processed in accordance with the following:**
- 1. Any person who, on or after July 1, 2015, applies to be a volunteer with a company shall submit fingerprints and provide personal descriptive information to be sent directly by the Department to the Central Criminal Records Exchange to then be forwarded to the Federal Bureau of Investigation for the purpose of obtaining criminal history records information for the applicant, in accordance with Code of Virginia § 32.1-111.5.**
  - 2. Upon receipt of the results of the state and national criminal history records search, the Department Chief, as designee of the County Administrator, shall notify the Office of Emergency Medical Services regarding the applicant's eligibility to serve as a volunteer.**
  - 3. Information provided to the Office of Emergency Medical Services shall be limited to notification as to whether the applicant is eligible to serve as a volunteer in accordance with requirements related to**



**disqualifying offenses set forth in regulations of the State Board of Health, and shall not include information regarding whether the applicant has been found ineligible to serve as a volunteer due to any additional exclusionary criteria established by the County.**

**This section is in accordance with the Code of Virginia, 1950, as amended, §§ 15.2-1503.1, 19.2-389, and 32.1-111.5.**

Enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Richard C. Shickle, Chairman \_\_\_\_\_

Gary A. Lofton \_\_\_\_\_

Robert A. Hess \_\_\_\_\_

Robert W. Wells \_\_\_\_\_

Jason E. Ransom \_\_\_\_\_

Gene E. Fisher \_\_\_\_\_

Charles S. DeHaven, Jr. \_\_\_\_\_

A COPY ATTEST

\_\_\_\_\_  
Brenda G. Garton  
Frederick County Administrator

# VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

## CHAPTER 362

*An Act to amend and reenact § 32.1-111.5 of the Code of Virginia, relating to emergency medical services personnel; background checks.*

[S 997]

Approved March 19, 2015

**Be it enacted by the General Assembly of Virginia:**

**1. That § 32.1-111.5 of the Code of Virginia is amended and reenacted as follows:**

**§ 32.1-111.5. Certification and recertification of emergency medical services providers; appeals process.**

A. The Board shall prescribe by regulation the qualifications required for certification of emergency medical services providers, including those qualifications necessary for authorization to follow Do Not Resuscitate Orders pursuant to § 54.1-2987.1. Such regulations shall include criteria for determining whether an applicant's relevant practical experience and didactic and clinical components of education and training completed during his service as a member of any branch of the armed forces of the United States may be accepted by the Commissioner as evidence of satisfaction of the requirements for certification.

B. Each person desiring certification as an emergency medical services provider shall apply to the Commissioner upon a form prescribed by the Board. Upon receipt of such application, the Commissioner shall cause the applicant to be examined or otherwise determined to be qualified for certification. When determining whether an applicant is qualified for certification, the Commissioner shall consider and may accept relevant practical experience and didactic and clinical components of education and training completed by an applicant during his service as a member of any branch of the armed forces of the United States as evidence of satisfaction of the requirements for certification. If the Commissioner determines that the applicant meets the requirements for certification as an emergency medical services provider, he shall issue a certificate to the applicant. An emergency medical services provider certificate so issued shall be valid for a period required by law or prescribed by the Board. Any certificate so issued may be suspended at any time that the Commissioner determines that the holder no longer meets the qualifications prescribed for such emergency medical services provider. The Commissioner may temporarily suspend any certificate without notice, pending a hearing or informal fact-finding conference, if the Commissioner finds that there is a substantial danger to public health or safety. When the Commissioner has temporarily suspended a certificate pending a hearing, the Commissioner shall seek an expedited hearing in accordance with the Administrative Process Act (§ 2.2-4000 et seq.).

C. The Board shall prescribe by regulation procedures and the qualifications required for the recertification of emergency medical services providers.

D. The Commissioner may issue a temporary certificate when he finds that it is in the public interest. A temporary certificate shall be valid for a period not exceeding 90 days.

E. The State Board of Health shall require each person who, on or after July 1, 2013, applies to be a volunteer with or employee of an emergency medical services agency to submit fingerprints and provide personal descriptive information to be forwarded along with his fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation, for the purpose of obtaining his criminal history record information. The Central Criminal Records Exchange shall forward the results of the state and national records search to the Commissioner or his designee, who shall be a governmental entity. If an applicant is denied employment or service as a volunteer because of information appearing on his criminal history record and the applicant disputes the information upon which the denial was based, the Central Criminal Records Exchange shall, upon written request, furnish to the applicant the procedures for obtaining a copy of the criminal history record from the Federal Bureau of Investigation.

*F. Notwithstanding the provisions of subsection E, an emergency medical services agency located in a locality having a local ordinance adopted in accordance with §§ 15.2-1503.1 and 19.2-389 shall require an applicant for employment or to serve as a volunteer to submit fingerprints and provide personal descriptive information to be provided directly to the Central Criminal Records Exchange to be forwarded to the Federal Bureau of Investigation for the purpose of obtaining criminal history records information for the applicant. The Central Criminal Records Exchange shall, upon receipt of an applicant's records or notification that no records exists, forward the results of the state and national records search to the county, city or town manager or chief law-enforcement officer for the locality in which the agency is located, or his designee, who shall be associated with a governmental entity. Upon receipt of the results of the state and national criminal history records search, the county, city or town manager or chief law-enforcement officer for the locality, or his designee, shall notify the Office of*

*Emergency Medical Services regarding the applicant's eligibility for employment or to serve as a volunteer. Information provided to the Office of Emergency Medical Services shall be limited to notification as to whether the applicant is eligible for employment or to serve as a volunteer in accordance with requirements related to disqualifying offenses set forth in regulations of the Board and shall not include information regarding whether the applicant has been found ineligible for employment or to serve as a volunteer due to additional exclusionary criteria established by the locality. Whenever fingerprints are submitted to both authorities and it is deemed feasible and practical by the Central Criminal Records Exchange it shall forward the results of the fingerprint based state and national records search to the county, city or town manager or chief law enforcement officer for the locality in which the agency is located, or his designee, who shall be associated with a governmental entity, and to the Office of Emergency Medical Services.*

# Service Plan

# Frederick County Fire and Rescue System 2015



## Table of Contents

<b>Executive Summary .....</b>	<b>3</b>
<b>Introduction .....</b>	<b>5</b>
Purpose of the Service Plan .....	5
Service Plan Implementation.....	5
<b>Fire and Rescue Organization .....</b>	<b>7</b>
Mission Statement .....	7
Core Values.....	7
Frederick County Volunteer Fire and Rescue Association.....	10
Virginia Fire Program Fund.....	10
Four-for-Life Fund.....	10
Aid to Locality Fund.....	11
Fire and Rescue Chief's Work Group.....	11
Volunteer Companies.....	12
Career Divisions and Programs.....	13
Operations.....	13
Life Safety.....	15
Training .....	15
<b>Drivers of the Fire and Rescue Service.....</b>	<b>17</b>
Population.....	17
Response Goals.....	18
Service Area .....	23
Staffing.....	26
Insurance Services Office.....	31
<b>Facilities and Vehicles.....</b>	<b>34</b>
New Stations.....	34
Station Renovations.....	39
Vehicles and Apparatus .....	43
<b>Fire and Rescue Needs Assessment.....</b>	<b>47</b>
Recruitment and Retention.....	47
Planning and Administration.....	49
Fire and Rescue Training.....	56
Life Safety / Fire Marshal's Office.....	70



## Executive Summary

During the past 10 years, Frederick County has undergone a major transformation from a rural community of the Northern Shenandoah Valley to a retreat from the Washington, DC metropolitan area. This evolution has brought many changes and challenges to the County. Population, for example has grown to an estimated 82,000 residents and continues to expand by 2.5% of new residents annually. As a result, the demands for services upon our local government continue to expand, increasing the County's total annual budget to over \$260 million. Developing sound plans to address these challenges is critical to the success of County government.

Frederick County's Fire and Rescue System has not been immune from these challenges. Throughout the 1990s and most of the 2000s, emergency services were provided by volunteers supplemented by a handful of career Firefighter/EMTs. A demand for service coupled with fewer volunteers available during the business day has changed the complexion of the System. To meet these changing needs, the system has grown in career staffing; however, it continues to be challenged on a daily basis.

This proposed service plan provides the Board of Supervisors with a consolidated vision for this combined fire and rescue system through 2020. The vision includes expansion of services and locations to meet the growing needs of our community; development of common professional standards for fire and rescue services and personnel; and continued assistance to volunteer fire and rescue companies to foster future growth. A committee comprised of volunteer and career staff developed the plan. When complete, the plan will be presented to the Chief's operational working group, the Volunteer Fire and Rescue Association, all of the volunteer fire and rescue companies, and the Public Safety Committee.

While this Service Plan has been prepared primarily to guide budgetary decisions, it also provides a clear path of the fire and rescue system's future. The plan continues to recognize and encourage volunteer service delivery while acknowledging that changes due to demographics, the ability and willingness of those to volunteer due to large time commitment, and other factors in Frederick County will continue to require additional operational career staffing.

Over the next five years, County support for the procurement and operation of fire and rescue apparatus will expand. Currently, volunteer companies procure most fire and rescue apparatus, including fire engines, ladder trucks, heavy rescue squads, and Advanced Life Support ambulances. With the average cost of an engine exceeding \$450,000, a ladder reaching over \$900,000 and a basic ambulance costing about \$180,000 without equipment, volunteer companies are finding with increased difficulty the ability to shoulder the entire burden of replacing their apparatus fleets. The cost of an ambulance will increase by \$18,000 to \$50,000, depending on which approved system is purchased, after July 1, 2016 due to a federally mandated stretcher retention system required in all new ambulances. The average price increase for new apparatus ranges between 2.5% and 5% annually based upon economic factors, changes in standards, and cost of materials. Furthermore, with the need for additional services, County fiscal assistance is required to ensure the stability of the basic apparatus complement for each and every fire and rescue station.



This plan proposes the gradual introduction of several new services, including additional fire and EMS apparatus and stations, additional career staffing as required to support the County's continued growth, and additional recruitment efforts to attract new volunteer members. These expanded services are for the life, safety and protection of all Frederick County residents, especially in growing areas of the County.

In order to support the replacement of volunteer apparatus, the plan proposes the use of Fire Capital and Proffer monies, in addition to other financing possibilities. Fire and rescue stations in suburban areas, including southeastern Front Royal Pike/ Tasker Road, and Stonewall Industrial Corridor will have County support for the replacement of engines, ambulances, and distributed truck and heavy rescue squad resources. In rural Frederick County, engines, ambulances, tankers, and brush trucks would be the focus of County efforts. In all cases, County procurement, grants, and volunteer purchases are supported under the plan.

County funding for fire and rescue operations and support will expand dramatically during the next five years. Additional career staffing required for new fire and rescue stations will be the principal cause for annual operating budget increases. Station development, apparatus replacement, and support for major improvements/replacement to volunteer fire and rescue stations will drive significant capital spending. Providing volunteer companies with additional resources needed to meet the expanding costs of facility operations, apparatus maintenance, as well as equipment and supply replacement will require additional operating budget enhancements.

Operational staffing is an important component of this plan. In order to maintain basic services, a combination of volunteer and career providers will be used. Additional recruitment efforts have been recommended by the plan in order to attract and enhance the number of qualified volunteers available to the system. Career services have been recommended as requested by volunteer companies or as anticipated to meet the basic response needs of stations starting operation through 2020.

In all cases, providers will be trained to identical standards. Programs are in place for basic providers, Intermediates, and Paramedics. Company officers are the final focus for system training standards. The plan expects company leadership programs to begin in 2016.

Finally, the plan describes the needs for a range of services that are needed to support expansion of volunteer and career providers. The management and repair of self-contained breathing apparatus, expansion of volunteer recruitment and retention programs, the development of a system apparatus maintenance capability, and numerous other administrative needs are discussed. The use of technology and information management techniques is critical to our self-assessment, improvement, and service plan improvements.

The priority of the Frederick County Fire and Rescue System remains the effective and efficient delivery of primary services to the community. Basic services include emergency medical and rescue services, fire suppression, hazardous materials mitigation, emergency management, life safety enforcement, and public education. The five-year goals of this plan are ambitious and will require ongoing reassessment in order to ensure that the priorities of the system are not compromised.

## **Introduction**

### **Purpose of the Service Plan**

The purpose of the Combined Fire and Rescue System Service Plan is for the Frederick County Board of Supervisors to better understand the current and long-term needs of the combined Fire and Rescue System and to adopt levels of service, which determine resource requirements for the System. The adopted Service Plan will help guide the Board of Supervisors to strategically plan for the current and future operations and physical plants for the Frederick County combined fire and rescue system.

### **Service Plan Implementation**

The Volunteer Fire and Rescue Association will review this document for their review and adoption on behalf of the combined fire and rescue system (11 independent volunteer companies and the Fire and Rescue Department). Once adopted by the Volunteer Fire and Rescue Association, the Service Plan will be conveyed to the Board of Supervisors Public Safety and Finance Committees for endorsement prior to review and adoption by the Frederick County Board of Supervisors. Once adopted by the Board of Supervisors, all future budgetary decisions pertaining to the Combined Fire and Rescue System will be guided by the Service Plan until modifications are made in the future.

**Table 1 - Service Plan Timeline**

<b>Fire and Rescue Service Plan Process / Timeline for Board Of Supervisors Adoption</b>		
<b>MILESTONE</b>	<b>DATE SENT</b>	<b>RECEIVED</b>
Proposed Service Plan reviewed by the Frederick County Volunteer Fire and Rescue Association.		
Proposed Service Plan transmitted to the Frederick County Fire and Rescue Chief's work group		
Proposed Service Plan adopted by the Frederick County Volunteer Fire and Rescue Association.		
Proposed Service Plan adopted by the Volunteer Fire and Rescue Association transmitted, reviewed, and endorsed by the Frederick County Public Safety Committee.		
Proposed Service Plan transmitted, reviewed, and adopted by the Frederick County Board of Supervisors		
FY 2015 Budget and CIP Projects Based on adopted Service Plan Prepared by the Combined Fire and Rescue System		

**Table 2 - Service Plan Changes and Updates**

<b>Fire and Rescue Service Plan Changes and Updates</b>	
<b>CHANGES / UPDATES</b>	<b>DATE</b>

## **Fire and Rescue Organization**

The combined system consists of the eleven (11) volunteer fire and rescue companies, and the Fire and Rescue Department (hereinafter referred to as the "Department"). Currently the Department is divided into three primary divisions: Operations, Life Safety (Fire Marshal), and Training. Secondary divisions include Emergency Management, Volunteer Recruitment and Retention, and EMS Billing.

The Department provides supplemental operational staffing and administrative support to the County's volunteer fire and rescue companies, and the Volunteer Fire and Rescue Association. In addition, the Department maintains the County's Fire and Rescue Emergency Operations Center; coordinates Emergency Management functions and related disaster services, special events planning, strategic planning and GIS/mapping services; public education and risk reduction; conducts all code-related fire inspections, and investigates the causes and origins for fires, explosions and hazardous materials incidents. The Chief is responsible for Department personnel, programs and components, and the day-to-day operational activities of the system.

### **Mission Statement**

The Frederick County Fire and Rescue is dedicated to providing quality and cost effective services that protect our citizens, their property, and our environment from the effects of fire, medical emergencies, technological hazards, and manmade or natural disasters pose threat to our community. The volunteer and career members of our department shall uphold high personal standards and always act with sense of cooperation, respect and compassion for every member of the public and each member of the organization. Above all else, our department shall hold as sacred the obligation to be responsible custodians of the public trust and in every circumstance shall always act in the public's best interest.

### **Core Values**

#### **PROFESSIONAL EXCELLENCE**

We believe the pursuit of excellence and demonstrating high professional standards are critical to our work. To ensure the best possible service for our community, the Fire and Rescue Department supports continuous training and encourages professional development.

#### **HEALTH and SAFETY**

We believe our health and safety are essential to fulfilling the Fire and Rescue Department's mission. We are committed to providing the best health and safety programs for our members' well-being and operational readiness.

#### **DIVERSITY**

We know Frederick County is a diverse community, and we commit to meeting its ever-changing needs. We are dedicated to reflecting and respecting that diversity throughout our organization. We will respect the diversity of our community by providing compassionate and quality service to all.

#### **TEAMWORK AND SHARED LEADERSHIP**

We believe the pursuit of excellence and demonstrating high professional standards are critical to our work. To ensure the best possible service for our community, the Fire and Rescue Department supports continuous training and encourages professional development.

#### **EFFECTIVE COMMUNICATION**

We believe communication is essential to the cohesiveness and performance of our organization. We are committed to providing effective and responsive means of communication throughout the organization and the community.

#### **INTEGRITY**

We understand the trust placed in us by the public and our colleagues is integral to the performance of our duties. We are committed to honest and ethical behavior, and we will hold ourselves accountable to these values.

#### **COMMUNITY SERVICE and INVOLVEMENT**

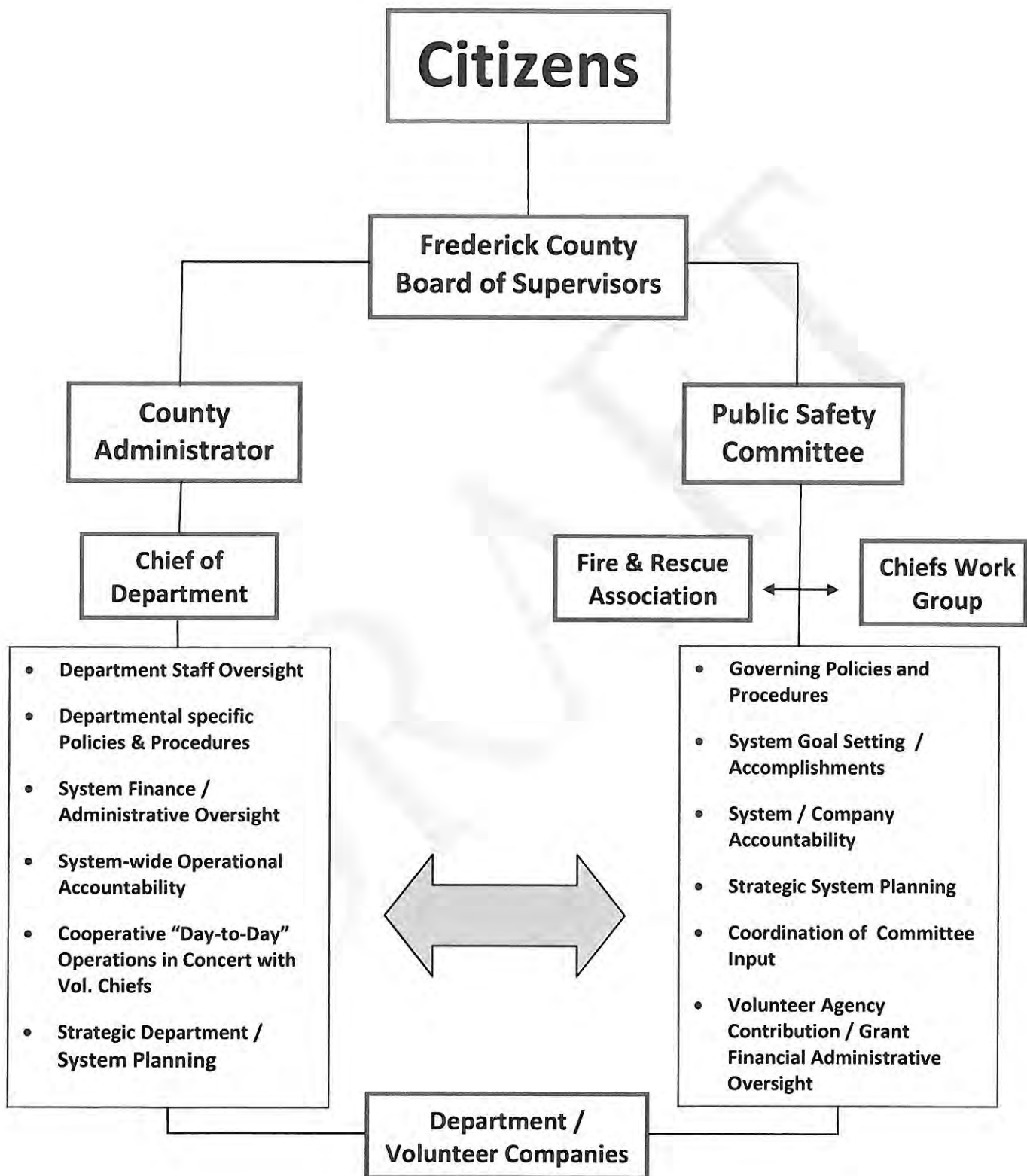
We believe we have a duty to be involved in the communities where we work. Our responsibility is to protect life, property, and the environment. We are committed to fulfilling our responsibility and to deepening our involvement in the community we serve. No request or inquiry will go unanswered.

#### **INNOVATION**

We recognize and understand that the constancy of change in our community and industry impacts our business daily. We are committed to seeking out and implementing innovative and progressive thinking to address change effectively to benefit those we serve.



Figure 1 – Combined Organizational Chart



### **Frederick County Volunteer Fire and Rescue Association**

The Association is the principal organization to govern the eleven fire and rescue companies for the common success of the fire and rescue combined system. The Association manages the Capitol Improvements Program funded by the County. This fund is used for apparatus and equipment purchases.

### **Aid-to-Localities (Virginia Department of Fire Programs) Fund**

The Aid-to-Localities Fund is derived from one percent of fire-related insurance coverage. Approximately 75% of the total fund goes directly to counties, cities, and incorporated towns within the Commonwealth, known as "Aid to Localities." The funds allocated, pursuant to the Code of Virginia, § 38.2-401, provides Virginia cities, towns and counties with funds to pay for training, construction of training centers, fire-fighting equipment and protective clothing. Allocations are population-based.

**The FY14 funding for Frederick County is \$225,881.00**

### **Four-for-Life Fund**

The Virginia Office of Emergency Medical Services (OEMS) receives funding allocated from the Four-for-Life program annually. This funding is legislated by the Code of Virginia § 46.2-694, which stipulates that an additional \$4 per year is charged and collected at the time of vehicle registration and set aside as a special fund to be used only for EMS purposes. The money in the Four-for-Life fund is distributed as follows:

- 32% is distributed to the Rescue Squad Assistance Fund.
- 30% is disbursed through contracts and other procurements to support:
  - Emergency Medical Services training programs
  - Advanced Life Support training
  - Recruitment and retention programs
  - Emergency Medical Services system development, initiatives and priorities
  - Local, regional and statewide performance contracts for EMS
  - Technology and radio communication enhancements
  - Emergency preparedness and response
- 2% is distributed to the Virginia Association of Volunteer Rescue Squads to be used for the purpose of conducting volunteer recruitment, retention and training activities.
- 10% is to support OEMS.
- 26% is allocated as the "Aid to Locality" fund to provide local funding support for:
  - Training of EMS personnel
  - The purchase of equipment and supplies for emergency medical and rescue services.

#### **Four-for-Life (Aid to Locality) Fund**

In Fiscal Year 2007, the Aid to Locality fund balance was \$5,637,086.00. As required by the Code of Virginia, these funds are returned to the locality in which the passenger vehicle is registered. There are 134 recognized localities throughout Virginia (95 counties and 39 cities). Annually, as required by Code, each locality must submit a report to OEMS on the use/distribution of those funds prior to receiving additional funds under this program. Funding is withheld pending receipt of the annual report.

**The FY14 funding for Frederick County is \$81,150.16**

#### **Fire and Rescue Chief's Work Group**

The Chief's Work Group is comprised of the eleven volunteer fire and rescue chiefs or their designee. The Department Chief and Deputy Chief of Operations facilitate the monthly meetings. This group is responsible for developing standard operating procedures (SOPs) and standard operating guidelines (SOGs) for the combination Department. The group works to find various grants and other funding streams. The group works to ensure the best possible practices are followed. Temporary policies, known as Fire and Rescue General Orders, are the final element of the framework. Working in concert with the Department, basic service delivery goals and guidelines, establishment of the basic structure of the fire and rescue system, and volunteer company operational aspects have been the focus since the inception of the group.

### Volunteer Companies

Frederick County has a history of strong volunteer fire and rescue companies. Eleven independent companies provide operational fire and rescue services. Currently the volunteer companies own all of the permanent operational fire and rescue stations and most of the apparatus and equipment, which includes fire pumpers, transport ambulances, ladder trucks, squad trucks, and other specialized equipment and apparatus.

Volunteer companies and members also support other activities to benefit their communities, including stand-by services at special events, and a variety of public education programs to include fire prevention education. Company activities also include fire apparatus maintenance and repair, station maintenance, self-contained breathing apparatus testing and repair, fire and EMS training, as well as street and area mapping for emergency response.

**Table 3 - Frederick County Volunteer Fire and Rescue Organizations**

Station	A-Shift	B-Shift	C-Shift	Day Shift Only
11	2	2	2	0
12	3	3	3	0
13	3	3	3	0
14	0	0	0	2
15	3	3	3	0
16	2	1	1	1
17	2	2	2	0
18	3	3	3	0
19	0	0	0	2
20	0	0	0	2
21	3	3	3	0
Cpts.	1	1	1	0
Total	22	21	21	7

Due to decreases in available operational volunteer members and an increase in first-due call volume, the current Day-Shift only stations have requested 24-hour career staffing. Several 24-hour stations have also requested additional staffing.

The volunteer component of the fire and rescue system is comprised of approximately 202 Operational volunteers and 365 Non-Operational volunteers<sup>1</sup>, working in a variety of positions ranging from administrative and training to fundraising.

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<sup>1</sup> The total number of volunteers (567) includes active, inactive, life members, auxiliary and administrative members.



Recruitment and retention continues to present a variety of challenges for the volunteer agencies. The physical and time demands associated with training, responding to an increased incident call volume, equipment/apparatus/facility maintenance, fundraising, and administrative responsibilities have created a deterrent to some potential volunteers. New programs and incentives have been implemented to retain and keep members involved in the fire and rescue system. Current Volunteer Benefits include:

- Length of Service Awards Program
- Personal Property Tax Reduction
- Life Insurance; Accident and Injury Coverage
- Reduced Amusement Park tickets and Vendor discounts
- Volunteer Appreciation Program which includes recognition awards

Our Volunteer Coordinator continues to develop programs to enhance the existing recruitment and retention programs and to support the programs developed by each volunteer company.

### **Career Divisions and Programs**

The Department of Fire and Rescue has grown considerably since its 1990 inception in order to address staffing requests by volunteer fire and rescue companies. These requests are the direct result of an increased demand in services on volunteer resources due to an ever-expanding county population. Over the course of the Department's lifespan, the county population has increased by 58%. Future service demands will require additional career personnel to provide evening and weekend coverage where there is a need for 24-hour coverage and to fill staffing gaps at stations feeling the pressure of the nationwide volunteer shortage. Recruitment, training and retention of career Firefighter/EMTs will also continue to be a challenge in the competitive regional employment market.

As discussed early, the Fire and Rescue Department is divided functionally into three primary Divisions: Operations, Life Safety, and Training. Secondary Divisions include Emergency Management, Volunteer Recruitment and Retention, and EMS Billing. A Deputy Chief oversees the three primary Divisions.

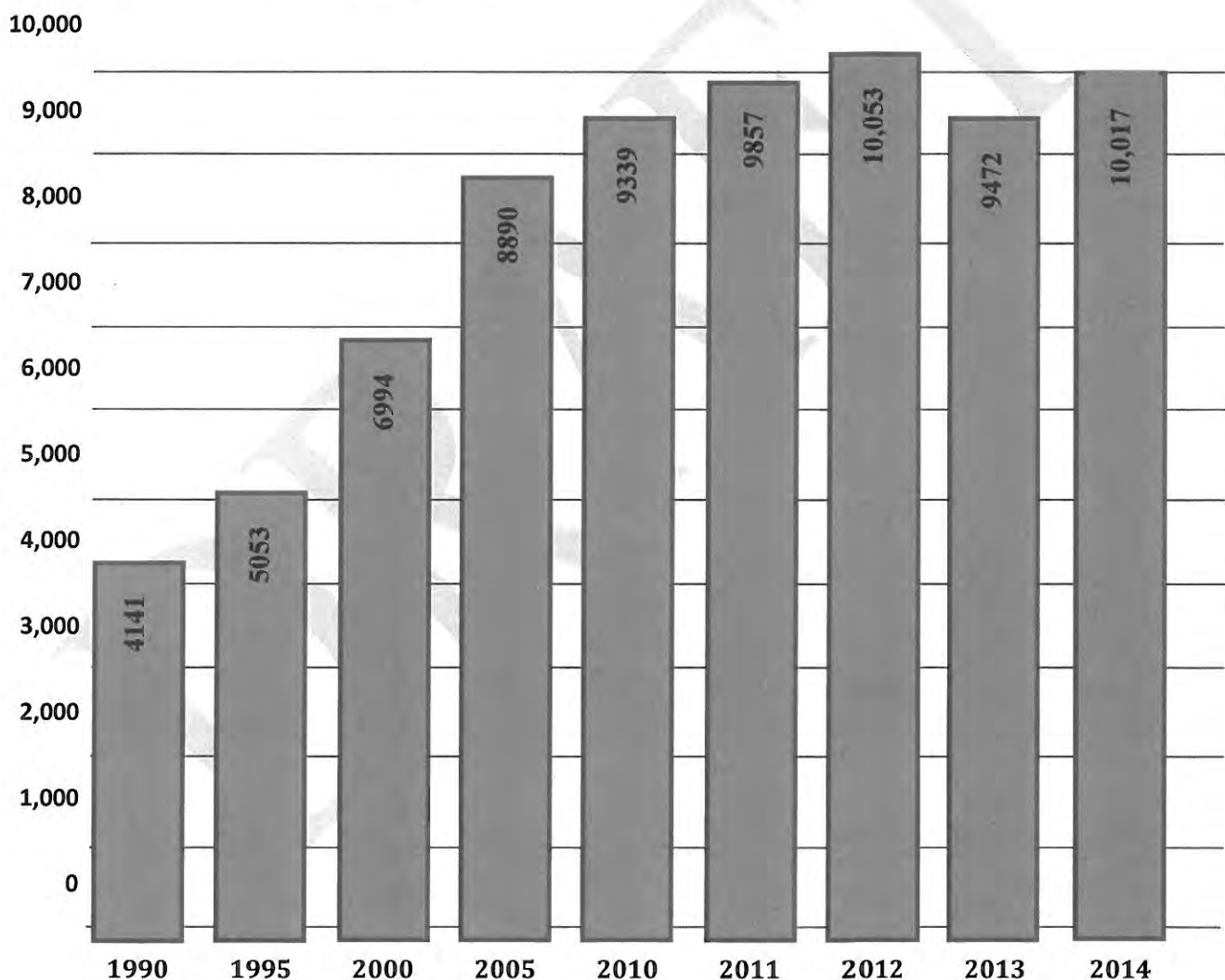
### **Operations**

The Operations Division ensures the timely and effective response to and mitigation of emergency medical, fire, rescue, and hazardous materials incidents within the County. Personnel assigned to this division respond to all types of emergency incidents 24 hours per day, seven days per week. The division also coordinates the service delivery of the volunteer fire and rescue companies.

The Frederick County Fire and Rescue Department has two (2) career personnel assigned to all stations. The majority of Department employees are assigned to one of three 24-hour shifts. There are also three stations staffed from 6am until 4pm Monday through Friday. These include Gore, North Mountain and Reynolds Store stations. However, recently the volunteer chiefs of each of these stations has requested 24-hour staffing to replace day shift due to decreases in available operational volunteers and an increase in their respective first-due area call volume. Volunteer personnel staff their stations when available.

Demands on the County's fire and rescue system continue to increase as the population grows. Emergency call volume is increasing, with 4,141 calls dispatched in 1990 compared to 10,017 calls dispatched in 2014, representing nearly a 141% increase in call volume since the Department's inception. The expansion of the community college, assisted living facilities and other large warehouse facilities has created different types of potential hazards, and new demands such as proactive fire and safety inspections. Increases in both residential and non-residential development and service delivery challenges associated with an ever-growing community have created coverage deficiencies within the fire and rescue system. This translates into additional career staffing supplementing the work of the volunteer companies. The system must now be able to handle not only rural hazards, but also an expanding urban area and the hazards that are associated with that as well.

Figure 2 – Annual Incident Response



### **Life Safety**

The Life Safety Division / Fire Marshal's Office is responsible for enforcing the Virginia Statewide Fire Prevention Code, performing safety inspections for county businesses, investigating causes of fires and explosions, issuing burning and blasting permits, reviewing fire protection system plans, and ensuring and educating the public about fire safety.

Pursuant to the Code of Virginia (§27-31 through §27-37.1) the Frederick County Fire Marshal's Office is responsible for the investigation of all fires, explosions, hazardous material incidents, and environmental crimes. The Division also regulates commercial blasting and is responsible to mitigate emergencies involving explosives and hazardous devices, as required under state law.

In addition to code enforcement and investigations, the Division is responsible for the Public Education program. This program includes a school based program at the elementary level, child safety seat installation and inspections, and a community outreach program which includes collaboration with other public and private sector partners.

The Frederick County Fire Marshal's Office welcomed the first explosives detection canine, Chance to the division in 2009. Then in 2012, the addition of a new accelerant detection canine named Walker joined the Department. Both Chance and Walker are trained daily to detect different scents. They are required to re-certify with ATF yearly.

In 2013, the Division completed nearly 400 inspections, including routine safety inspections, new construction, and complaints. There were 70 investigations, resulting in 12 criminal convictions, and the canine teams responded to 35 incidents to assist with local and surrounding jurisdictions' investigations.

### **Training**

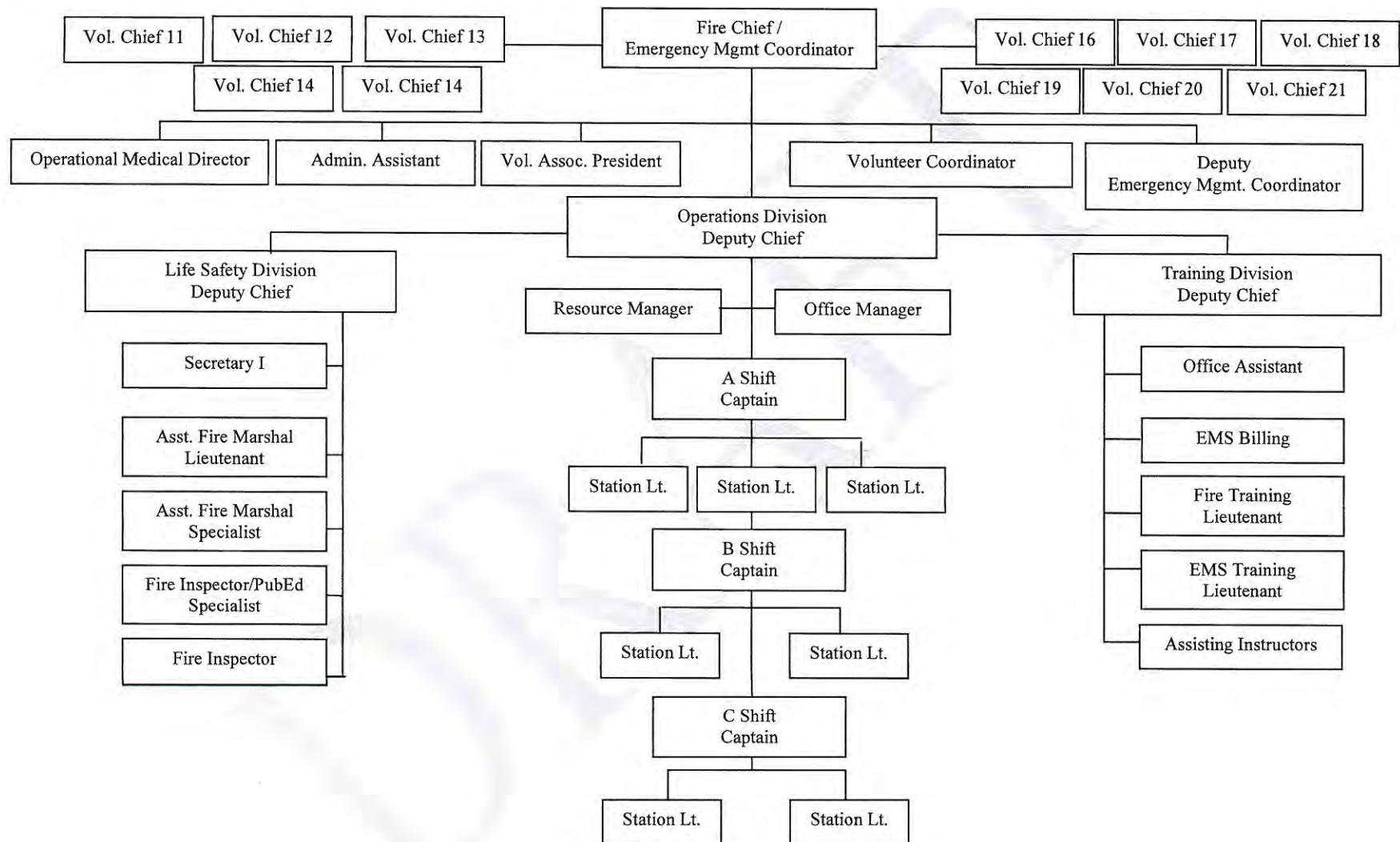
The Training Division is responsible for the coordination and delivery of training related to fire, EMS, technical rescue, and hazardous materials utilizing career and volunteer instructors. Their mission is to facilitate quality and cost effective educational programs to the volunteer and career staff within the Fire and Rescue System.

The Division is responsible for maintaining continual knowledge of mandated laws, recommended standards, certification and training issues, course development issues and documentation / record keeping to assure that the volunteer and career staff are in compliance with local, state, and federal laws and regulations. They are also responsible for the administration and management of the Career Development Program within the Department.

The Training Division works extensively with the Virginia Department of Fire Programs, Virginia Department of Emergency Management, Virginia Office of Emergency Medical Services, United States Department of Homeland Security and various other local, state, and federal agencies on training requirements, certification, and curriculum development.



Figure 3 - Fire & Rescue Organizational Chart



## Drivers of the Fire and Rescue Service

### Population

The gross population and population density of the County represent one of the four key drivers of the fire and rescue service. Demands on the fire and rescue system will continue to increase as the population and population density continues to grow. Emergency call volume has increased from 9,101 incidents dispatched during 2009 (Population 77,611) to 10,017 incidents dispatched during 2014 (Population 82,000) (Table 4). It is estimated that the population will grow from approximately 82,000 in 2014 to 97,192<sup>2</sup> in 2020 (Table 5). A 16.6% increase for the period will directly impact the demand on the fire and rescue service. A direct link to the increase in the population is the increase in the number of housing units and population density throughout the County. It is estimated that the number of housing units for the fire and rescue service to protect will increase from 31,346 in 2010 (last census data) to 40,749 in 2020 (Table 6) or a 30% increase for the period.

**Table 4 – Incident/Population Summary**

Calendar Year	Total Incidents	Population
<b>2009</b>	9,101	77,611
<b>2010</b>	9,339	78,529
<b>2011</b>	9,857	79,603
<b>2012</b>	10,053	80,317
<b>2013</b>	9,472	81,207
<b>2014</b>	10,017	82,000 <sup>3</sup>

**Table 5 – Population Projections by Area<sup>4</sup>**

Calendar Year	2010	2020	2030 <sup>5</sup>
<b>Population Total</b>	78,529	97,192	114,539
<b>Battalion I</b>	25,697	32,889	41,455
<b>Battalion II</b>	31,611	40,094	47,060
<b>Battalion III</b>	21,221	24,209	26,024

**Table 6 – Housing Unit Projections by Area<sup>6</sup>**

Calendar Year	2010	2020	2030
<b>Household Units</b>	31,346	40,749	52,974

<sup>2</sup> According to the Frederick County Planning Department, we have been growing at an average rate of approximately 30% every 10 years. The 2020 projections when totaled are similar to the overall projection made by the Weldon Cooper Center.

<sup>3</sup> 2014 Population is estimated based on current growth trend.

<sup>4</sup> Battalion I: Stephens City, Middletown, Star Tannery; Battalion II: Clear Brook, Greenwood, Millwood, Rt. 50E; Battalion III: Gore, Round Hill, Gainesboro, North Mountain, Reynolds Store.

<sup>5</sup> The 2030 projections are based on the 2030 Comprehensive Plan.

<sup>6</sup> Growth rate of 3% per year, based on 2030 Comprehensive Plan Residential Development.



## Response Goals

The second key driver of the fire and rescue service is response goals. Response goals are critical to the planning process for fire and EMS agencies, as they impact the location of fire/rescue stations, as well as the apparatus and system staffing in those stations. To develop these goals, agencies use accepted standards such as EMS survival rates from the American Heart Association (AHA), and Flashover Curves as indicated by the National Fire Protection Association (NFPA). These standards define the actions that must be performed within scientifically researched time frames in order to have a better outcome for the person or the property.

### Rationale for EMS Response Goals

The American Heart Association Chain of Survival (Figure 3) outlines actions that must be taken in order to successfully resuscitate victims in an out-of-hospital cardiac arrest scenario. The initial consideration is how fast basic life support can be provided to citizens who suffer a cardiac arrest in Frederick County. AHA studies have shown that cardio-pulmonary resuscitation (CPR) must begin immediately, and in all cases no later than four to six minutes of a cardiac arrest. Early defibrillation must then follow early CPR. According to the AHA, the chance for successful restarting of the heart through defibrillation decreases by 10% for every minute past the initial cessation of the heart this intervention is not delivered.

Early access, early CPR, and early defibrillation must be followed by advanced life support (ALS) in order to provide advanced coronary care. The combination of late CPR (more than four minutes) and delayed advanced life support significantly decreases the chances for survival without complications.

An additional consideration is early ALS intervention for patients that are not yet in cardiac arrest, but have a cardiac rhythm that will become lethal if not treated rapidly. According to the American Heart Association, early advanced care provided by personnel trained and certified as ALS providers at the scene serves 3 primary purposes in the treatment of cardiac emergencies:

ALS intervention is designed to prevent cardiac arrest through the use of advanced airway management, administration of medications, and other ALS interventions; ALS intervention includes therapies that may help resuscitate victims of cardiac arrest who are not in Ventricular Fibrillation (VF), or who are not responding to defibrillation; ALS intervention can provide defibrillation if VF develops and prevent refrillation and help stabilize the patient after resuscitation.

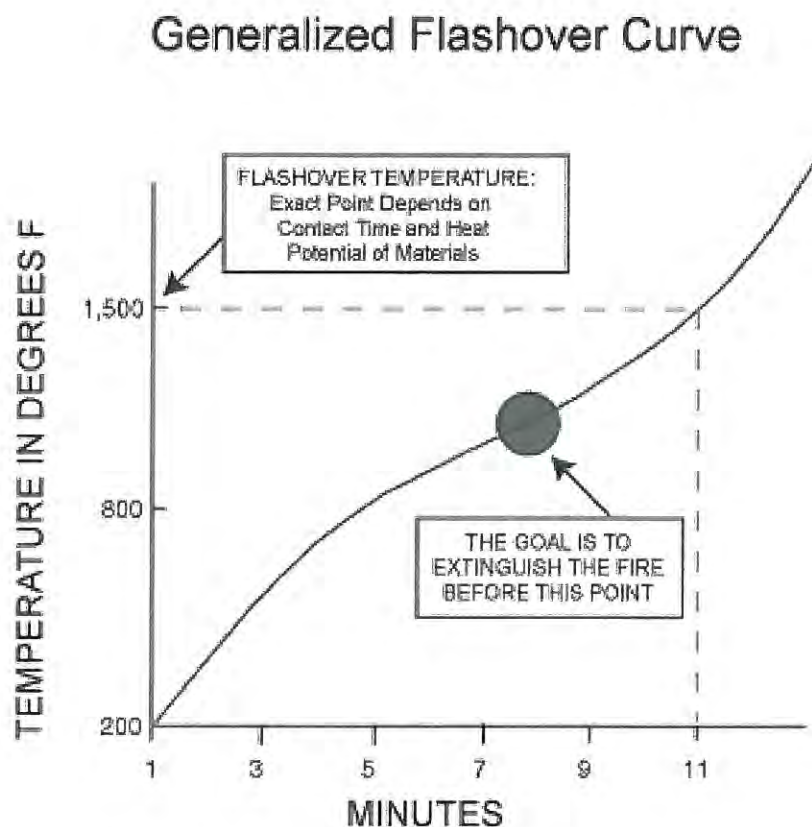
Figure 4 – American Heart Association Chain of Survival



### Rationale for Fire Suppression Response Goals

In order to have an aggressive fire suppression program, units must be able to apply water to a fire prior to the point of flashover. Flashover occurs anywhere from four (4) to eleven (11) minutes after the fire begins (Figure 5). This of course is dependent on the intensity of the fire and the materials that are burning within the structure. When the room bursts into flame, flashover has occurred.

Figure 5 - NFPA Flashover Curve



Flashover is the point at which the contents a room or structure is heated to the point at which the contents of the room will all become consumed with flames. It is the end of an effective search and rescue in a room; it means the death of any person trapped in the blazing room—either civilians or firefighters. It signals the end of using a portable extinguisher to extinguish the fire; an attack hose-line is required after flashover occurs. It signals the end of the growth stage and that the fire is in the second stage of combustion—the fully developed stage. Finally, flashover signals the change from “contents” to a “structure fire.” This is the beginning of the collapse danger.

In order to intervene effectively in the fire scenario, fire suppression must begin prior to flashover, normally within approximately **eight minutes** after being dispatched. Once flashover occurs, fires expand exponentially, which means the fire will double every second after flashover has occurred. This fire expansion causes more property damage, creates less chance of civilian survival, and increases the potential for firefighter injuries. The response goal is to intervene prior to flashover occurring.



The Frederick County Fire and Rescue Department is seeking to establish the following for system turnout, response goals, and seeking to implement the Enhanced Operating Level and Standards:

#### Definitions

- Turnout Time: defined as the time from completion of the initial incident dispatch until the first appropriately staffed apparatus responds.
- Response Time: defined as the time from the initial response of the first appropriately staffed apparatus until arrival on the scene of the first emergency unit.
- Minimum Apparatus Staffing<sup>7</sup>: defined as the minimum number of personnel to respond on specific apparatus, Engine-3 personnel; EMS Unit-2 personnel

#### Guideline Standards

- Minimum Response and On Scene Time Criteria
- All dispatches for either Advanced or Basic Life Support (ALS/BLS) emergencies: **10 minutes.**
- All dispatches for fire incidents: **10 minutes with 10 personnel.**
- Failure to meet the turnout standard on an emergency incident is defined as:
- The emergency incident is the first fire and/or EMS incident for the company;
- The company does not turnout within the times specified;
- The company responds with staffing not meeting the Minimum Apparatus Staffing requirements.

#### National Standard Response Goals

There are two national response standards that drive response goals for substantially all career, combination, and volunteer fire and rescue departments. NFPA Standard 1710, *Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments* is the response goal standard for substantially all career departments. NFPA Standard 1720, *Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments* is the response goal standard for volunteer and combination<sup>8</sup> departments.

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<sup>7</sup> In order to meet Minimum Apparatus Staffing, personnel must be in the station 24/7; personnel responding in personally owned vehicles (POVs) or responding by marking up on portables do not count towards the Minimum Apparatus Staffing.

<sup>8</sup> A department having emergency service personnel comprising less than 85% majority of either volunteer or career membership.

Frederick County Fire and Rescue Department currently aligns with NFPA 1720 for fire suppression response but does not currently meet this standard. Table 7 defines the minimum response times / goals for NFPA 1720 <sup>9</sup>.

**Table 7 – NFPA 1720 Response Goals <sup>10</sup>**

Demand Zone	Demographics	Staffing/Response Times	Achievement %
Special Risks	AHJ Determines	AHJ Determines	90
Urban	>1000 people/sq. mile	Staff 15/Response Time – 9 Minutes	90
Suburban	500-1000 people/sq. mile	Staff 10/Response Time – 10 minutes	80
Rural	<500 people/sq. mile	Staff 6/Response Time – 14 Minutes	80
Remote *	Travel Distance >8 miles	Staff 4	90

\*(Remote) Upon assembling the necessary resources at the emergency scene, the fire department should have the capability to safely commence an initial attack within two minutes.

#### Enhanced Operating Levels and Standards

The optimal response goal and turnout time service level is:

- Response time performance objective equal to the Suburban demand zone identified in Table 7 (Fire Suppression)
- Response time performance objectives equal to Table 8 for each demand zone (EMS)

**Table 8 – Frederick County EMS Response Goals**

Demand Zone	Demographics	EMS	Achievement %
Suburban	500-1000 people/sq. mile	10 Minutes	80
Rural	<500 people/sq. mile	10 Minutes	80

- A performance objective of not less than 80% for the achievement of each minimum turnout criteria outlined within this plan.
  - Companies achieving 60% to 79% over a thirty-day period shall be placed on dual response until 80% achievement is sustained for a period of thirty days.
  - Failure to achieve 80% over the next thirty-day period will require the company President and Chief Officers to provide the Deputy Chief of Operations a plan to resolve the turnout time issues for their company.
  - Companies achieving <59% over a thirty-day period shall be placed on immediate dual response, and will require the company President and Chief Officers to provide the Deputy Chief of Operation a plan to resolve the turnout times issues for their company. Failure to correct the turnout time issues for their company as specified will result in immediate consideration for budget enhancements to ensure service delivery.

<sup>9</sup> NFPA 1720 combines staffing with response times as the measurement for response goals.

<sup>10</sup> Demand zones categorized utilizing US Census Bureau criteria.



### Impacts and Outcomes if adopted

The enhanced standard, if adopted, will provide fire suppression and emergency medical service delivery around the clock by the combined system meeting the achievement guidelines established in NFPA 1720.

**Table 9 – Comparison of Response Goal / Turnout Time Service Level <sup>11</sup>**

Locality	Fire Response Goal	BLS Response Goal	ALS Response Goal <sup>12</sup>
Henrico County, Virginia	≤5 minutes 90% achievement	≤5 minutes First Responder 90% achievement ≤15 minutes BLS Ambulance 90% achievement	≤9 minutes First Responder ALS 90% achievement ≤9 minutes ALS Ambulance 90% achievement
Chesterfield County, Virginia	≤6 minutes 90% achievement	≤6 minutes 90% achievement	≤6 minutes 90% achievement
Spotsylvania County, Virginia	≤8 minutes: Urban 80% achievement ≤12 minutes: Rural 80% achievement	≤8 minutes: Urban 80% achievement ≤12 minutes: Rural 80% achievement	≤8 minutes: Urban 80% achievement ≤12 minutes: Rural 80% achievement
Loudoun County, Virginia	≤9 minutes: Urban 90% achievement ≤14 minutes: Rural 80% achievement	≤10 minutes: Urban 80% achievement ≤14 minutes: Rural 80% achievement	≤10 minutes: Urban 80% achievement ≤15 minutes: Rural 80% achievement

### Current Operating Levels and Standards

The current system response goal and turnout time service level is:

**Table 10 – Current system response goal and turnout time service level**

Call Type	Minimum Turnout Criteria	Response Goal
EMS – ALS or BLS Emergency	< 5 minutes	None
Fire Response	< 5 minutes	None

### Impacts and Outcomes if adopted

The current standard as adopted will continue to provide fire suppression and emergency medical service delivery to the service level defined in Table 10.

<sup>11</sup> Services include engines, ladders, heavy squads, ambulances, brush trucks, and tankers.

<sup>12</sup> ALS response times factor ALS Chase vehicles responding with BLS ambulances.

### Service Area

Meeting both population demands and response goals require that stations and services be strategically located throughout the County's 416 square miles of both suburban and rural composition. The original eleven (11) fire and rescue stations are no longer able to provide emergency response to areas of the County that have experienced, or are projected to experience growth in population and housing. This has required the County and the Department to plan for future stations in order to reduce existing response times, and to meet the increased service demands because of this growth.

Current station locations are based on historical needs of villages, communities, and incorporated towns where housing and population were, and to an extent remain centralized today. Over time these stations became, and in many cases remain the center point in these communities. As indicated, an increase in growth in the County (32.3% between 2000 and 2010) and demand for services (30% increase between 2000 and 2010) has driven the need to add new stations and increase fire and rescue services.

Future station locations and services will be driven by population, which increases call volume, and the need to decrease response goals due to travel time. The 2030 Comprehensive Plan includes future fire and rescue stations within the County in accordance with the response study conducted in 1999<sup>13</sup> that concluded the need for five additional fire and rescue stations. These stations are to cover the areas listed below:

- Green Springs / White Hall
- Route 522 South / Route 277 East
- Middle Road / Cedar Creek Grade
- Apple Pie Ridge / Route 522 North
- Route 7 / Redbud Road

This response study indicated that in many areas a ten-minute total response time was not being met. Today, this still holds true. Redistribution of current volunteer apparatus to these stations can enhance response performance. Non-residential areas such as retail, office, and industrial areas require increased fire protection because specialized equipment is necessary to ensure safety for these land uses; other land uses identified as target hazards continue to grow. These include land uses such as schools, nursing homes, daycare centers, and industrial facilities. These land uses have a higher risk of injury due to the specific demographics of persons utilizing these facilities.

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<sup>13</sup> The 1999 Response Study was part of the FCPS Government Service Learning Projects.

Figure 6 - Current First Due Map and Station Locations

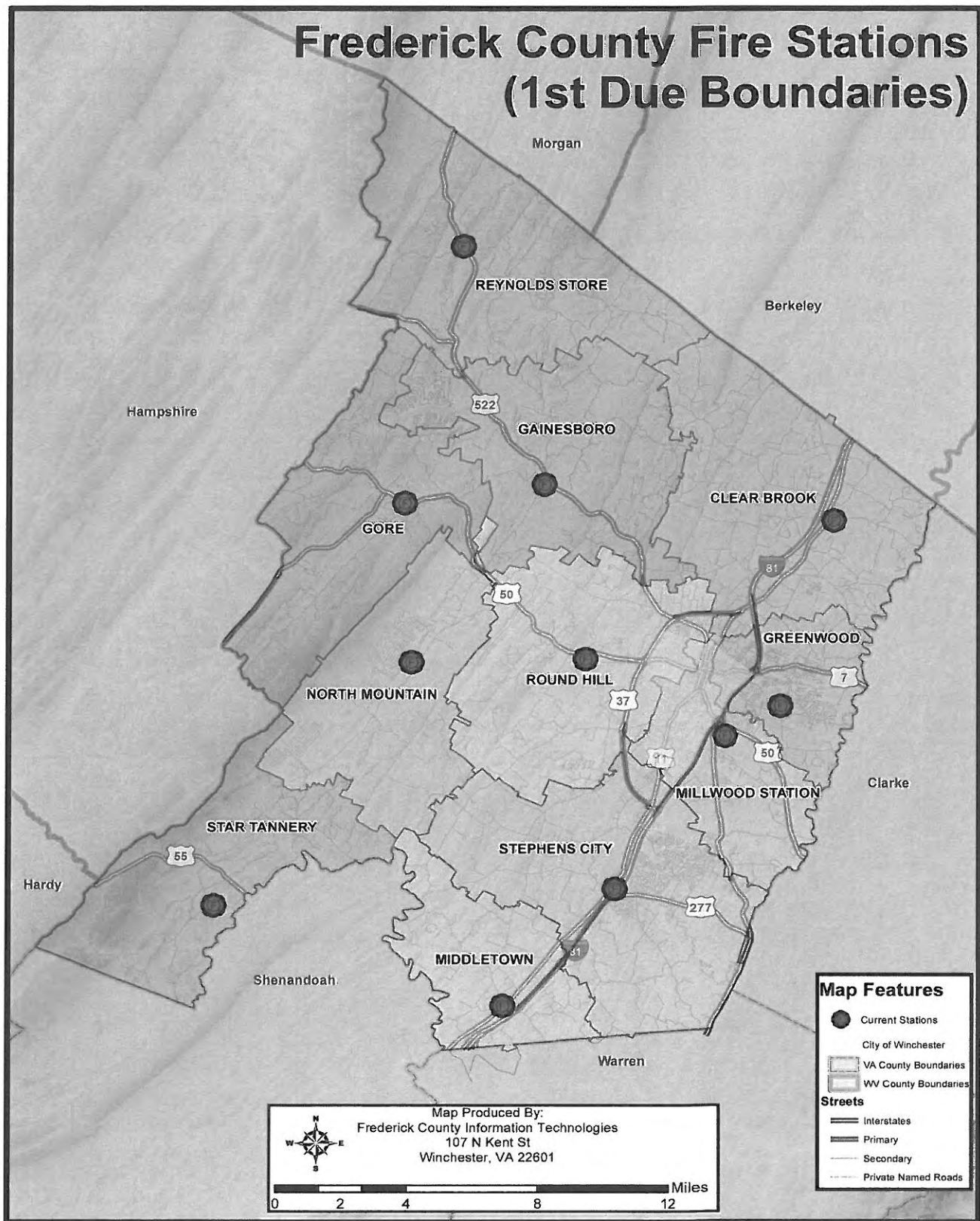
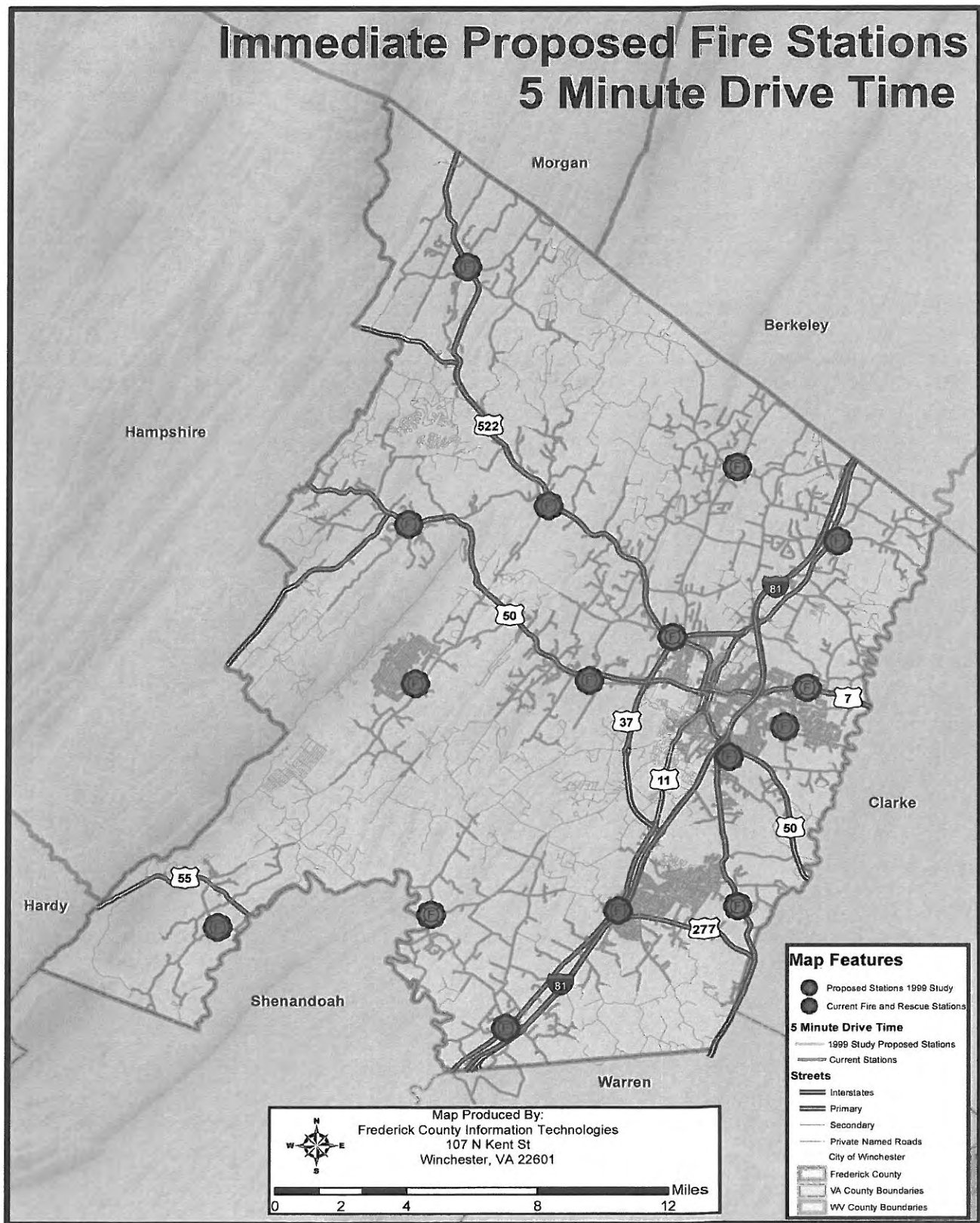


Figure 7 – Proposed Fire and Rescue Locations





## Staffing

The third driver of the fire and rescue service is staffing, which has a direct link to response goals, as immediately available staffing significantly reduces turnout time, therefore reducing total response goals.

### Current Staffing Levels

The combined system career staffing levels are currently established by the Department as requested by the Volunteer Companies and as appropriated by the Board of Supervisors as follows:

**Table 11 – Minimum Station Career Staffing Levels**

Station	A-Shift	B-Shift	C-Shift	Day Shift Only
11	Lieutenant and 1 – FF / EMT	2 – FF / EMTs	2 – FF / EMTs	0
12	3 – FF / EMTs	3 – FF / EMTs	3 – FF / EMTs	0
13	3 – FF / EMTs	Lieutenant and 2 – FF / EMTs	3 – FF / EMTs	0
14	0	0	0	2 – FF/EMTs
15	3 – FF / EMTs	Lieutenant and 2 – FF / EMTs	3 – FF / EMTs	0
16	Lieutenant and 1 – FF / EMT	1 – FF/EMT	1 – FF / EMT	1 – FF/EMT
17	2 – FF / EMTs	2 – FF / EMTs	Lieutenant and 1 – FF / EMT	0
18	3 – FF / EMTs	Lieutenant and 2 – FF / EMTs	3 – FF / EMTs	0
19	0	0	0	2 – FF/EMTs
20	0	0	0	2 – FF/EMTs
21	Lieutenant and 2 – FF / EMTs	3 – FF / EMTs	3 – FF / EMTs	0
Cpts.	1	1	1	0
Total	22	21	21	7

Currently the Department provides career firefighters to the volunteer companies; the Department does not have a minimum apparatus staffing level established, as there currently are only two (2) staff members available per station. Volunteer and career firefighters respond on a first call basis – meaning whatever type of incident is dispatched dictates the appropriate apparatus staff responds with. On any given day there are on average, only 2 to 3 staff in the station available to provide emergency services. It takes only one response to deplete a station and leave a community unprotected. The majority of Operational volunteers respond from their homes, not the station, greatly reducing Response Goals. A manpower shortage is the biggest problem faced by Frederick County Fire and Rescue.

Maintaining the service levels will require a combined effort from both the Volunteer Companies and the Career Department. In addition, a continued commitment from Frederick County Administration



and the Board of Supervisors is also required. Volunteers must be recruited and retained in order to deliver services to the community through a combined system. This will require a combination of several program areas administered by the Department to include the continuance of quality, flexible scheduled training programs, administrative assistance through record keeping, a central application / orientation process, and an aggressive recruitment program. Failure to maintain and/or increase volunteer participation will have an impact on field services, as additional career firefighters will be required.

#### National Standard Staffing Levels

Determining service staffing levels prescribes the ability for the combined system to deliver service to its customers. In support of the system's mission statement, service delivery is based on the ability to place adequate numbers of personnel and equipment (companies)<sup>14</sup> on emergency scenes within prescribed time frames (Department Response Goals / NFPA 1720).

NFPA 1720 recommends a **minimum** national standard for staffing fire suppression responses (Table 12). The primary emphasis of this staffing standard is to ensure emergency response is reliably and consistently delivered to each established demand zone, and to ensure that a sufficient number of members are available to operate safely and effectively.

**Table 12 – NFPA 1720 Staffing Standard<sup>15</sup>**

Demand Zone	Demographics	Staffing/Response Times	Achievement %
Special Risks	AHJ Determines	AHJ Determines	90
Urban	>1,000 people/sq. mile	Staff 15/Response Time – 9 Minutes	90
Suburban	500-1,000 people/sq. mile	Staff 10/Response Time – 10 minutes	80
Rural	<500 people/sq. mile	Staff 6/Response Time – 14 Minutes	80
Remote *	Travel Distance >8 miles	Staff 4	90

\*(Remote) Upon assembling the necessary resources at the emergency scene, the fire department should have the capability to safely commence an initial attack within two minutes.

<sup>14</sup> Companies are defined in NFPA 1720 as a group of members under the direct supervision of an officer; trained and equipped to perform assigned tasks; usually organized as engine companies, ladder companies, squad companies, rescue companies, or multi-functional companies; usually operating with one piece of fire apparatus; arriving at the incident scene on apparatus.

<sup>15</sup> Personnel responding to fires and other emergencies shall be organized into company units or response teams and shall have required apparatus and equipment.

**Table 13 – The staffing service level is comparable to:**

Locality	Engine	Ladder	Tanker	Heavy Squad	EMS Unit
Henrico County, VA	3	3	No Data	3	2
Chesterfield County, VA	4 <sup>16</sup>	3	N/A	N/A	2
Prince William, VA	3 <sup>17</sup>	4	1	4	2
Loudoun County, VA	3	4	1	4	2

*Current Operating Levels and Standards*

The current service level provides an average of 28 career personnel Monday – Friday and 21 career personnel Saturday and Sunday (Table 11, page 26).

- |   |   |
|---|---|
| <p>Monday – Friday</p> <ul style="list-style-type: none"> <li>• 1 Captain</li> <li>• 2 Lieutenants</li> <li>• 25 Firefighters/EMTs</li> </ul> | <p>Saturday and Sunday</p> <ul style="list-style-type: none"> <li>• 1 Captain</li> <li>• 2 Lieutenants</li> <li>• 18 Firefighters/EMTs</li> </ul> |
|---|---|

*Required combined system career personnel to satisfy this standard:*

- 7<sup>18</sup> total career personnel required to staff daytime hours (6am – 4pm Monday through Friday)
- 18<sup>19</sup> total career personnel required to staff 24/7 companies (7am – 7am)
  - Ratio: 1 career firefighter to 1,000 population<sup>20</sup> .775/1,000

*Impacts and Outcomes if adopted*

The current standard as adopted provides career personnel through the combined system to staff each volunteer company, for the prompt initiation of fire suppression and emergency medical service delivery around the clock meeting the achievement standard established.

\*There is no current volunteer personnel standards in place. However, it should be noted that the Fire and Rescue System has volunteers that respond to fire and EMS emergencies every day.

<sup>16</sup> Eight stations staffed at 4; ten stations staffed at 3

<sup>17</sup> Four stations staffed at 4; 16 stations staffed at 3

<sup>18</sup> Includes FY06 enhancements

<sup>19</sup> Includes FY06 enhancements

<sup>20</sup> Based on 80,000 population and current staffing level standard



### Enhanced Operating Levels and Standards

This service level adopts minimum apparatus staffing levels within the Department for engines and transport units and includes a moderate increase in station staffing levels to accommodate implementing minimum apparatus staffing levels.

The enhanced service level is 56 personnel per day (Table 14):

- 1 Captain
- 2 Lieutenants
- 31 Firefighters
- 22 EMS Providers

**Table 14 – Minimum Apparatus and Station Staffing Levels: Combined System**

Apparatus Type	Minimum Staffing Level <sup>21</sup>
Engine Companies	3
EMS Transport Units	2
Total Station Staffing Level	5

### Definitions

- Engine Company Personnel – Three (3) firefighters meeting Minimum Staffing Standards; one (1) **must** be at least an EMT-Basic and one (1) **must** be certified as Driver/Pump Operator.
- EMS Transport Unit Personnel – Two (2) EMS providers meeting Minimum Staffing Standards; in compliance with Virginia Department of Health, Office of Emergency Medical Services (VDH-OEMS) Rules and Regulations to operate at varying levels:
  - Ambulance – Driver and EMT
  - Rescue – EMT and Enhanced
  - Medic – EMT and Intermediate or Paramedic

### Required combined system personnel to satisfy this standard:

- 73 total system-wide volunteer personnel required to staff evening hours (4pm – 6am), and daytime services not staffed by career personnel<sup>22</sup>
- 7<sup>23</sup> total career personnel required to staff daytime hours (6am – 4pm Monday through Friday)
- 20<sup>24</sup> total career personnel required to staff 24/7 companies (7am – 7am)
  - Ratio: Volunteer to Career (daily staffing) - 73/28
  - Ratio: Volunteer to Career (total) - 511/71
  - Ratio: 1 Career firefighter to 1,000 Population - .87/1,000
  - Ratio: 1 Volunteer firefighter to 1,000 Population - 6.2/1,000

In 2011, the number of operational volunteer personnel responding to 10% or more of their respective first-due calls totaled 113. In 2014, the number of operational volunteer personnel responding to 10%

<sup>21</sup> In order to meet Minimum Apparatus Staffing, personnel must be in the station 24/7; personnel responding in personally owned vehicles (POVs) or responding by marking up on portables do not count towards the Minimum Apparatus Staffing.

<sup>22</sup> Utilizing one (1) twelve (12) hour shift per week per volunteer, a total of 511 operational, certified and active volunteers would be required to achieve the Enhanced Standard.

<sup>23</sup> Includes FY06 enhancements

<sup>24</sup> Includes FY06 enhancements



or more of their respective first-due call volume totaled only 62, representing a 45% decrease in only three years. To date, volunteer companies within the combined system *with* on-call duty crews ready at the station to respond to emergency incidents continues to decline. In order to obtain this enhanced staffing standard, volunteer duty crews and/or an increase in the number of career personnel would be required.

#### Impacts and Outcomes if adopted

The enhanced standard if adopted will provide personnel through the combined system to staff Engine Companies and EMS Transport Units in each station where these response units are located, for the prompt initiation of fire suppression and emergency medical service delivery around the clock meeting the achievement standard established by the department.

#### Volunteer Staffing Value

As already noted, maintaining the service levels in the staffing standards (Current, Enhanced) will require a mutual effort from both the volunteer companies and the career department. Volunteers must be rigorously recruited and retained in order to deliver services to the community through a combined system. The recruitment of volunteer staff not only delivers fire and rescue services to the community through the combined system, but also reduces personnel costs to the Department's annual budget.

In April 2014, Independent Sector<sup>25</sup> announced that the 2013 estimate for the value of a volunteer hour is \$22.55 per hour. Based on the volunteer to career staffing ratios for each standard to staff Engine Companies, Ladder Companies, Tanker Companies, Heavy Squad Companies, and Ambulance Companies in each station where these response units are located, the following quantifies the value volunteer staffing provides:

Enhanced Standard:  $511 \times 12 \text{ hours per week} \times 52 \text{ weeks} \times \$22.5 \text{ per hour} = \$7,190,383.20$

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<sup>25</sup> Independent Sector is a Washington, DC based nonprofit, nonpartisan coalition of national organizations, foundations and corporate philanthropy programs.

### Insurance Services Office

The fourth and final driver of the Department is the Insurance Services Office, Inc. (ISO), which completed a countywide survey of Frederick County's fire suppression services and has assigned classifications, which could increase or reduce residential and commercial property insurance rates, dependent upon distance from fire stations and available water sources.

ISO's Public Protection Classification (PPC) Program plays an important role in the underwriting process at insurance companies. While use of the program is voluntary, most insurers in the United States use the information as part of their decision-making process when evaluating risk, coverage levels, and pricing for commercial and personal property insurance.

By classifying communities' abilities to suppress fires, ISO is able to help communities evaluate their public fire protection services through its PPC program. The program provides an objective standard that helps localities in planning and budgeting for facilities, equipment, and training. By securing lower fire insurance premiums for communities with better public protection, the PPC program provides incentives and rewards for communities that choose to improve their firefighting services.

The PPC is derived from the field analysis and other information supplied in relation to a community's fire suppression delivery system. The ISO analysis concentrates on three primary areas: the fire department (equipment, staffing, and training), emergency communications, and water supply. ISO analyzes relevant data using their Fire Suppression Rating Schedule (FSRS). Based upon the data, ISO assigns a Public Protection Classification from 1 to 10 (Class 1 generally represents superior property fire protection, and Class 10 indicates that the area's fire-suppression program doesn't meet ISO's minimum criteria).

In mid-2014, all communities within Frederick County were updated with current ISO ratings. Table 15 shows the current ISO Public Protection Classification for each of the 11 communities within the system.

**Table 15 - ISO Public Protection Classification**

Station	ISO Class Rating
<b>Stephens City</b>	5/9
<b>Middletown</b>	5/9
<b>Clear Brook</b>	6/6Y
<b>Gore</b>	9/10
<b>Round Hill</b>	6/9
<b>Star Tannery</b>	9/10
<b>Greenwood</b>	6/9
<b>North Mountain</b>	9/10
<b>Reynolds Store</b>	9/10
<b>Millwood</b>	6/9

The classification numbers are interpreted as follows:

- Class 1 through (and including) Class 8 represents a fire suppression system that includes an FSRS creditable dispatch center, fire department, and water supply.
- Class 8B is a special classification that recognizes a superior level of fire protection in otherwise Class 9 areas. It is designed to represent a fire protection delivery system that is superior except for a lack of a water supply system capable of the minimum FSRS fire flow criteria of 250 gpm for 2 hours.
- Class 9 is a fire suppression system that includes a creditable dispatch center, fire department but no FSRS creditable water supply.
- Class 10 does not meet minimum FSRS criteria for recognition, including areas that are beyond five road miles of a recognized fire station.

If the classification is a single class, the classification applies to properties with a Needed Fire Flow of 3,500 gpm or less in the community. If the classification is split (e.g., 6/9), as is the case with all County stations, the following applies:

- The first class (e.g., “6” in a 6/9) applies to properties within 5 road miles of a recognized fire station and within 1,000 feet of a fire hydrant or an approved alternate water supply.
- Class 8B or class 9 applies to properties beyond 1,000 feet of a fire hydrant but within 5 road miles of a recognized fire station.
- Class 10 applies to properties over 5 miles of a recognized fire station and no recognized water supply.
- Specific properties with a Needed Fire Flow in excess of 3,500 gpm (i.e., high-hazard warehouse) are evaluated separately and assigned an individual classification.

#### Improvements

A review of each fire department accounts for 50% of the total classification, based on meeting certain set criteria. ISO focuses on a department’s first alarm response and initial attach to minimize potential loss. The criteria is then further broken down into several categories which assigns points based on number of available apparatus, reserve apparatus, water capacity, deployment, personnel and training.

Even the best fire department will be less than fully effective if it has an inadequate water supply. Similarly, even a superior water supply will be less than fully effective if the fire department lacks the equipment or personnel to use the water. The Fire Suppression Rating Schedule score is subject to modification by a divergence factor, which recognizes disparity between the effectiveness of the fire department and the water supply. The Divergence factor mathematically reduces the score based upon the relative difference between the fire department and water supply scores.

#### Impacts and Outcomes if adopted

By classifying communities' ability to suppress fires, ISO helps the communities evaluate their public fire-protection services. The program provides an objective, countrywide standard that helps fire departments in planning and budgeting for facilities, equipment, and training. By securing lower fire insurance premiums for communities with better public protection, the PPC program provides



incentives and rewards for communities that choose to improve their firefighting service. One reward is potential new business and industry being attracted to the area due to better ISO ratings and lower insurance premiums.

ISO recognizes the dynamic and comprehensive duties of a community's fire service and understands complex decisions a community must make in planning and delivering emergency services. A community's investment in fire mitigation is a proven and reliable predictor of future fire losses. Statistical data on insurance losses bears out the relationship between excellent fire protection, as measured by the PPC program, and low fire losses.

ISO is the leading supplier of data and analytics for the property/casualty insurance industry. Most insurers use PPC classifications for underwriting and calculating premiums for residential, commercial, and industrial properties. Each insurance company independently determines the premiums it charges its policyholders. The way an insurer uses ISO's information on public fire protection may depend on several things; the company's fire-loss experience, ratemaking methodology, underwriting guidelines, and its marketing strategy.

Based upon a quote from a local insurance agent, a homeowner with a house valued at \$150,000 that has an annual premium of \$859 will have a potential savings of \$175 when their community's ISO rating goes from 6 to 3.



## Facilities and Vehicles

This Service Plan outlines the planned architectural, engineering, and construction of eight additional stations over the next five to ten years, as well as the planning and implementation for existing station renovations. The greatest factor contributing to the need for new fire and rescue stations is the rapid population growth and increase in dwelling units within the County.

Also discussed are the vehicle and apparatus needs of new and existing stations in order to continue to meet community needs. The 2010-2015 Capital Improvement Plans (CIP) and the 2030 Comprehensive Plan outline a method for this service expansion and renovation in terms of projects and projected costs. Table 16 includes station recommendations from the 1999 Response Study, conducted as a Government Service Learning project, as well as additional station locations needed to meet the 10-minute response goal as outlined in the 2030 Comprehensive Plan *and* to meet the proposed response goals.

### New Stations

**Table 16- Proposed Fire and Rescue Stations**

Station Location	Apparatus Needs
<b>Tasker Road</b>	Engine and Ambulance
<b>Lake Holiday</b>	Engine and Ambulance
<b>Green Spring Road</b>	Engine/Tanker and Ambulance
<b>Mountain Falls</b>	Engine and Ambulance
<b>Route 7 / Morgan Mill Road</b>	Rescue/Engine and Ambulance
<b>Apple Pie Ridge Road</b>	Engine, Ambulance and Brush Truck
<b>Route 37 / Cross Point</b>	Quint/Engine and Ambulance
<b>Middle Road</b>	Engine/Tanker, Ambulance and Brush Truck

#### Tasker Road

The current Stephens City Fire and Rescue station is the busiest in Frederick County. Assistance to the majority of this urban and suburban area comes from Middletown, Millwood Station, and the City of Winchester. There is a continued increase in dwelling units, population and business and industrial areas, as well as the remote area of Lake Frederick. A new fire station will bring Lake Frederick out of a remote travel distance, reduce response times from second due companies and reduce the call volume of the current Stephens City station.

This new station would be staffed and operated by Frederick County. There is potential for citizens in this response area to volunteer at the facility due to its location to residential neighborhoods. Currently, one fire engine and one transport ambulance would be necessary to serve this area.

#### Lake Holiday

The Summit at Lake Holiday falls into an urban and suburban area based on population density. Its entrance is greater than five miles from each of the current fire and rescue stations serving the area. This coupled with narrow roadways inside the neighborhood makes response times unmanageable. Development within the gated community continues to grow and will require increased services. This



station can serve surrounding rural areas and would shorten response times, while providing automatic aid to Gore and Reynolds Store stations.

The location of this station would be attractive to potential volunteers living in the vicinity. A fire engine and transport ambulance would be necessary for this station. Some Equipment and apparatus from Gainesboro could be relocated to this station.

#### Green Spring Road

Travel time to remote areas by winding roadways makes this area vulnerable to significant fire loss and decreases chances of survival from life threatening incidents. Increase in dwelling units and population continue to increase in this rural area as citizens continue to build large two-story homes in this area. A new County staffed and operated station in this area will provide a necessary increase in services to the region, decrease response and transport times, and likely provide a reduction in homeowner insurance premiums to area citizens.

While there are a few members from Clear Brook Volunteer Fire and Rescue residing in the vicinity, it is unlikely this location would attract many new volunteers to support the station. One transport ambulance and a combination engine/tanker would be needed in this area due to no available municipal water supply. The engine/tanker apparatus would allow additional water on the vehicle assisting with longer operations while assisting other companies. Possible equipment and apparatus from Clear Brook could be relocated to assist with operations.

#### Mountain Falls

The majority of Mountain Falls Park falls into a suburban classification due to population density. Fire incidents in this area do not typically have favorable outcomes. This is largely due to limited water supplies, response times from North Mountain and Star Tannery Fire and Rescue Companies – each travelling more than five-miles to the community entrance, and staffing limitations at North Mountain. Some areas of the community are considered remote response areas due to travel distances being more than eight miles. Currently, North Mountain is staffed by career members Monday through Friday from 6am to 4pm. This leaves the remaining hours solely on volunteer response.

Several members from North Mountain Volunteer Fire and Rescue live in the development and it is likely a new station would attract additional volunteers from the community due to its proximity to their homes. The call volume of the current stations would not be affected by movement of apparatus and response times to Mountain Falls Park would greatly improve, as well as other surrounding rural areas. Automatic aid to existing stations would also greatly improve. A transport ambulance and a Wildland Interface Pumper combination should be considered as necessary apparatus due to limited water supplies.

#### Route 7 / Morgan Mill Road

Greenwood Volunteer Fire and Rescue is tied with Stephens City Volunteer Fire and Rescue as the busiest station in the county. The two stations' call volume typically trade places monthly. The high density travel routes of Route 7, Route 50, and Interstate 81 surround its first due boundaries. More than 60% of the response area is urban and has the highest population density per square mile compared to all other stations. New and existing developments continue to spread across the



response are between Senseny Road and Route 7. Additional Developments north of Route 7 will continue to tax response efforts from the existing station.

A new station at the rear entrance of Millbrook High School, on Morgan Mill Road, would provide easy access to Route 7 and Interstate 81. This location would provide response coverage to rural areas north of Route 7 and assist Greenwood in their high call volume area. While this location is close to new residential developments, it is unlikely to attract many new volunteers to support the station due to its proximity to already established companies. Apparatus for this station should include a transport ambulance and one rescue engine to support the high number of motor vehicle accidents on the interstate and Route 7 corridor.

#### Apple Pie Ridge Road

A station in this area would provide the needed protection to an increasing population and large single-family homes. The close proximity to James Wood High School, Apple Pie Ridge Elementary School, and the Stonewall Industrial Park would assist in decreasing the response times to these high hazard locations. The increase in traffic along Route 37, North Frederick Pike, and Apple Pie Ridge Road along with the relatively high call volumes of Round Hill Community, Clear Brook, and Gainesboro fire stations would benefit from the added resources.

One transport ambulance, one engine, and a brush truck would be necessary to support services in this area. Additional volunteers from this area are unlikely, as no current volunteers live in the new protection area.

#### Route 37 / Cross Pointe

The Cross Pointe Master Development Plan intends to make connections from Route 37 to Warrior Drive, Front Royal Pike, and Papermill Road. This project identifies a maximum of 1-million square feet of commercial/retail space and a maximum of 1,578 additional dwelling units. Throughout this project, opportunities to access parcels for further development will continue to add an increasing number of incident responses to the already busy Stephens City Volunteer Fire and Rescue station.

A new facility in this area would allow for improved response times, reduce responses from second due companies, and reduce the call volume of the current Stephens City station. One transport ambulance and a quint/engine at the new facility would add to the capabilities provided by the existing Stephens City Volunteer Fire and Rescue station and proposed Tasker Road station.

#### Middle Road

Middle Road and Cedar Creek Grade traverse from the Winchester City limits to the southern portions of Frederick County. This rural area presents difficulties for fire and rescue services. This area has extremely long response times from Stephens City, Round Hill Community, and Middletown. Several secondary roads connect these travel ways with rural road conditions including gravel, dirt, and narrow, sharp turns.

The central point of the area is located at Gough Road and Cedar Creek Grade, in the middle of agricultural land and sporadic dwellings. Orchard View Elementary School, although not centrally located in this response area could provide a suitable location and increase services to Brookneil,

Stonebrook, and Jackson Woods subdivisions as well as rural areas south on Middle Road and Cedar Creek Grade. The rural area is unlikely to attract sufficient volunteer staffing to support the facility and a minimum of one transport ambulance, an engine/tanker, and a brush truck would be necessary.

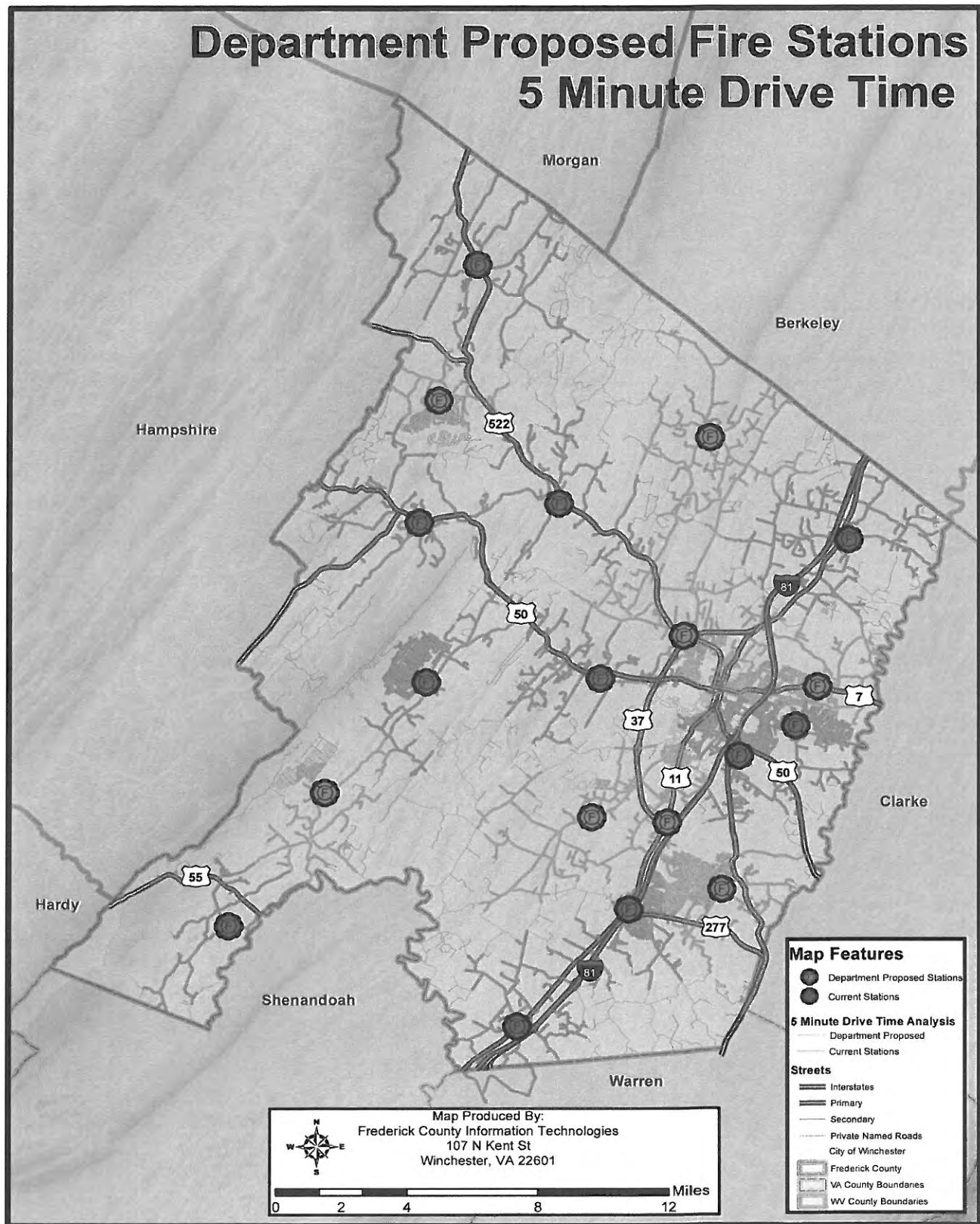
The location of each station was determined based on response area. Each of the proposed stations indicated on Figure 8 represents a 5-minute response time. They are positioned to fill gaps between existing stations, provide services where remote areas are identified and overlap so that a second due station can cover while the first due station is on an emergency. Factors to consider are the number of dwelling units, population, road conditions, and target hazards such as schools, nursing homes, daycares, and business types within the response area.

*Impacts and Outcomes if adopted*

By adopting the need for new station construction, fire suppression and EMS apparatus and equipment will continue to be strategically placed throughout the County for the prompt initiation of fire suppression and emergency medical service delivery around the clock, meeting nationally adopted response goals and staffing achievement standards as outlined in "Drivers of the Fire and Rescue Service".



Figure 8 – Proposed Fire and Rescue Station Locations



## **Station Renovations**

There are various repairs and renovations needed in several of the volunteer-owned fire and rescue stations. Over the next five to ten years, efforts should be made to improve the life safety needs of the System's facilities.

Various projects are identified below, which will require studies to determine the scope of each project, the feasibility and cost projections. Some improvements could be included within the Capital Improvement Plan (CIP). However, there is an immediate need to increase the capabilities of the stations in order to continue to effectively house apparatus, equipment, and personnel in order to provide the County with reliable 24-hour coverage.

Station renovations could be financed through a combination of lease purchase bonds or revolving loan funds, as well as available state and federal grant programs.

### **Stephens City Fire and Rescue**

Stephens City is in need of an outside ancillary building for storage. The current apparatus bays have been utilized for storage creating limited space for necessary apparatus. The additional storage buildings would be used for equipment and overflow.

### **Middletown Fire and Rescue**

Renovations of the existing open space within the Middletown Fire and Rescue Station are needed for expansion of the living quarters, offices, and training rooms. This project will expand the capabilities of the fire station to house more staff 24/7, allowing for improved emergency response. Bunkrooms need to be expanded in order to continue to support the career and volunteer staff as these areas are starting to show wear and will not allow for increased staffing.

### **Clear Brook Fire and Rescue**

The current Clear Brook Fire and Rescue Station was built in 1980 and has seen little upgrading or updating. Today, the station is no longer adequate to house the company's apparatus, equipment, and volunteer and career staff. The operating space is unsafe and cramped, and limits the services that can be provided to a growing community. The addition of new residential housing developments, commercial/retail development, and industrial developments require a facility that is capable of supporting these needed services.

It is proposed a new facility be built on the current property, and the existing building would be removed. The new building would include six apparatus bays, an administration office, eating and sleeping quarters for volunteer and career staff, as well as a banquet hall.

### **Gore Volunteer Fire and Rescue**

Gore Volunteer Fire and Rescue currently has one small bunkroom, however it is not adequate for overnight staffing and is in poor shape. There is also no female bunkroom available at this time. The current facility allows for renovations to be made to convert existing areas into male and female bunkrooms, full bathrooms, and locker rooms.



The facility has several outdated and inefficient heating systems that are in need of upgrading to one central HVAC system. The day room, current bunkroom, and the area to be renovated for the new bunkrooms / living quarters have baseboard heat and no A/C system. The social hall is also without A/C. These extremely inefficient systems are very costly, especially during the winter months. A central HVAC system would allow the building to be better used for both the career and volunteer staff.

#### Gainesboro Fire and Rescue

Renovations of the existing open space within the Gainesboro Fire and Rescue Station are needed for expansion of the living quarters, offices, and training rooms. This project will expand the capabilities of the fire station to house more staff 24/7, allowing for improved emergency response. Bunkrooms need to be expanded in order to continue to support the career and volunteer staff as these areas are starting to show wear and will not allow for increased staffing.

#### Greenwood Volunteer Fire and Rescue

Renovations of the existing open space within the Greenwood Fire and Rescue Station are needed for expansion of the living quarters, offices, and training rooms. This project will expand the capabilities of the fire station to house more staff 24/7, allowing for improved emergency response. Bunkrooms need to be expanded in order to continue to support the career and volunteer staff.

In addition to the renovation of the bunkrooms, Greenwood is in need of a new apparatus exhaust removal system. Diesel exhaust in fire stations has been and continues to be a problem for many firefighters. A diesel-powered apparatus generates exhaust whenever it leaves or returns to a station. If not properly captured, this exhaust will enter not only the apparatus bay but also the firefighters' living quarters. As a result, firefighters can be exposed to diesel exhaust for a significant portion of their shifts. Exhaust from fire and emergency apparatus can be a firefighter's most significant health risk causing multiple types of cancer. The addition of a Diesel Exhaust Removal System will decrease members, both career and volunteer exposure to this hazardous byproduct in a safe and effective way, as outlined by National Institute for Occupational Safety and Health (NIOSH).

#### North Mountain Fire and Rescue

North Mountain Fire and Rescue currently is the only station within the Frederick County Fire and Rescue system without bunkroom facilities for its members and is seeking to add a 2,640 square foot addition to the current building. The station addition would include male and female sleeping quarters, male and female restrooms and showers, new day-room, new gear racks, and additional storage and office space.

The company has seen an increase in volunteer membership, and while this growth is certainly welcome, the current facility's available space has been exhausted. By improving the facility, North Mountain will be able to staff the station during the day and in the nighttime hours in more comfortable conditions thus enhancing their ability to respond to emergencies fully staffed and in less time.



### 10-Year Non-Station Needs Assessment

The ten-year non-station facility needs assessment includes expansion of “existing program” space to include training prop facility, SCBA maintenance, fleet maintenance, and training apparatus garaging.

**Table 17 – 10-Year Estimated Non-Station Needs Assessment**

PROJECT DESCRIPTION	NET SQUARE FOOT REQUIREME	ESTIMATED CONSTRUCTION COST
<b>Regional Training Facility with Garagi</b>	20,000 – 25,000 SF	\$31,175,000 <sup>26</sup>
<b>Fleet Maintenance Facility with SCBA expansion</b>	10,000 – 15,000 SF	\$3,500,000 - 6,500,000

### Regional Training Facility with Garage

Training is the foundation for all of the other processes of fire and rescue, which requires a reliable facility and current props to facilitate education and training for volunteer and career personnel. Several of the buildings are thirty (30) plus years old and have far exceeded their life expectancy. Replacement of the aging fire and rescue training facilities currently being used by Winchester, Frederick County, Shenandoah County, Warren County, and several businesses with fire brigades and emergency responders should also be considered. In cooperation with the Rappahannock Regional Criminal Justice Academy, Middletown Campus, construction of a Regional Public Safety Training Center potentially consisting of an administrative building, burn building, training tower, vehicle driving range, shooting range, and numerous other facilities and props outside of the City of Winchester would incorporate fire, rescue, law enforcement, industrial and educational institutions located in Clarke County, Frederick County, Shenandoah County, Warren County, Winchester, State Agencies, Federal Agencies, and potentially jurisdictions within the State of West Virginia.

This project will facilitate realistic training in today’s modern environment for emergency services and industrial personnel located throughout the Northern Shenandoah Valley and expanding into the State of West Virginia. This project will reinforce existing training programs in those respective agencies and jurisdictions as well as facilitate training that is currently not available within the Northern Shenandoah Valley, which causes students and instructors to travel into the Washington Metropolitan region. This project needs to plan for a facility and props that will have afford training opportunities for future types of events and incidents with a minimum of thirty (30) year life expectancy. The number of potential personnel trained at this Training Center is potentially in the thousands based upon training statistics provided in July 2007 by the participating agencies.

The Regional Public Safety Training Center project has been in the Capital Improvements Project since 2007 but with the economic downturn, it has not been acted upon. During the past two (2) years, local engineers have condemned the Winchester Burn Building and it is not approved by the Virginia Department of Fire Programs to be utilized for certification burns. Since this process has occurred, the Training Division has to travel to one of several different burn buildings either in Shenandoah County or in Northern Virginia. While this allows the students an excellent opportunity to burn in different facilities, it is extremely personnel dependent preparing the equipment and apparatus to travel to these facilities.

<sup>26</sup> The total cost of the Regional Training Facility is based on the 2015-2016 Capital Improvements Plan.



*Impacts and Outcomes if adopted*

By adopting the ten-year non-station facility needs standard, the combined fire and rescue system will have the resources available to continue training volunteer and career providers in state of the art facilities with cutting edge equipment, facilities, and training props.

In addition to meeting the training needs of the combined system, the addition of a Fleet Maintenance Facility with room for expansion will allow for a safe, central location for regular maintenance and in-house repair of apparatus and equipment.

## **Vehicles and Apparatus**

Primary response vehicle (Engines/Ladders/Squads/Tankers/Ambulances/Brush Trucks) location is based on several factors. The demand for service and time and distance to travel to the emergency as it relates to response goals represents the driving forces for determining the placement and deployment of primary response vehicles.

Volunteer companies traditionally equip each station with two or more Engines (pumpers), and two or more Ambulances. Ladder Trucks, Heavy Squads, Tankers, and Brush Trucks are placed in companies as a single apparatus unit when the company provides these services.

Frederick County is unique in that east side is a suburban, subdivision based area, included in the County Urban Development Plan. This side of the County has available hydrants for firefighting and the terrain is less mountainous than that of the western part of the County, making emergency responses easier to access. Due to the less developed, and more agricultural western Frederick County, stations and first responders in this area have more challenges to face during emergency responses.

The differences between the areas within Frederick County mean that the required apparatus needed at each station to operate effectively differs greatly. Table 18 outlines what apparatus is needed as first line for each of the eleven existing stations, as well as a what apparatus should be considered reserve to use during maintenance of front line apparatus and during training.

**Table 18 – Front Line Apparatus Needs**

Station	Standard Apparatus in Service	Standard Apparatus Needed	Specialty Apparatus In Service	Specialty Apparatus Needed	Reserve Apparatus In Service	Reserve Apparatus Needed
<b>Stephens City</b>	1-Pumper 2-Ambulance	1-Engine/Pumper 2-Ambulances	1-Ladder 1-Brush Truck 1-Tech. Rescue 3-Boats	1-Ladder 1-Brush Truck	None	1-Ambulance
<b>Middletown</b>	2-Ambulances	1-Engine/Pumper 2-Ambulances	1-Rescue Engine 1-Brush Truck 1-Tanker	1-Rescue Engine 1-Brush Truck 1-Tanker	None	
<b>Clear Brook</b>	2-Pumpers 2-Ambulances	1-Engine/Pumper 2-Ambulances	1-Brush Truck 1-Tanker	1-Brush Truck 1-Tanker	None	1-Rescue Engine
<b>Gore</b>	2-Pumpers 2-Ambulances	1-Engine/Pumper 2-Ambulances	2-Brush Trucks	1-Tankers 2-Brush Trucks	None	
<b>Round Hill</b>	1-Pumper 2-Ambulances	1-Engine/Pumper 2-Ambulances	1-Rescue Engine 1-Brush Truck	1-Rescue Engine 1-Brush Truck	None	
<b>Gainesboro</b>	2-Engines 2-Ambulances	1-Engine/Pumper 2-Ambulances	1-Ladder 2-Brush Trucks 1-Tanker 1-Boat	1-Ladder 2-Brush Trucks 1-Tanker 1-Boat	None	1-Ambulance
<b>Star Tannery</b>	2-Engines 2-Ambulances	1-Engine/Pumper 2-Ambulances	1-Brush Truck 1-Tanker	1-Brush Truck 1-Tanker	None	
<b>Greenwood</b>	1-Engine 2-Ambulances	1-Engine/Pumper 2-Ambulances	1-Ladder/Quint 1-Brush	1-Ladder/Quint 1-Brush	1-Ambulance	1-Ambulance
<b>North Mountain</b>	2-Engines 2-Ambulances	1-Engine/Pumper 2-Ambulances	2-Brush Trucks	2-Brush Trucks 1-Tanker	None	
<b>Reynolds Store</b>	1-Engine 2-Ambulances	1-Engine/Pumper 2-Ambulances	1-Rescue Engine 3-Brush Trucks 1-Tanker	1-Rescue Engine 3-Brush Trucks 1-Tanker	None	
<b>Millwood Station</b>	1-Engine 2-Ambulances	1-Engine/Pumper 2-Ambulances	1-Rescue Engine	1-Rescue Engine	None	1-Ladder

The fire and rescue system's current fleet is starting to age and in some cases, fail. The list of out-of-service apparatus grows daily. In order to continue to provide safe and reliable emergency responses, the Service Plan recommends the County assist volunteer companies with the replacement of the following primary response vehicles as indicated in Table 19.

**Table 19 – Apparatus Replacement Table**

Apparatus Type	Location / Age
<b>Engine / pumper</b>	Stephens City / 23 Clear Brook / 14 Gore / 21 Gainesboro / 27 & 26 Star Tannery / 10 North Mountain / 20 & 14 Reynolds Store / 20
<b>Ladder Truck</b>	Stephens City / 28 Gainesboro / 32 Greenwood / 15
<b>Heavy Squad</b>	Round Hill / 19 Millwood / 17
<b>Tanker</b>	Gainesboro / 36 & 21 Star Tannery / 30
<b>Brush Truck</b>	Gore / 39 & 25 Gainesboro / 46 Greenwood / 31 North Mountain / 32 & 29 Reynolds Store / 37 & 23
<b>Ambulance</b>	Gore / 14 Gainesboro / 17 Reynolds Store / 15 Millwood / 13

#### Vehicle Replacement Standard

As the primary mission of fire and EMS vehicles is to deliver personnel and equipment to the customers, it is imperative these vehicles are maintained in a reliable working condition. There is no national standard governing the replacement of emergency vehicles. Volunteer fire and rescue companies in the County generally replace apparatus based on wear and tear, recurrent maintenance costs and active maintenance history, age of the apparatus, technology and safety changes, and available funding.

NFPA 1901, Annex D, recommends apparatus greater than 15 years of age be placed in a reserve status, if proper maintenance of the apparatus has been received, with the possibility of being refurbished in accordance with NFPA 1912.

This Service Plan recommends the following replacement standard for emergency response fire and rescue apparatus (Table 20). The driving force in making these determinations is the time period the emergency vehicle is in service, and the advancement in Fire/EMS apparatus safety elements that occurs over this time period. Additionally as the County continues to grow, requests for service will continue to increase, adversely influencing the wear and tear factor on these vehicles.



**Table 20 – Vehicle Replacement Standard (Years of Service)**

Apparatus Type	Front Line Service <sup>27</sup>	Reserve Service
<b>Engine / Pumper</b>	12	3
<b>Ladder Truck</b>	15	5
<b>Heavy Squad</b>	12	5
<b>Tanker</b>	15	5
<b>Brush Truck</b>	15	15
<b>Ambulance</b>	7	3

**Table 21 – Vehicle Replacement Standard Comparison**

Locality	Engine	Ladder	Tanker	Heavy Squad	Ambulance
<b>Henrico County, Virginia</b>	Front Line: 12 Reserve: 3	Front Line: 15 Reserve: 5	20 years total	Front Line: 12 Reserve: 3	Front Line: 7 Reserve: 1
<b>Chesterfield County, Virginia</b>	Front Line: 20 Reserve: 5	Front Line: 20 Reserve: 5	Front Line: 20 Reserve: 5	Front Line: 20 Reserve: 5	Front Line: 7 Reserve: 5
<b>Spotsylvania County, Virginia</b>	Front Line: 12-18 or 170,000 miles	Front Line: 12-18 or 170,000 miles	Front Line: 12-18 or 170,000 miles	N/A	Front Line: 8-10 or 200,000 miles
<b>Loudoun County, Virginia</b>	Front Line: 10 Reserve: 5	Front Line: 12 Reserve: 5	Front Line: 15 Reserve: 5	Front Line: 12 Reserve: 5	Front Line: 4 Reserve: 3

*Impacts and Outcomes if adopted*

By adopting the vehicle replacement standard, emergency response apparatus and vehicles will be replaced utilizing a defined plan. By adopting a plan, the companies and the County will avoid the potential accumulation of an unreliable emergency vehicle fleet.

<sup>27</sup> Vehicle age is the initial trigger for considering replacement. However, items such as wear and tear, increasing maintenance costs, safety discrepancies, unit activity level, and response area travel and road conditions may be cause for earlier replacement of a unit than that outlined in Table 21.

## Fire and Rescue Needs Assessment

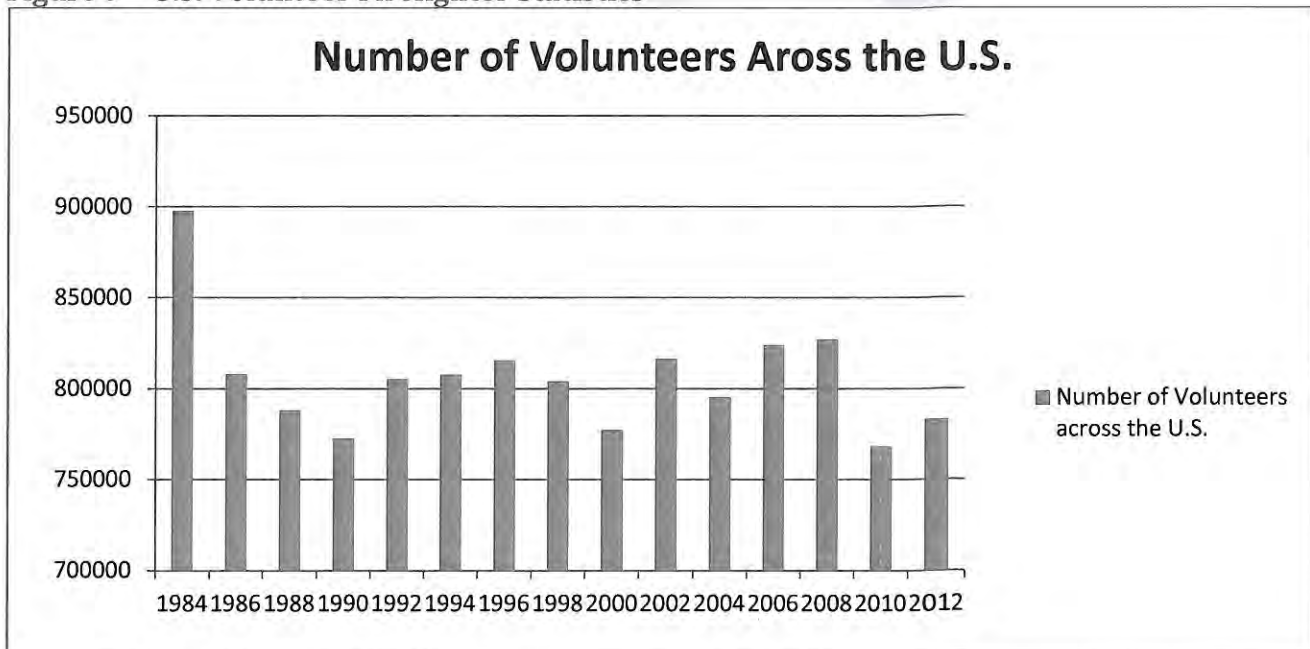
### Recruitment & Retention

According to the National Volunteer Fire Council (NVFC), volunteers make up 69% of the firefighters in the United States. Of the estimated 1,129,250 firefighters across the country, 783,300 are volunteers. Furthermore, the majority of fire departments in the United States are volunteer. Of the total 30,100 fire departments in the country, 20,050 are all volunteer; 5,445 are mostly volunteer; 1,995 are mostly career, and 2,610 are all career<sup>28</sup>. Although these numbers are quite impressive, statistics indicate that since 1984 there has been a 13% decrease in the number of volunteer firefighters across the nation (Figure 9).

Several factors contribute to the decline, including:

- Increased time demands to be a firefighter due to increased training requirements, increased call volumes, and a wider variety of services expected of fire departments;
- Less time available for individuals to volunteer due to the need for two-income families, longer commuting distances and family obligations;
- Change in attitudes among public, loss of community pride, and employers less willing to allow employees off to run calls<sup>29</sup>

Figure 9 – U.S. Volunteer Firefighter Statistics



Since 2007<sup>30</sup> the Frederick County Volunteer Fire and Rescue System has remained relatively stagnant in the recruitment of new volunteer members. There was a slight increase in membership in 2010 and

<sup>28</sup> Information obtained from NFPA, US Fire Department Profile through 2012.

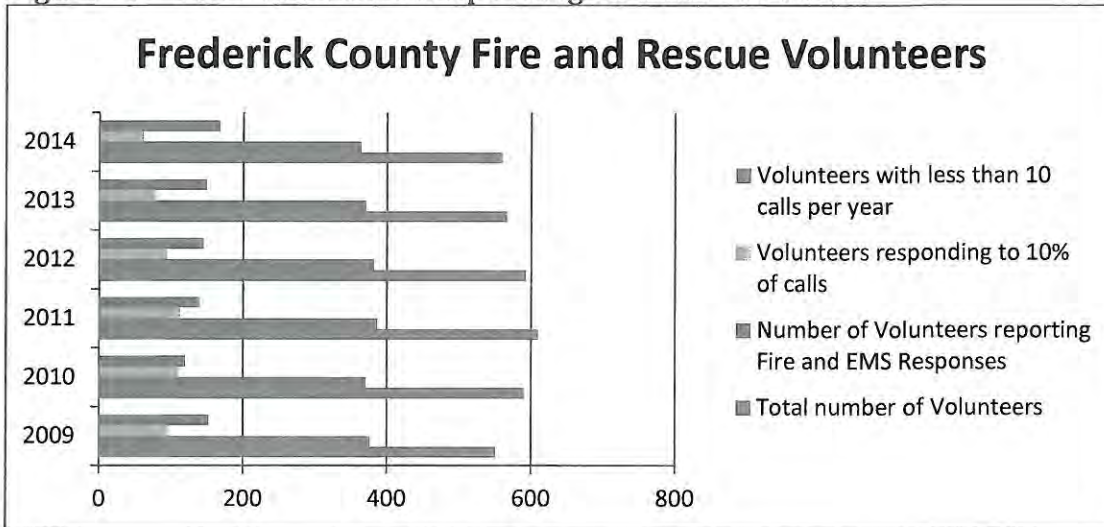
<sup>29</sup> NVFC, Retention and Recruitment in the Volunteer Emergency Services: Challenges and Solutions

<sup>30</sup> In 2007, Frederick County started to obtain more reliable information regarding the system's volunteer members.



2011; however, a decline in membership has been noted in recent years. With the increase in population expected to continue, the number of volunteers per 1,000 County residents will also start to decline. This trend will have a substantial impact upon the combination system. As the number of volunteers per capita decreases, the number of career members needs to increase.

**Figure 10 – Total Volunteers Responding vs. Total Volunteers**



As indicated in Figure 10, the number of available volunteers to respond to calls for service declines each year. In 2009, the combined system responded to 9,101 calls for service, with 150 volunteer members responding to 5% or more of their first due area's request for service. In 2014, with an increase in calls by 10% (10,017 incidents), 110 volunteer members responded to 5% or more of their station's incidents, representing a 26% decrease in volunteer responses. Nearly half of all operational volunteer members responded to less than 10 calls in 2014.

To enhance and develop the volunteer system, the Frederick County Fire and Rescue system implemented a variety of programs including a Length of Service program (LSOP) for volunteers, seminars and recruitment videos, posters, brochures, the implementation of the personal property tax reduction program, and several Local Hero discount benefits. Each was done in an effort to enhance recruitment and retention efforts. Annual recruitment efforts, although beneficial, have not increased the number of volunteers. Now the system is finding that for every one member recruited, an almost equal number are leaving the system. As the number of new members continues to decline, the total number of volunteers leaving the system will exceed the total number of new volunteers recruited into the system.

#### Impacts and Outcomes if adopted

This adopted service level would allow the Department to expand recruitment. In an effort to recruit and retain both volunteer and career members of the combination system, it is imperative to expand the original scope of work of the Volunteer Coordinator to include the career aspect of the system. Through expansion, the Department will be better served and will have a larger area to recruit both volunteers and career members into the Department.



## Planning and Administration

### EMS Coordination and Support

EMS supervisory personnel are critical components of the EMS system, as they not only provide patient-care oversight, but also serve as day-to-day liaisons with hospital staff and the Operational Medical Director (OMD), system administrative and operational officers, and integrate into the Incident Management System on incidents involving multiple medical patients, technical rescue components, and as needed on other emergency incidents. Additionally, the EMS Supervisor will ensure a day-to-day quality assurance/quality improvement program can be implemented.

### EMS Coordination and Support Drivers

- Patient care protocol compliance: the need for EMS-trained personnel to operate and perform according to established protocols for patient care is a critical element for positive system delivery. Compliance with established patient care protocols is intuitively related to the quality of the care delivered in the EMS system. The quality of care then relates to the overall quality of the system.
- Ensuring positive patient outcome: the resultant patient status following pre-hospital treatment and/or care relative to the patient's signs and symptoms are measured by the effects of the EMS system encounter. Patient outcome (patient status) can be a byproduct of the overall quality and effectiveness of an EMS system, and therefore should be measured as an indicator of quality within the system.
- Quality Improvement/Quality Assurance: the need to operate a complete quality program that includes total quality management, continuous quality improvement, and quality assessment. The program includes direct field observation by a designated medical quality officer. The observer should be of equal or higher level of training. An established "quality" program is an indicator of the system's attention to quality. An established program indicates the Department's effort toward establishing and maintaining quality within the EMS system.

The EMS Supervisor will be responsible for the day-to-day supervision and support of EMS operations in the County. The position is intended to be a supportive one in that the EMS Supervisor should endeavor to monitor and mentor the active EMS providers as well as provide guidance and structure to on-going EMS operations countywide. While a member of the command rank, the EMS Supervisor will not be disposed to assuming command unless that action is required to stabilize an evolving incident. The EMS Supervisor is more appropriately oriented to assuming specific roles inside the Incident Command System (ICS) such as Medical Branch (Patient Care), Medical Control, Triage, Treatment, Transport, Rehabilitation, etc., while working with the Incident Commander to ensure a seamless ICS is maintained resulting in multiple outcomes.

The EMS Supervisor will be an on-duty point of contact for numerous groups whose operations closely interact with EMS, including local hospitals, regional ALS coordinators, Staff Duty Officer, Communications, other command rank officers, and the OMD.

The EMS Supervisor will assist/promote appropriate training in the fire and rescue stations to address deficiencies in the system. The EMS Supervisor will be a component of the Operational Medical



Directors' quality assurance system, and should provide direct observation data to the OMD and the operations chiefs.

The Service Plan recommends the implementation of the EMS Supervisor position through day staffing (8:00 am – 4:00 pm) with the potential to increase this position to one per shift.

#### Impacts and Outcomes if adopted

This adopted service level would allow the Department to implement a day-to-day EMS supervisory component into the combined system. EMS incidents account for 73% of the total emergency responses for the system. This supervisory component would act as the initial contact regarding EMS operational system issues, as well as provide leadership and supervision to new system EMS providers, assist duty crews with equipment and supply issues, liaison with the Department's Senior Staff and the OMD, and provide direction and control regarding patient care on emergency incidents to ensure a successful pre-hospital patient outcome.

#### 1 – EMS Supervisor (New FTE)

#### Health and Safety

Safety is paramount to employee wellbeing and mitigation of liability for the County. Currently, the Department does not have a position to oversee the health and safety of our operational personnel.

The Health and Safety Officer would primarily be responsible for responding to any incident in which he/she is requested or deems appropriate for a safety officer to be present. This Health and Safety Officer would also be responsible for the following functions: Occupational Medical Program, Worker's Compensation Program, Respiratory Protection (Fit-Testing) Program, Vehicle Accidents and Personal Injury Investigation, Safety and Health Training, Risk Management Program, Facility Safety Program and Infection Control Program.

- Occupational Medical Program - 29 CFR (Code of Federal Regulations) 1910.134 OSHA (Occupational Safety and Health Administration) Respiratory Protection mandates any employee that is required to wear a respirator have a yearly medical evaluation. Furthermore, National Fire Protection Association (NFPA) 1500, Fire Department Occupational Safety and Health Program, establishes medical and physical requirements for candidates and members of the system as defined in NFPA 1582, Comprehensive Occupational Medical Programs for Fire Departments. This Health and Safety Officer is responsible for the administration of the program as well as the scheduling of pre-placement, annual and periodic physicals for all candidates and members. This position works closely with the fire department physician in cases of fitness and return to duty.
- Incident Scene Safety – The Health and Safety Officer is an integral part of the Incident Commander's Command Staff. This position is responsible for overall scene safety as well other areas as defined in NFPA 1521, Standard for Fire Department Safety Officer. In addition, CFR 1910.120, Hazardous Waste Operations and Emergency Response, (q)(2)(vii) states "The individual in charge of the ICS shall designate a safety officer, who is knowledgeable in the operations being implemented at the emergency response site, with responsibility to identify

and evaluate hazards and to provide direction with respect to the safety of operations for the emergency at hand.”

- Worker’s Compensation Program – This Health and Safety Officer is responsible for the reporting of all personal injuries in the system in accord with Title 65.2 of the Code of Virginia. Moreover, this position looks at trends and frequency and develops training programs to reduce such trends.
- Fit-Testing Program – CFR 1910.134, Respiratory Protection (f)(2), states “The employer shall ensure that an employee using a tight-fitting face piece respirator is fit tested prior to initial use of the respirator, whenever a different respirator face piece (size, style, model, or make) is used, and at least annually thereafter.”
- Vehicle Accidents and Personal Injury Investigation, Safety and Health Training, Risk Management Program, Facility Safety Program and Infection Control Program – These programs fall under the purview of two (2) NFPA standards, NFPA 1500, Fire Department Occupational Safety and Health Program and specifically NFPA 1521, Fire Department Safety Officer. This position is responsible for administering and managing these programs.

Figure 11 – Health and Safety Responsibilities



The Service Plan recommends the implementation of the Health and Safety Officer position through day staffing (8:00 am – 4:00 pm) with the potential to increase this position to one per shift.

#### Impacts and Outcomes if adopted

This adopted service level would allow the Department to implement a day-to-day Health and Safety component into the combined system. Focusing on Firefighter and EMS Provider health, safety, and wellness is critical to the success of any fire department. This supervisory component would act as the



initial contact regarding employee injuries, accidents, occupational health, and scene safety. It would also provide leadership and supervision to new system firefighters and EMS providers, assist duty crews with equipment and supply safety issues, and act as a liaison with the Department's Senior Staff and the County's Risk Manager.

#### 1 – Health and Safety Officer (New FTE)

##### Resource Management

Within the Operations Division is the Department's Resource Management Services. The mission is to provide service to the members of Frederick County Fire and Rescue, the Volunteer Fire and Rescue Association, and Frederick County. Resource Management Services receives and distributes a variety of property and equipment used by the Department in the delivery of routine and emergency fire and EMS services. Services also provided include:

- Uniform Issue
- Personal Protective Equipment (PPE) Issue
- Equipment and Supply Issue
- Radio Maintenance Support
- Breathing Apparatus Services (Fit testing, maintenance and repair of Self-Containing Breathing Apparatus)
- Warehouse Storage
- Receiving / Distribution

The Resource Management Services purchases and issues all personal protective equipment, and insures the proper fit for all Department members. This includes providing the care, maintenance, cleaning and testing of 200 sets of personal protective turnout gear. This section regularly conducts field evaluations of new equipment and gives input to NFPA guidelines on firefighter turnout gear, and stays abreast of all Federal, State, OSHA and NFPA standards as they apply to personnel protective equipment and clothing. This section also maintains required databases on protective equipment to ensure required standards are met.

Currently, one member supports the Department's Resource Management Services and is responsible for the above items and the planning and projection of the Department's future needs. In addition to this position there is one part-time member supporting the Self Contained Breathing Apparatus (SCBA) Services. The SCBA Program is responsible for the maintenance and testing of approximately 350 self-contained breathing apparatus in Frederick County. These devices enable firefighters to breathe and work in smoke filled and hazardous environments.

When the Resource Manager position was created in 1998, it was considered a part-time position, and was managed by the Fire Marshal's Secretary. At that time, the position was accountable for 22 uniformed personnel and 2 office staff. Now, sixteen years later, we have 80 uniformed personnel, seven (7) administrative staff positions, and almost 200 sets of PPE in service. This is a significant increase in personal protective equipment, uniforms, and personnel alone. The Resource Management position was responsible for ordering office supplies, basic uniform items and handling of Personal

Protective Equipment. As time went on, more duties were added such as ordering all items relating to a newly hired employee, books for the Training Division, and a broader range of equipment.

In 2007, the position of Resource Manager was officially made a full-time position. Again, more responsibilities were added, to include EMS supply and equipment orders, supply orders for the eleven Fire and Rescue Stations, and department vehicles and apparatus. The Resource Manager also handled several of the items purchased for the new Public Safety Building, also in 2007.

As the Department continues to change and grow, and as standards are updated, the Resource Management Services will have difficulty managing these changes with its current staffing levels. The Resource Management Technician would support the growing Department and would assist with improved inventory, distribution, and tracking of fire and EMS equipment and supplies.

Impacts and Outcomes if adopted

This adopted service level would allow the Department to expand its Resource Management Services to the career and volunteer members of the Frederick County Fire and Rescue combination system. Expansion of these services would allow for improved record keeping and inventory, increased evaluations of equipment and personal protective equipment, which assists with the safety and wellbeing of the Department's members.

1 – Resource Management Technician (New FTE)



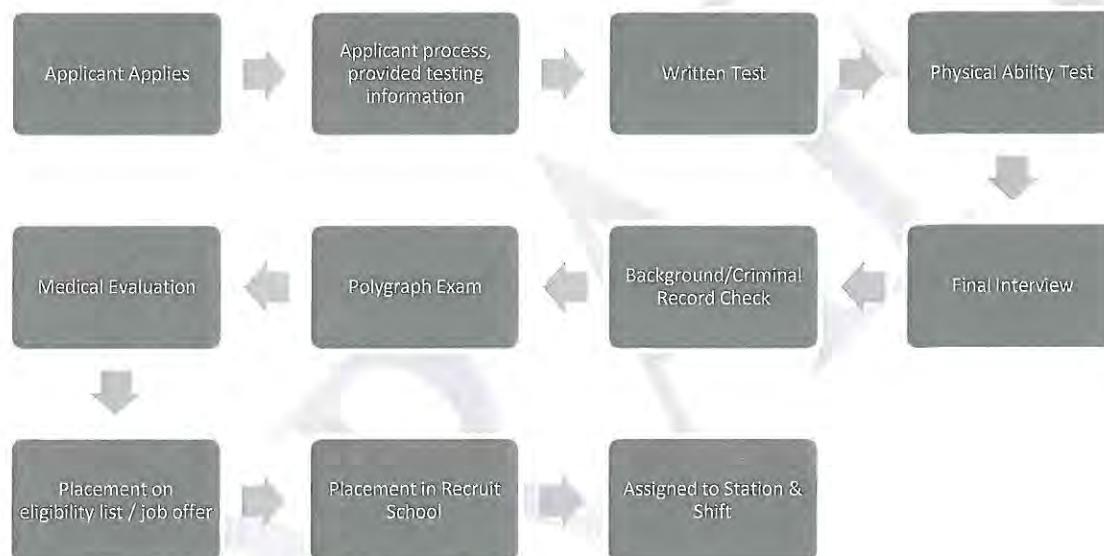
### Hiring

Applications for the position of firefighter average 50 per process. Candidate attrition throughout the comprehensive multi-faceted hiring process employed typically requires the Department to conduct two (2) hiring processes per year. Figure 12 illustrates the process in which every candidate must go through in order to be considered for employment. This practice is the foundation for the Department to hire qualified applicants.

Currently our hiring process requires applicants to meet the following qualifications:

- Virginia Department of Fire Programs or Pro-Board certified Firefighter I
- Virginia or National Registry EMT (ALS preferred)

**Figure 12 – Firefighter Application Process**



### Challenges

Based on our current hiring practices, we are faced with several challenges when it comes to hiring qualified and quality employees. We currently have no full-recruit training program, therefore we are faced with hiring only individuals with existing certifications and experience. Due to the increased competition with the Northern Virginia jurisdictions who offer full-recruit training programs, we are finding it extremely difficult to compete.

With each hiring process, we receive approximately 50 applications. Unfortunately, this number decreases quickly due to testing and certification requirements. At the time of the interview section of the process, we typically are left with less than 25% of the original applicants who have met the required criteria to meet employment. After completing the interview, background checks and polygraph exam, we are left with approximately 20% of the original applicants.

### Promotions

The position of Technician and Specialist are obtained through the Career Development Program, which outlines requirements for promotion. An employee is eligible for the next rank on their anniversary date, pending all requirements are met.

- Probationary Firefighter – First year of employment.
- Firefighter – An employee is eligible for the rank of Firefighter after completing the probationary period of one year.
- Technician – An employee is eligible for the rank of Technician after two years of employment and obtaining the requirements outlined in the Department's Career Development Program.
- Specialist - An employee is eligible for the rank of Specialist after two years at the rank of Technician and obtaining the requirements outlined in the Department's Career Development Program.

Currently, within our Department, promotional processes run annually. The rank of Lieutenant and Captain are achieved after completing a testing process and available positions within the Department. Promotional processes are laid out in the following order:

- Lieutenant – An employee is eligible for the rank of Lieutenant after two years at the rank of Specialist and obtaining the requirements outlined in the Department's Career Development Program.
- Captain – An employee is eligible for the rank of Specialist after two years at the rank of Lieutenant and obtaining the requirements outlined in the Department's Career Development Program.

Each promotional process is unique to the position it will fill and every promotional process requires a special set of standards to be applied to ensure the most qualified applicant is promoted. Figure 13 illustrates a typical promotional process.

**Figure 13 – Promotional Process**



### Administrative Support

The Fire and Rescue Department is committed to providing organizational infrastructure necessary to maintain effective delivery of emergency services, to include administrative support and procurement. Program duties include timely and fiscally responsible procurement of goods and services, effective assignment of administrative support personnel, assurance of departmental information/records management and automation. The importance of sound administrative support services is paramount to the success of field emergency operations.

The recommended structure as published in ICMA's text entitled Managing Fire and Rescue Services suggests that dedicated administrative assistants be assigned to each Departmental Division, as well as to the Department's Chief. Currently, the Deputy Chief of Training is without dedicated administrative support. Implementing such a "best practices" approach would necessitate the hiring of one (1) additional administrative support staff member, while maintaining one (1) part-time receptionist.

### Impacts and Outcomes if adopted

This service level if adopted will provide an expanded scope and improved timeliness and sophistication of all services, to include departmental strategic and service community analysis, enhanced recruitment, retention, and safety/wellness of personnel, and program-wide leadership. Current secretarial positions would be adjusted to reflect their current level of services at the Administrative Assistant positions. This would allow for upward movement within the Department. Additionally, increased support will be provided to the Training Division, which will allow for better support to the system as a whole.

- 1 – Training Division Administrative Assistant (New FTE)
- 1 – Operations Division Administrative Assistant (Promotion)
- 1 – Life Safety Administrative Assistant (Promotion)

## **Fire and Rescue Training**

In support of Frederick County's combination system, the Training Division serves the dynamic nature of the organizational structure of the Department and the Volunteer Fire and Rescue community through continuous training activities.

### Training Division Drivers

- Anticipated growth in career staffing
- New volunteer members
- "Turnover" of career and volunteer personnel
- Service delivery environment changes
- Advances in Fire and Rescue disciplines
- Student interests and participation levels in training
- New mandated requirements
- Ancillary duties in support of training delivery



### Training Standards

Currently, there are no commonly adopted standards for minimum training qualifications within the Frederick County Fire and Rescue combination system. This leads to different levels of training for fire and EMS providers and officers within the entire combination system. Having different standards for members within the same system will cause a rift between the career and volunteer members. This conflict will work against the teamwork necessary to perform fire and EMS duties in a safe and effective manner. If volunteer and career personnel are required to meet the same standards, they will have a mutual respect and trust in each other's abilities.

### Minimum Requirements for EMT Providers

- In order to provide emergency medical services in the Commonwealth of Virginia, individuals must be certified through the Virginia Office of Emergency Medical Services. Certification requirements include a minimum of 144 hours of classroom and skills instruction and 10 hours of clinical rotations. Virginia certification also requires successful completion of a standardized written and psychomotor examination. EMTs shall also possess certification in Hazardous Materials Awareness, Incident Command Systems 100, 200, 700, and 800. In addition to these requirements, in order to operate emergency apparatus, Emergency Vehicle Operator's Course for Vehicle Classes I and II must be completed.
- Enhanced (Advanced EMT) Providers  
Enhanced providers must meet the requirements outlined in the EMT Providers, and shall also obtain an additional 80 hours of classroom instruction and 48 hours of clinical rotations in Pre-Hospital Patient Care.
- Intermediate Providers  
The Intermediate program is designed to educate the technician in the following areas of pre-hospital care: preparatory skills, airway management and ventilation, patient assessment, trauma, medical, special considerations, and assessment based management. To obtain this level of certification, the Intermediate candidate must obtain a minimum of 272 hours of classroom instruction and 48 hours of clinical rotations.

In Virginia, all initial Intermediate programs are required to satisfy the testing guidelines established by the National Registry of Emergency Medical Technicians. Upon successful course completion of the course and National Registry EMT – Intermediate 99 written and psychomotor examinations, successful certification at the NREMT – Intermediate 99 level will automatically lead to a Virginia Intermediate certification. NREMT – Intermediate 99 certified technicians trained outside of the Commonwealth of Virginia must apply for Virginia reciprocity (certification) before being allowed to practice at this level. After receiving Virginia credentials, the Intermediate has the option to maintain National Registry Intermediate certification without affecting their Virginia certification; however, Virginia certification must be maintained in order to provide patient care at this level.



- Paramedic Providers

The Paramedic program expands on the skills and subjects contained in the Enhanced and Intermediate courses with a minimum of 781 hours of instruction. Of these hours, a minimum of 136 hours is devoted to extensive clinical rotations in specialty critical care units. Additional hours may be required to complete all the required competencies. Clinical rotations of this type are not usually available for lower level providers to attend. These additional clinical rotations include time spent in OR/Recovery Units, Critical Care Units, Labor and Delivery Units, Pediatrics, Emergency Department, Family Practice, Mental Health Clinics, Dialysis Clinics, Neurovascular Rehabilitation Clinics, Detoxification Units, and Extended Care Facilities.

The Paramedic program is designed to educate the technician in all areas of pre-hospital patient care. These areas include instruction in pre-hospital environments, preparatory skills, airway management and ventilation, patient assessment, trauma care, medical patient management, obstetrical/gynecological conditions, pediatric patients, neonatal care, psychiatric and behavioral emergencies, special considerations, and assessment based management.

For Virginia trained Paramedics, successful certification at the NREMT – Paramedic (NRP) level will automatically lead to a Virginia Paramedic certification. National Registry NRP certified technicians trained outside of Virginia must apply for Virginia certification before being allowed to practice at this level. After receiving Virginia credentials, the Paramedic has the option to maintain National Registry Paramedic certification without affecting their Virginia certification; however, Virginia certification must be maintained in order to provide patient care at this level.

#### Minimum Requirements for Firefighters

- Firefighter I – Shall consist of a minimum of 69 hours of classroom instruction, 75 hours of practical evolutions, as set forth by NFPA 1001-13, "Standards for Fire Fighter Professional Qualifications," and the National Board on Fire Service Professional Qualifications. The Firefighter I must possess a valid Healthcare Provider CPR certification, Hazardous Materials Operations, and certification in Incident Command Systems 100, 200, 700, and 800. In addition to these requirements, in order to operate emergency apparatus, Emergency Vehicle Operator's Course for Vehicle Classes I and II must be completed.
- Firefighter II – Shall meet the requirements of Firefighter I and continue training, consisting of a minimum of 21 hours of classroom instruction and 23 hours of practical evaluation, as set forth by NFPA 1001-13, "Standards for Fire Fighter Professional Qualifications."

#### Minimum Requirements for Volunteer Officers

The minimum requirements outlined below were developed in conjunction with the eleven volunteer companies. Requirements for EMS Officers and Fire Officers differ slightly. EMS Officers are not required to have training that carries a fire service prerequisite, such as Firefighter II. EMS Officers that do not meet the requirements of a Fire Officer would not be involved in the fire aspect of the combination system, as is the case with Fire Officers who do not meet the requirements of an EMS Officer.



- **Safety Officer:** The Safety Officer must have a working knowledge of the incident command system and understand the role of the Safety Officer within it. The Safety Officer must possess the knowledge, skills, and experience to be able to identify unsafe operations and must have solid knowledge of building construction in order to understand fire behavior and the reactions of a building when exposed to fire. The Safety Officer must be able to anticipate fire and building behavior and must possess the experience and leadership skills necessary to modify or suspend unsafe operations.
  - Requirements: Firefighter Level II, NIMS 100, 200, 700, 800, National Fire Academy Incident Safety Officer, FCFRD Building Construction and Fire Behavior Review Course or NFA Principles of Building Construction, 5 Years of Service within FCFRD system or other locality.
- **Fire Sergeant:** Sergeants are the entry-level officers first in a company's chain of command. Fire Sergeants should have a working knowledge of fire ground operations and building construction along with 2 years of service time at the Firefighter II level to gain experience to support the system. They are often the first-line Officers who are asked to resolve issues before moving to mid-level Officer. These officers will need the knowledge and skills to address the issue or take it to a higher-level officer.
  - Requirements: Firefighter II, NIMS 100, 200, 700, 800, National Fire Academy Leadership I, National Fire Academy Preparation for Initial Company Operations (PICO), FCFRD Building Construction and Fire Behavior Review Course or National Fire Academy Principles of Building Construction, Cleared Operator for all Company Apparatus, 2 Years of Service within FCFRD system or other locality. It is recommended to also have Virginia Crew Leader.
- **Fire Lieutenant:** Lieutenants are one of the mid-level supervisors in the fire service. They must possess the skills to steer the direction of their subordinates to help them reach their full potential and must be able to mitigate personnel issues professionally and effectively. Lieutenants are often responsible for operational and administrative duties and effectively operate in both roles. Lieutenants often operate as the officer in charge of a single resource unit or an operational crew and are required to make decisions that will influence how an incident unfolds.
  - Requirements: Fire Sergeant Requirements, National Fire Academy Leadership II, National Fire Academy Decision Making For Initial, Company Operations (DMICO), National Fire Academy Fire Service Supervision, minimum of EMT-B, 2 Years of Service within FCFRD system or other locality. It is recommended to also have Fire Instructor I and Fire Officer I
- **Fire Captain:** Captains are at the top of the mid-level management ladder. They must be able to delegate assignments to subordinates and ensure that those assignments are completed (both operational and administrative). The Captains often assist Chief Officers with development of strategic goals and objectives for the Company and may be asked to communicate information to company members via memorandums and general orders. Captains are often responsible for leading or assisting with company drills and training development. The Fire Captain should have



solid knowledge of the Company and FCFR operational SOP's. Captains coordinate and execute work assignments delegated by Chief Officers (both operational and administrative). Fire Captains may be required to act as the Incident Commander and direct overall incident operations in the absence of a Chief Officer and must have a solid working knowledge of the incident command system.

- Requirements: Fire Lieutenant Requirements, National Fire Academy Leadership III, Instructor I, Officer I, National Fire Academy Incident Safety Officer, National Fire Academy Strategy and Tactics for Initial Company Operations (STICO), 3 Years of Service within FCFRD system or other locality. It is recommended to also have Instructor II, Officer II, and ICS 300.
- Rescue Sergeant: Sergeants are the entry-level officers first in a company's chain of command. Rescue Sergeants should have a working knowledge of EMS operations along with 2 years of service time as an EMT to gain experience to support the system. They must be a cleared AIC in order to act effectively as an independent patient care provider. They are often the first-line Officers who are asked to resolve issues before moving to mid-level Officer. These officers will need the knowledge and skills to address the issue or take it to a higher-level officer.
  - Requirements: EMT-B or higher certification, NIMS 100, 200, 700, 800, National Fire Academy Leadership I, Cleared Attendant in Charge, Operator for all Company EMS Apparatus, 2 Years as EMT-B within FCFRD system or other locality.
- Rescue Lieutenant: Lieutenants are one of the mid-level supervisors in the fire service. They must possess the skills to steer the direction of their subordinates to help them reach their full potential and must be able to mitigate personnel issues professionally and effectively. Rescue Lieutenants are often responsible for operational and administrative duties and must effectively operate in both roles. Rescue Lieutenants may be responsible for the in-house field precepting of new EMT's. Rescue Lieutenants often work closely with the Rescue Captain to address EMS specific training needs and operational plans. Rescue Lieutenants often operate as the officer in charge of a single resource unit or an operational EMS crew and are required to make decisions that will influence how an EMS incident unfolds.
  - Requirements: Rescue Sergeant Requirements, National Fire Academy Leadership II, National Fire Academy Fire Service Supervision, 2 Years of Service within FCFRD or other locality. It is recommended to also have National Fire Academy EMS Operations within the Incident Command System, Instructor I and Officer II.
- Rescue Captain: Rescue Captains often assist Chief Officers with development of EMS specific strategic goals and objectives for the Company and may be asked to communicate information to company members via memorandums and general orders. Rescue Captains are often responsible for leading or assisting with EMS company drills and EMS training development. The Rescue Captain should have solid knowledge of the Company and FCFR operational SOP's. Captains coordinate and execute work assignments delegated by Chief Officers (both operational and administrative). Rescue Captains are often responsible for being the company liaison with VAOEMS and may be responsible for EMS fleet readiness and inspections or even the entire EMS operation at the Company level. Rescue Captains must have the ability to adapt

to a changing incident scene, change tactics if needed, and communicate suggestions and changes to the operational plan.

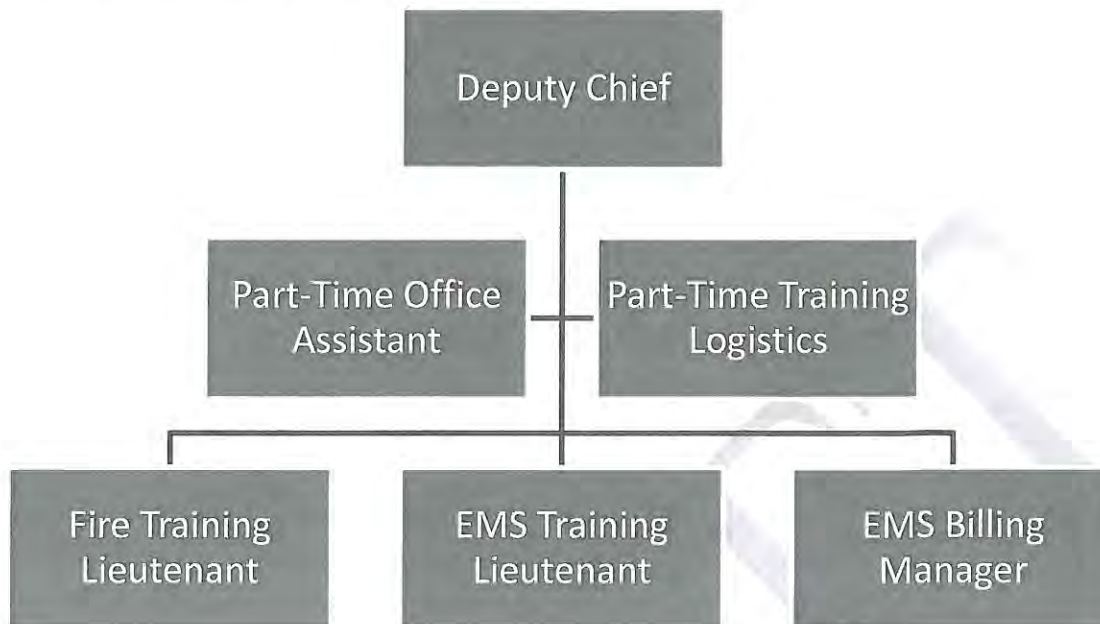
- Requirements: Rescue Lieutenant Requirements, National Fire Academy Leadership III, National Fire Academy Health and Safety Officer, 3 Years of Service within FCFRD or other locality. It is recommended to also have National Fire Academy EMS Operations within the Incident Command System, Instructor I, Officer I.
- Volunteer Chief Officers: Chief Officers are at the top of the management ladder. These officers must have a grasp of the roles and responsibilities of the officers below them so that they can effectively lead and delegate assignments when necessary. Chief Officers must be able to teach junior officers and subordinates within their company so that they can function as part of the team. Chiefs must have sufficient experience and training in order to fill the role of the Incident Commander and must possess strong decision-making skills to be applied both on the scene and within their station as they apply to incident and personnel management. Chief Officers must possess the appropriate leadership skills to develop junior officers and other personnel and prepare them for future advancement.
  - Deputy Fire Chief Requirements: Fire Captain Requirements, Instructor II, Officer II, NIMS IS-240 Leadership and Influence, 4 Years of Service as an Officer within the FCFRD system or other locality. It is recommended to also have ICS 300 and 400.
  - Assistant Fire Chief Requirements: Deputy Chief Requirements, NIMS ICS 300, National Fire Academy Awareness of Command and Control At Multiple Alarm Incidents, NIMS IS-241 Decision Making and Problem Solving, 4 Years of Service as an Officer within the FCFRD system or other locality. It is recommended to also have Officer III and ICS 400.
  - Fire Chief Requirements: Assistant Chief Requirements, Officer III, NIMS ICS 400, Years of Service as an Officer within the FCFRD system or other locality. It is recommended to also have Officer IIII and National Fire Academy Politics and the White Helmet.

#### Impacts and Outcomes if adopted

Creating a minimum training standard for volunteer officers will allow both volunteer and career officers within the combination system to be equal. Having a minimum standard for all system officers, will improve communication and teamwork efforts and assist in a common goal of saving life and property.



**Figure 14 – Current Staffing Level: Training Division**



As the Department continues to grow, the needs for additional career staffing and projected volunteer membership numbers, it is imperative that we provide the highest level of training possible locally. The dynamics of today's incidents have changed dramatically and the need for realistic, functional education and training has never been higher. In addition to providing the basic entry-level fire and EMS courses, the division supports training of driver/operators, company officers, and chief officers on the new technologies and leadership required to facilitate a combination career and volunteer fire and rescue system.

Additional Training Officers with assist the existing Training Division Staff will facilitation of the annual training plan adopted by the Frederick County Fire and Rescue Department and the Frederick County Volunteer Fire and Rescue Association. This training plan is reviewed every two years by Departmental Officers (career and volunteer), to ensure that it meets the needs of our fire and rescue system in an effort to prepare our emergency responders to respond to emergent and non-emergent incidents within Frederick County and the surrounding jurisdictions. During the past two years, the Training Division has conducted two Career Recruit Schools in addition to the training programs offered during the annual training plan, which has created an excessive workload for the existing staff. The need to conduct the Career Recruit Schools is becoming more prevalent since the potential candidates are young with very limited certifications and experience, which causes the training programs be provided to them just to bring them up to current standards required by the Department. The Department has always attempted to utilize volunteer instructors and part-time personnel to provide instruction during the Volunteer Fire and EMS Academies as well as the Career Recruit School, but the number of personnel available to assist with these training programs is becoming less and less.



The Department applied for accreditation through the Virginia Office of Emergency Medical Services for the levels of Emergency Medical Technician and Advanced Emergency Medical Technician in March 2014. Our site visit by the accreditation team is scheduled for February 2015 with the plan on conducting our first Advanced Emergency Medical Technician course at the beginning of 2016. These positions are critical to facilitating the other training programs as to allow the EMS Training Officer to concentrate on development of the curriculum and completing all of the other components that will be required through the accreditation process. Both of these positions will also assist with the coordination/instruction of the Emergency Medical Services Academy, Basic Fire Academy, Career Recruit School(s), and other training programs offered by the Training Division. The other Training Division Staff will then be able to incorporate mandated specialized training programs into the Training Program Plan and facilitate them based upon nationally accepted best practices.

With our existing Training Division Staff, we are offering over **60,000 student contact hours per calendar and/or fiscal year** for our career and volunteer fire and rescue personnel as well as personnel from surrounding jurisdictions. The existing Training Division Staff are attempting to adjust their work schedules to maintain a 40-hr work week to keep overtime to a minimum but due to increased workload and demands, lack of availability by part-time and volunteer instructors, minimum numbers of instructors per class session, curriculum revisions by state and federal agencies, and numerous other local projects, this has not happened during the past two fiscal years. These work schedule adjustments are also necessary due to the minimum number of instructors available from the Winchester Fire and Rescue Department based upon recent mandates from them, lack of instructor availability from the Frederick County/Winchester volunteer fire and rescue companies, and limited availability of full-time career staff of the Fire and Rescue Department based on current shortages of field personnel.

Delivery of initial certification training represents the “core” of the Division’s annual training calendar. However, advanced training, continuing education, and recertification programs merge with both initial certification training, and necessary specialty training, to include strategic and tactical incident management training of career and volunteer officers to collectively drive a truly comprehensive annual calendar of training programs.

Given the County’s commitment to a high performance combination system, the requirements of scheduling and conducting a comprehensive training program that ensures seamless operational capability among both career and volunteer personnel, delivered at times each of these stakeholder groups is available to participate, necessitates training 7-days a week, with weekday career training typically beginning at 8 am, and concluding with volunteer training adjournment as late as 11 pm. Such an aggressive schedule requires robust staffing resources.

In understanding the composite role of the Training Division’s staff, it is important to understand that while, in comparison to traditional public school teachers, they do “teach” – but also serve as “guidance counselors” and “tutors” to students, serve as “principals” as they schedule, supervise, and advise part-time and volunteer faculty, “librarians” and “audiovisual technicians” that maintain a comprehensive library of text and AV resources, “curriculum specialists” that develop lesson plans and associated teaching materials for new courses, “custodians” and “support technicians” that configure classrooms, clean/maintain training equipment and facilities to include the burn building and associated training

props, and perform minor repairs on AV equipment and fire- rescue hardware, and “administrative assistants” that perform their own word processing and data entry, filing, and photocopying. It is the need to balance this composite role that sees each Training Division non-supervisory staff member available to “teach” roughly 300 hours annually, with Division supervisors available to “teaching assignments” of only 250 hours per year.

#### Organizational Structure and Challenges

The Division derives much of its internal system mandate from the Department Chief and the Volunteer Fire and Rescue Association Training Committee. As part of their responsibility they provide input and direction to the Training Division to address issues or concerns in terms of service delivery, attempt to forecast the training needs of the volunteer companies within the county and evaluate current programs to ensure they meet the high level of quality desired. These initiatives reflect themselves in directing the Training Division to create new programs, increase the number of opportunities for attendance to specific programs and modify established courses in terms of content. This is done so that the capabilities of those who provide direct assistance to the community are developed to a level that is acceptable in a high performance organization.

As the County and fire-rescue system continues to grow, more demands are being placed upon our volunteer contingent. Training requirements are always scrutinized for effectiveness, efficiency, and safety. This process often leads to increasing the amount of training required in order to maintain new levels of skill and ability. While the Training Division works in conjunction with the leadership of the organization, cognizance that the average service career of the system’s volunteer members is approximately 2 years must be maintained. Accordingly, as alluded to within this plan, the Training Division must accommodate for both the continuing education of experienced volunteers and also take into account the constant influx of new volunteer personnel who require both basic and advanced training. The net effect is that although our quantity of active volunteer members remains constant, their make-up is undergoing substantial changes on a regular basis.

#### Commonwealth and National Standards

In order to satisfy the training needs, the Division conducts a considerable amount of actual course instruction throughout the year. These courses range from newly created curriculums, to refresher training sessions. This is accomplished in concurrence with already established programs that are regularly scheduled in order to meet the demands of both career and volunteer availability. Each course delivered meets the appropriate standard as it relates to that specific area of operation. For example, in our basic firefighting training, we abide by the National Fire Protection Association (NFPA) consensus standards.

The Code of Virginia provides regulatory authority to the Commonwealth’s Fire Services Board and Department of Health for governance of each locality’s training delivery:

##### **§ 9.1-203. Powers and duties of Virginia Fire Services Board;**

- The Board shall have the responsibility for promoting the coordination of the efforts of fire service organizations at the state and local levels. To these ends, it shall have the following powers and duties to develop and recommend personnel standards for fire services personnel and conduct training schools for fire service personnel in various areas of the Commonwealth;

##### **§ 32.1-111.4. Regulations; emergency medical services personnel and vehicles.**

- The State Board of Health shall prescribe by regulation: Requirements for record keeping,



supplies, operating procedures and other agency operations; Requirements, developed in consultation with the Emergency Medical Services Advisory Board, governing the certification and recertification of emergency medical services personnel.

The rules and regulations that we are required to adhere to are subject to modification at any time during the year. Recently, the Department of Homeland Security has issued a Presidential Directive (HSPD-5) that stipulates specific activities that must be undertaken by local governmental agencies in order to receive any future federal financial assistance for emergency preparedness issues. One of the activities outlined was to make certain that personnel receive specified training in National Incident Management Systems. This places a large burden on the Training Division in the sense that while we are expected to accomplish this objective, we are still held accountable to maintain our current level of internal training course deliverables. It should also be understood that as our Department grows and greater demands are placed upon the Division, we will have to accommodate changes in requirements from organizations such as the NFPA, DHS, OSHA, Virginia Department of Fire Programs, Virginia Department of Emergency Management (VDEM), Virginia Department of Health (VDH), Virginia Department of Labor and others who have jurisdictional oversight authority to implement policies as they deem prudent.

Another facet commonly overlooked in program development is maintenance. The above-mentioned agencies not only require certain parameters be met for initial certification but also have specific procedures that must be complied with in order to maintain the initial certification. This is especially true when we examine our EMS component. Whether the certification is at the basic or the more difficult advanced level, each has a required number of continuing education hours attached. These include not only didactic classes but practical skill evaluations as well. These requirements will continue and most probably be enhanced as we continue to improve upon our service delivery and extend our capabilities.



**Figure 15 – Enhanced Staffing Level: Training Division**



**Impacts and Outcomes if adopted**

This service level, if adopted, will allow the Department to expand and improve training delivery to the combination system. These two positions will assist the existing Training Division Staff will facilitation of the annual training plan adopted by the Frederick County Fire and Rescue Department and the Frederick County Volunteer Fire and Rescue Association.

2 – Training Officers (New FTE)

**Fire and EMS Academies**

The Training Division has conducted 13 Basic Fire Academy's since 2002 plus an additional three (3) Firefighter Level I courses and three (3) Firefighter Level II courses graduating a total of 488 firefighters since its inception. The Academy runs from September through April of each fiscal year with students attending class sessions on Monday and Wednesday nights, Saturdays, and some Sundays. The Basic Fire Academy provides the following certifications to personnel that complete the Academy: Basic Life Support for Healthcare Providers, Firefighter Level I, Firefighter Level II, Mayday! Firefighter Down! Awareness and Operations, Rapid Intervention Team (RIT) Training, Hazardous Materials First Responder: Operations, Vehicle Rescue Awareness and Operations Course, National Incident Management System (NIMS)-An Introduction, National Response Framework (NRF)-An Introduction, and Basic Incident Command System for the First Responder. These certifications and other ancillary

education/training provide the framework to allow the new firefighters to be functional during emergency responses.

The Training Division has conducted six (6) Emergency Medical Service Academy's since 2009 graduating a total of 155 emergency medical technicians since its inception. The Academy runs from September through April of each fiscal year with students attending class sessions on Monday and Wednesday nights, Saturdays, and occasional Sundays. The Emergency Medical Services Academy provides the following certifications to personnel that complete the Academy: Basic Life Support for Healthcare Providers, Emergency Medical Technician, Hazardous Materials First Responder: Awareness, Pediatric Education for Pre-Hospital Professionals – BLS, Geriatric Education for Emergency Medical Services – BLS, Mass Casualty Incident Management Levels I and II, Vehicle Rescue Awareness and Operations, National Incident Management System (NIMS)-An Introduction, National Response Framework (NRF)-An Introduction, and Basic Incident Command System for the First Responder. These certifications and other ancillary education/training provide the framework to allow the new EMS providers to be functional during emergency responses.

Both of these academies also provide the students with the knowledge, skills, and abilities related to the fire and rescue service as well as give them a historical perspective of the national, regional, and local fire and rescue services. These academies also provide foundational life experiences for these individuals that will also assist them in their personal lives as well. Some of these experiences include: learning how to treat people, learning how to address officers and members of the fire and rescue service, the importance of time management, preparing for educational experiences in various learning environments, cooperation and collaboration, actively participate in all aspects of the educational experiences, learn about yourself, learn about other personnel on your team, and learn the foundation components of the fire and rescue service. The Training Division's motto is "Live to Train . . . Train to Live!"

#### Recruit School

Another aspect of the organizational influence upon training deals with our capabilities to effectively train the career firefighter/EMTs. As more and more volunteer stations ask for staffing assistance, we will need to meet this request with trained personnel. This increase can be seen in recent Board requests, which have authorized additional hiring's, as a means to meet both community and system demands. The Training Division has conducted four (4) Recruit Schools since 2004 to educate and train new employees for the Department. These Recruit Schools ranged from 10 to 14 weeks based upon identified needs of the Department as well as previous experience of the recruits. Based on feedback from staff, instructors, and recruits from Recruit School #4, the need to conduct a full twenty two (22) week Recruit School for new employees is necessary for future Recruit School programs. The amount of education, experience, and certifications that potential new employees have today is greatly decreased from previous hiring times for the Department. This full Recruit School will provide each recruit with essential basic training in emergency medical care, fire suppression operations, hazardous materials mitigation, and specialized rescue incidents. In conjunction, several additional classes are held to enhance the recruit's capabilities to better serve the community with training in areas such as hazardous material operations and car safety seat installations.

#### Impacts and Outcomes if adopted

This service level, if adopted, would allow the Department to expand the current recruit school to an entry-level training program, allowing more interested individuals to qualify for positions within the Department. Currently, new employees must already possess fire and EMS certifications and experience, greatly decreasing the number of individuals who can apply for the position of Firefighter/EMT within the Department. A full recruit program would allow the Department to expand and improve emergency training and delivery to the combination system.

#### Operational Training

The Training Division is still charged with the responsibility to see to it that training continues out in the field. In order to accomplish this, the Division develops and oversees the Shift Training Program that allows each of our career personnel and any interested volunteer personnel to attend scheduled training eight (8) hours per month over a period of three (3) days. The purpose of this program is to ensure that personnel receive all of the mandated training (OSHA Hazardous Materials and Respiratory Protection), Virginia Office of Emergency Medical Services continuing education for EMS Providers required to maintain their EMS certification, annual "live fire" training, annual Rapid Intervention Team (RIT) drills, and identified needs of the Department. In addition to the Shift Training Program, the Training Division assists the Operations Division with structured educational deliveries to assist the station officers with their planning activities and to make certain that a standard variety of topics are addressed and trained upon in each of the battalions. The program helps with not only administering a consistent level of training but ensuring that all stations receive the same training opportunities. This method also encourages the various companies to work together in a training environment to improve their efficiency and team building skills.

#### Regional Public Safety Training Center

This project will facilitate realistic training in today's modern environment for emergency services and industrial personnel located throughout the Northern Shenandoah Valley and expanding into the State of West Virginia. This project will reinforce existing training programs in those respective agencies and jurisdictions as well as facilitate training that is currently not available within the Northern Shenandoah Valley which causes students and instructors to travel into the Washington Metropolitan region. This project needs to plan for facilities and props that will afford training opportunities for future types of events and incidents with a minimum 30-year life expectancy. The number of potential personnel being trained at this Training Center is potentially in the thousands based upon training statistics provided in July 2007 by the participating agencies.

The Regional Public Safety Training Center project has been in the Capital Improvements Project since 2007 but with the economic downturn it has not been acted upon. During the past two (2) years, the Winchester Burn Building has been condemned by local engineers and it is not approved by the Virginia Department of Fire Programs to be utilized for certification burns. Since this occurred, the Training Division now travels to one of several different burn buildings either in Shenandoah County or in Northern Virginia. While this allows the students an excellent opportunity to burn in different facilities, it is extremely personnel dependent preparing the equipment and apparatus to travel to these facilities.



The Regional Public Safety Training Center is proposed to be located in the area central to the region which is the Middletown area of Frederick County. This area will facilitate necessary access by all participating agencies and jurisdictions as well as be incorporated into the existing facilities of the Lord Fairfax Community College and the Rappahannock Regional Criminal Justice Academy – Middletown Campus. The Training Center will require between 80 to 100 acres to facilitate the required buildings, associated props, and ancillary training areas. The exact size, square footage, and capacity of the buildings, associated props, and training areas will be determined by a training needs assessment based upon today's fire and rescue educational needs as well as projected needs for the next 10 to 30 years, but is expected to be between 20,000 and 25,000 square feet. The design features will also be based upon best practices utilized by other public safety training centers across the Commonwealth of Virginia and United States. This project will take several years to complete due to the various identified needs and is expected to be implemented in three (3) phases.

The needs and suggestions for the Training Center building, facilities, and props include: an administration building capable of eight (8) classrooms, auditorium for large class sessions, offices for staff and instructors, reference library, media duplication editing and storage, training storage, physical training facility, locker rooms and shower facilities; a high bay area to facilitate storage of training materials and props, simulation areas related to different residential complexes, and numerous other usages; a Class "A" burn building with capabilities of residential and commercial type occupancies up to four (4) stories in height, capabilities of firefighting operations in single and multi-family dwellings; a training tower up to six (6) stories in height designed for interior and exterior operations, capabilities of sprinkler and standpipe operations, search and rescue operations, stairwell operations, law enforcement tactical operations, and low-angle/high-angle technical rescue operations; candidate physical ability test building to conduct pre-employment physical agility testing; emergency vehicle operator's course driving range for Class 1 through Class 3 vehicles; driving range and skid pad for law enforcement driving exercises; shooting range for initial certification, requalification, and specialized operations for law enforcement operations; and many, many additional training props to facilitate educational processes for emergency responders.

#### Impacts and Outcomes if adopted

This service level, if adopted, would allow the Department to offer modern facilities and props to train emergency responders and industrial personnel for response to incidents. It is becoming more apparent every day, with the increased diversified population, number and type of residential and commercial buildings, and the mandated requirements for fire and rescue services, that a regional training facility is necessary to provide the citizens of Frederick County the best protection possible.

## Life Safety-Fire Marshal's Office

The Fire Marshal's Office is dedicated to protecting the lives and property of residents, businesses, visitors and first responders from the devastating consequences of fire, explosions, and hazardous materials throughout Frederick County. The cumulative efforts of inspections, investigations, and innovation by the Fire Marshal's Office helps prevent emergency incidents, foster sustainable economic development, reduce firefighter injuries, and increase the quality of life in Frederick County.

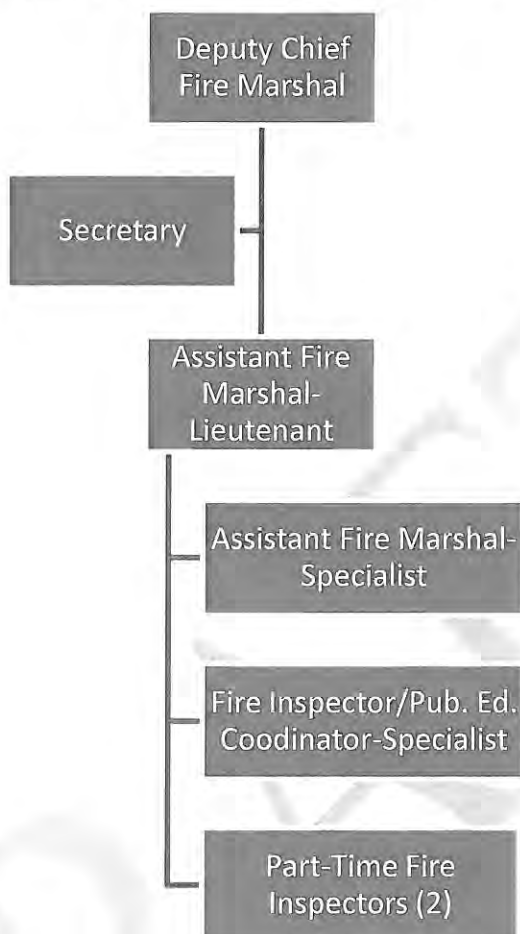
It is the objective of the Fire Marshal's Office (FMO) to inspect all commercial and retail space located in Frederick County at least annually, as recommended by the Virginia Statewide Fire Prevention Code. Currently, approximately 5,400 retail, commercial, and home-based properties are by Code subject to regular fire prevention inspections. Of those annual inspections, 75% will generate at least one re-inspection. According to the Winchester-Frederick County Economic Development Commission, 40% of our businesses are high quality manufacturers or heavy industrial operations, which pose a high fire risk.

As the County continues to add residential development, commercial, and business growth is projected to grow as well. Staffing levels in the Fire Marshal's Office has not changed since 2005; however, the county's population has continued to grow at an average rate of 30% every 10 years according to the Frederick County Planning Department.

### Fire Marshal's Office Drivers

- Virginia Statewide Fire Prevention Code
- Frederick County Fire Prevention Code
- National Fire Protection Agency (NFPA) Standards
- Inspections: annuals and new construction
- Code of Virginia: Section §27-31 requires the fire marshal or his designee to conduct an origin and cause investigation into every fire and explosion in the jurisdiction of authority.
- Explosives/Accelerant Canine Program
- Public Education
- Plans Review
- Permits
- FOIA Requests and records management

**Figure 16 – Current Staffing Level: Life Safety/Fire Marshal**



**Restructure of the Life Safety Division**

The proposed enhanced staffing levels would allow the Fire Marshal's Office to meet the requirements of the Virginia Statewide Fire Prevention Code, Frederick County Fire Prevention Code, and the NFPA Standards and thus would allow for the restructuring of the Division to have a Code Enforcement Branch and an Investigations Branch. Each branch can concentrate on their specific responsibilities and provide a more customer service orientated approach to completing the tasks required of the office and our commitment to ensure the daily life safety of our residents and visitors of Frederick County will be the forefront of our future endeavors and goals.

**Impacts and Outcomes if adopted**

An additional supervisory role within the Life Safety Division will allow for better coordination and support between the two branches. This additional position will allow for increased span of control and would serve as the Deputy Fire Marshal, and in the absence of the Deputy Chief Fire Marshal, this position would serve at the Division supervisor.

1 – Deputy Fire Marshal (New FTE)



### Inspections and Permits

With the adoption of the Virginia Statewide Fire Prevention Code in 2012, one of the objectives within the code is to have 100% of all commercial and retail properties inspected annually. There are approximately 5,400 retail and commercial/home-based properties that are, by code, subject to fire prevention inspections. The current staffing levels afford us the ability to complete approximately 20% of the required inspections. In the last five years, nearly 1,700 inspections have been completed. At present, our Full-Time Inspector also reviews plans and acts as the Public Education Coordinator. With increased staffing levels, our goal would be to increase the number by an additional 60%.

Annual inspections are done on existing occupancies ensuring that sprinkler and fire alarm systems, fire extinguishers, paths of egress, exit signs, and emergency lighting are in place and able to operate as they are intended. New construction inspections include hydrostatic testing, sprinkler, fire alarm, fire suppression systems (mechanical hood systems), and fire lanes. In addition, we also inspect tents, commercial burn sites, blasting sites, trucks carrying explosives, explosive storage, fireworks sales and display and final occupancy inspections. Currently, annual inspections are scheduled and prioritized to include high life hazard, schools, daycares, nursing homes, places of assembly; significant dollar loss potential, retail, large industrialized facilities, etc.

Currently the Fire Marshal's Office requires a permit for the use of explosives/blasting, storage of explosives/blasting agents, fireworks display, firework stand and for non-agricultural burning. The Virginia Statewide Fire Prevention Code authorizes the Office of the Fire Marshal to require an operating permit (i.e., Fire Prevention/Life Safety Code Permits) for activities, processes, and occupancies regulated by the Fire Prevention Code. Once issued, Fire Prevention/Life Safety Code Permits allow the permit applicant to (i) conduct activities involving the handling, storage, or use of substances, materials or devices regulated by the Fire Prevention Code, (ii) conduct processes regulated by the Fire Prevention Code which produce conditions hazardous to life or property, (iii) and/or to establish a place of assembly. Operational permits would also be issued for the closure of fuel storage tanks (i.e., remove or abandon in place).

### Impacts and Outcomes if adopted

Our proposed Life Safety/Fire Prevention Permit Fee Schedule will generate revenue, which will offset the costs of additional staffing. By expanding our inspection services to include life safety/fire prevention operational permits, that many area jurisdictions already require, we will improve the overall fire and life safety to our county citizens, visitors, firefighters, and provide additional education to the business owners. The addition of one Permit Technician to support plans review and inspections will assist staff with the division permitting process, billing and information management of inspections.

It is important for the safety of Frederick County citizens, businesses, and first responders that these locations are inspected and found to be in compliance with the specific requirements set forth by the Fire Prevention Code. The collection of Fire Prevention/Life Safety Code Permit fees would generate revenue to offset operational costs associated with the Fire Marshal's Office.

This service level will increase fire inspection rates to approximately 75% of properties. Additionally, inspection and investigative staff will continue to assist customers processing FOIA and due-diligence requests, as well as manage time between enforcement, investigative and hazardous device inspections and responses.

- 2 – Assistant Fire Marshal/Fire Inspector (New FTE)
- 1 – Permit Technician (New FTE)
- 1 – Civilian Fire Inspector (New PTE)

#### Investigations

The Code of Virginia §27-31 through §27-31.1 requires the Fire Marshal to investigate all reported fires and explosions. Some of the investigative requirements include fire origin and cause determination, scene documentation, witness interviews, investigation of explosive incidents, hazardous materials incidents, executing searches, and providing expert testimony in the criminal court system. Determining and understanding the cause of these fires is vital to the safety of the community so that preventive measures may be strengthened and unlawful acts prosecuted. Due to current staffing, inspections are often interrupted by investigations causing the need to prioritize workload.

Investigators will conduct investigations on all fires and/or explosion incidents and will pursue criminal investigations on all incidents involving suspicious or illegal fire or explosive-related activities. As population, housing, and commercial business increases, the investigation of fires, improvised explosive devices, and environmental offenses will also increase.

The maintenance of certifications for all of the professional staff within the Fire Marshal's Office is significant. In addition to maintaining Firefighter/EMT certification, additional training in Fire Inspection, Plans Review and Code Updates, Investigations, Interviews, and Report Writing are required. This additional training must be maintained and annual updates are required to continue with law enforcement certification.

#### Impacts and Outcomes if adopted

Increased staffing will allow the Fire Marshal's Office to respond to and investigate a larger number of fires, explosive, and environmental incidents within Frederick County. It would also allow for better expansion of the Canine Program. The additional staffing will assist with the required after-hours on call time for any life safety issues that may arise within the jurisdiction.

Additionally, inspection and investigative staff will continue to assist customers processing FOIA and due-diligence requests, as well as manage time between enforcement, investigative and hazardous device inspections and responses.

- 1 – Assistant Fire Marshal/Investigator (New FTE)

#### Public Education

The delivery of public education must remain a priority for the Department. Currently our full-time Inspector splits his time between inspections, plans review, and public education, which involves the development, coordination, and delivery of life safety presentations. As the population of the County

increases, the demand for public education also will increase. Programs are directed at specific audiences such as children, senior citizens, community groups, and commercial businesses. Each group has special needs and thus must be evaluated appropriately in future plans for public education programs. It will be imperative for the Department to continue to deliver this proactive means of fire and accident prevention. This function will become more critical as residents will demand to know more about safety and emergency procedures for all types of threats, including terrorism.

In the past, our Public Education Program was able to rely on assistance with program delivery from the Operational members of the Department. Unfortunately, the increase in fire and EMS responses, and the decrease in the number of active volunteers has made it virtually impossible to make direct program delivery to all citizens.

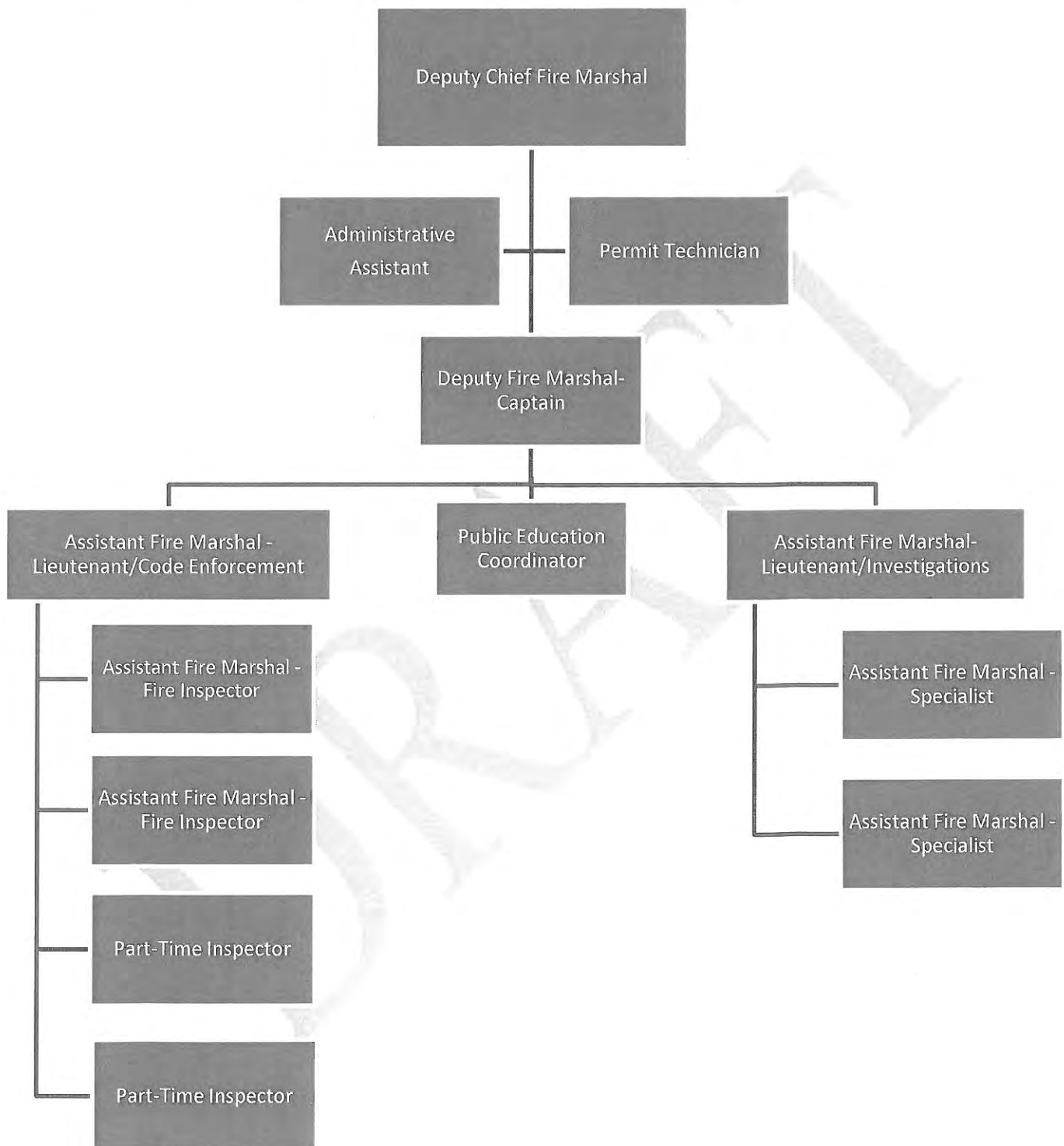
*Impacts and Outcomes if adopted*

The Public Education Coordinator will address the desire for increased opportunities to engage with the community and raise public awareness of fire prevention programs. The number of requests for life safety education from civic organizations, private businesses, public and private schools are steadily increasing. At present, we are reaching approximately 5% of our population, with additional staffing we would be able to increase the number of people we are able to educate.

1 – Public Education Coordinator (New FTE)



**Figure 17 – Enhanced Staffing Level: Life Safety/Fire Marshal**



K



MEMORANDUM

**TO:** Board of Supervisors

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

**SUBJECT:** Public Works Committee Report for Meeting of June 30, 2015

**DATE:** July 1, 2015

---

The Public Works Committee met on Tuesday, June 30, 2015, at 8:00 a.m. All members were present except Gary Lofton. The following items were discussed:

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

1. Request From the Building Official for Part-time Inspector

The committee reviewed and unanimously endorsed a request from the Building Official, John Trenary, for a supplemental appropriation in the amount of \$15,000 to fund a part-time inspector to cover the absence of an inspector who will be on medical leave for a period of eight (8) to 12 weeks. The attached memorandum dated June 22, 2015 highlights the justification for this request. (**Attachment 1**)

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

1. Discussion of County Meeting Space User Fee

Assistant County Administrator, Mr. Kris Tierney, presented the results of an evaluation of the possibility of charging a fee for the use of county space by outside agencies/groups. The attached memorandum dated June 12, 2015 and associated correspondence summarizes the results of his research which was requested by the board of supervisors. After reviewing and discussing these results, the committee concluded that there was not sufficient use of the county space at this time to justify the implementation of fees. The committee suggested that this subject could be revisited at a later time if the use increased substantially. (**Attachment 2**)

2. Revenue Summary for Current Fiscal Year

The director of public works presented a tabulated summary of the anticipated revenue for the Fiscal Year 2014/2015. Of particular note was that the revenue generated by the inspections department



# Public Works Committee Report

Page 2

July 1, 2015

exceeded the expenditures for the first time since Fiscal Year 2006/2007. (**Attachment 3**)

3. Miscellaneous Reports
  - a) Tonnage Report  
(**Attachment 4**)
  - b) Recycling Report  
(**Attachment 5**)
  - c) Animal Shelter Dog Report  
(**Attachment 6**)
  - d) Animal Shelter Cat Report  
(**Attachment 7**)

Respectfully submitted,

Public Works Committee

Gene E. Fisher, Chairman

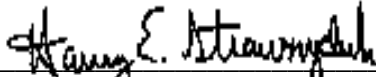
David W. Ganse

Gary Lofton

Whit L. Wagner

Robert W. Wells

James Wilson

By 

Harvey E. Strawsnyder, Jr., P.E.

Public Works Director

HES/rls

Attachments: as stated

cc: file



## COUNTY of FREDERICK

---

### Inspections Department


John S. Trenary, Building Official

540-665-5650

Fax 540-678-0682

### MEMORANDUM

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

**FROM:** John S. Trenary, Building Code Official 

**SUBJECT:** Funding Request of Part-Time Inspector Position

**DATE:** June 22, 2015

---

The Building Inspection Department is requesting a supplemental appropriation of \$15,000 to fund the services of a Part Time Inspector. The part time Inspector will be required to cover the absence of a Senior Inspector who will be on medical leave for a period of eight to twelve weeks.

The Inspection Department has shown an increase of permit activity and revenue through FY14/15 that relates to an upcoming increase in inspections / work activity which will extend into the next fiscal year. The increase in inspection activity is the basis for requesting the part-time inspector to cover the temporary loss of a Senior Inspector.

Thank you for consideration in this matter.



COUNTY of FREDERICK

MEMORANDUM

Kris C. Tierney  
Assistant County Administrator

540/665-5666  
Fax 540/667-0370

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

**TO:** Public Works Committee  
**FROM:** Kris C. Tierney, Assistant County Administrator *KCT*  
**RE:** County Meeting Space Use Fee Discussion  
**DATE:** June 12, 2015

---

The Board of Supervisors recently requested that the Public Works Committee evaluate the possibility of charging a fee for use of County meeting space by outside agencies/groups. Staff had considered this prospect a few years ago but, ultimately, determined that the level of demand for use of the space was not sufficient to warrant the effort to establish and charge a fee.

Generally, the area which receives the most use is the first floor meeting space at the Public Safety Building (PSB), followed by the first floor conference room at 107 North Kent (the "purple room") or the Board meeting room. Currently, in addition to there being no fee for use of meeting space, we also have no central reservation process.

What had been contemplated when we last looked into a fee structure was having our Parks and Recreation Department handle the requests as they already do so with other County facilities.

Staff is seeking guidance on how and whether to proceed with a possible fee structure.



## REQUEST FOR USE OF MEETING SPACE

Any individual or organization wishing to utilize meeting space at either the County Administration Building (107 North Kent Street) or the Public Safety Building (located at 1080 Coverstone Drive) must complete the attached reservation form and submit it at least 2 weeks prior to the date of the desired event or activity. **The form should be submitted to the Frederick County Department of Parks and Recreation, located on the 2<sup>nd</sup> floor of the County Office building either in person, or by mail addressed to the Frederick County Parks and Recreation Department, 107 North Kent Street Winchester Virginia 22601.** Reservation are taken on a first come, first serve basis and are only accepted following satisfactory completion of all associated approvals. *Please note the requested for use is not approved unless, or until the completed reservation form is signed by Fredrick County.* The following restrictions and requirements should be noted:

- Frederick County and its representatives reserve the right to freely access all meeting space at all times
- Frederick County reserves the right to revoke a meeting space use permit at any time
- The use of tobacco products and alcoholic beverages on County property is strictly prohibited
- Meeting space is generally available Monday through Friday between the hours of 8:00am and 10:00pm.
- In the event an approved reservation is canceled, notification must be given at least twenty-four (24) hours prior to the scheduled time or the reservation fee is forfeited. *Exceptions may be made for cancellations resulting from inclement weather.*

Questions regarding the reservation process should be addressed to Stacy Herbaugh @ (540) 665-5678, or by email to: [sherbaug@co.frederick.va.us](mailto:sherbaug@co.frederick.va.us)



## REQUEST FOR USE OF MEETING SPACE

Sponsor(s)/Organization(s): \_\_\_\_\_

Address of Sponsor(s)/Organization(s): \_\_\_\_\_

Name(s) of Contact Person(s): \_\_\_\_\_

Phone Number(s): \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Reservations are taken on a first come, first served basis, regardless of the nature of the activity. We ask for the nature of the activity only to ensure that appropriate arrangements for the activity are made, except that uses involving primarily sales or commercial activities may be limited.

Date requested: 1<sup>st</sup> Choice \_\_\_\_\_ 2<sup>nd</sup> Choice \_\_\_\_\_

*Requested time* (including set-up and take-down times): Begin time: \_\_\_\_\_ End time: \_\_\_\_\_

**Area(s) requested:**    ☐ Community Room                  ☐ Board Room                  ☐ Conference Room  
                                    (Public Safety Bldg.)                                 (107 North Kent Street)

*Describe the nature of the activity:*

1. *My favorite animal is a dog.*  
 2. *I like to play soccer.*

Number of persons, including organizers and vendors, anticipated to be in attendance: \_\_\_\_\_

Will vendors be present? ☐ Yes ☐ No

If Yes, list vendor name(s), address(es), and contact information (be sure to indicate if you, as the sponsoring organization(s) or individual(s), will be selling any goods or services):

10.  $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$   $\frac{1}{4} \times \frac{1}{4} = \frac{1}{16}$   $\frac{1}{16} \times \frac{1}{16} = \frac{1}{256}$

Will tables and chairs be needed? ☐ Yes ☐ No

If yes, how many of each?

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Will amplification equipment be used? ☐ Yes ☐ No

If yes, describe equipment being used and indicate times of use:

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### Insurance Requirements

Outside groups requesting use of county facilities are generally required to have a general liability insurance policy. The County may request either a Certificate of Insurance (signifying group has general liability coverage) and/or that the County be named as "an additional insured" on the groups general liability policy. The county may waive one or both requirements, at its discretion.

Groups and or activities with high risk for personal injury will require that the county be named as "an additional insured" on the group's general liability policy.

The liability limits for the group's insurance policy will be reflective of the nature of the use/activity. High risk activities will require a general liability policy with minimum limits of \$1,000,000. In such instances the sponsor(s)/organization(s) must provide a copy of a Certificate of Insurance listing Frederick County, Virginia as an additional insured.

☐ Copy of insurance certificate attached.

### Use Fee

A base fee for custodial services plus an hourly fee for any hours in excess of a three-hour base will be charged for facility use. Payment of the appropriate amount should be submitted with this request form. Checks may be made payable to the Treasurer of Frederick County.

### **Fee Schedule**

Meeting space	Base fee						Extra Hourly Charge
	For-profit group		Non-profit group		Outside Government Agency		
	full day	½ day	full day	½ day	full day	½ day	
107 North Kent St.							
1 <sup>st</sup> fl. conference room	\$50	\$25	\$25	\$15	\$15	\$10	\$20
Board Meeting room	\$150	\$75	\$50	\$25	\$30	\$15	\$35
Public Safety Bld.							
Community room	\$150	\$75	\$50	\$25	\$30	\$15	\$35

\* ½ day = 4 hours or less

The undersigned and the above-named organization, jointly and severally, agree to be responsible for the terms of this agreement, including the payment of all fees, expenses, damages to premises and further agree to indemnify and hold Frederick County, its agents, servants, and employees harmless from any legal liability, injury or damage to any person or property in connection with the use of the County property. The undersigned certifies that he/she has read and understands the rules and regulations of the County for Community Use of County Property and that such rules and regulations will be enforced. The undersigned further acknowledges that the fees shown are estimated fees and that they are responsible for any changes that may be assessed due to the actual use of facilities, equipment, and personnel. If a certificate of insurance is required, the County must be named as an additional insured.

By signing and submitting this application, the sponsor(s)/organization(s) agree that, if approval to use the property is granted, they will permit duly authorized agents of Frederick County and/or the City of Winchester, including local, state, and federal law enforcement personnel, to enter upon the property at any time before, during, and after the event.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name and Title (if applicable) of Person Signing: \_\_\_\_\_

**Submit form with payment to the Frederick County Department of Parks and Recreation,  
107 North Kent Street, 2<sup>nd</sup> floor, Winchester Virginia 22601.**

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**FOR OFFICE USE ONLY**

Date Received: \_\_\_\_\_

Fee Amount Received: \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Facilities Manager Signature \_\_\_\_\_

Comments and/or explanation of denial: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

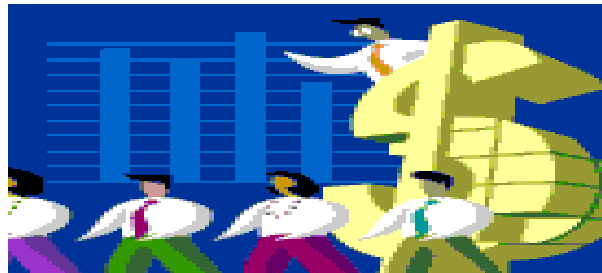
# Public Works Budget/Staff Summary – FY 2015

BUDGET	STAFF FULL TIME	STAFF PART-TIME	PROPOSED EXPENDITURES	PROJECTED REVENUE
Inspections	14	----	1,167,043	1,241,134
Engineering	4	----	386,638	338,000
Shawneeland	6	---	1,194,093	1,194,093*
Refuse Collection	2	20	1,261,633	250,700
Refuse Disposal	----	----	331,662	66,000
Litter Control	----	1	29,384	15,515
Landfill	24	4	7,116,207	7,116,207**
Animal Shelter	7		600,882	101,000
<b>TOTALS:</b>	<b>57</b>	<b>27</b>	<b>12,087,542</b>	<b>10,322,649</b>

\*Combination of Sanitary District fees and reserve

\*\*Revenue includes fees and landfill reserve

**DEPARTMENT BUDGET TOTALS ~ 85 PERCENT  
FUNDED BY USER FEES.**





**COUNTY of FREDERICK****Department of Public Works****540/665-5643****FAX: 540/678-0682****MEMORANDUM**

**TO:** Public Works Committee

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

**SUBJECT:** Monthly Tonnage Report - Fiscal Year 14/15

**DATE:** June 10, 2015

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

<b>FY 03-04:</b>	<b>AVERAGE PER MONTH:</b>	<b>16,348 TONS (UP 1,164 TONS)</b>
<b>FY 04-05:</b>	<b>AVERAGE PER MONTH:</b>	<b>17,029 TONS (UP 681 TONS)</b>
<b>FY 05-06:</b>	<b>AVERAGE PER MONTH:</b>	<b>17,785 TONS (UP 756 TONS)</b>
<b>FY 06-07:</b>	<b>AVERAGE PER MONTH:</b>	<b>16,705 TONS (DOWN 1,080 TONS)</b>
<b>FY 07-08:</b>	<b>AVERAGE PER MONTH:</b>	<b>13,904 TONS (DOWN 2,801 TONS)</b>
<b>FY 08-09:</b>	<b>AVERAGE PER MONTH:</b>	<b>13,316 TONS (DOWN 588 TONS)</b>
<b>FY 09-10:</b>	<b>AVERAGE PER MONTH:</b>	<b>12,219 TONS (DOWN 1,097 TONS)</b>
<b>FY 10-11:</b>	<b>AVERAGE PER MONTH:</b>	<b>12,184 TONS (DOWN 35 TONS)</b>
<b>FY 11-12:</b>	<b>AVERAGE PER MONTH:</b>	<b>12,013 TONS (DOWN 171 TONS)</b>
<b>FY 12-13:</b>	<b>AVERAGE PER MONTH:</b>	<b>12,065 TONS (UP 52 TONS)</b>
<b>FY 13-14:</b>	<b>AVERAGE PER MONTH:</b>	<b>12,468 TONS (UP 403 TONS)</b>
<b>FY 14-15:</b>	<b>AVERAGE PER MONTH:</b>	<b>12,934 TONS (UP 466 TONS)</b>

<b>MONTH</b>	<b>FY 2013-2014</b>	<b>FY 2014-2015</b>
<b>JULY</b>	13,514	14,029
<b>AUGUST</b>	13,343	13,585
<b>SEPTEMBER</b>	12,345	13,274
<b>OCTOBER</b>	13,266	14,339
<b>NOVEMBER</b>	10,857	11,194
<b>DECEMBER</b>	11,614	12,132
<b>JANUARY</b>	11,411	10,297
<b>FEBRUARY</b>	10,021	9,369
<b>MARCH</b>	11,518	12,768
<b>APRIL</b>	13,796	14,826
<b>MAY</b>	14,340	16,461
<b>JUNE</b>	13,594	

HES/gmp

<u>MONTH</u>	<u>GLASS</u>	<u>PLAST</u>	<u>AL CANS</u>	<u>STEEL CANS</u>	<u>PAPER</u>	<u>OCC</u>	<u>SHOES</u>	<u>TEXTILE</u>	<u>ELEC</u>	<u>SCRAP</u>	<u>TOTAL</u>
JUL	94,600	39,540	3,795	7,805	95,540	78,420	1,460	1,580	47,000	173,520	543,260
AUG	68,720	32,390	3,150	6,310	99,440	76,410	1,460	1,940	46,920	146,400	483,140
SEP	74,040	32,860	3,060	6,590	79,180	72,380	1,000	3,160	48,840	152,100	473,210
OCT	77,220	34,280	3,655	8,965	134,360	73,880	1,160	1,700	23,580	154,640	513,440
NOV	58,960	27,293	2,540	7,400	120,000	67,630	1,340	1,600	44,340	130,486	461,589
DEC	88,020	35,800	3,975	11,185	149,220	90,070	2,280	2,640	24,900	142,880	550,970
JAN	80,980	30,440	3,485	8,120	85,460	71,900	1,160	1,760	38,020	79,720	401,045
FEB	50,360	25,540	2,670	7,110	76,400	50,260	980	1,180	40,923	75,380	330,803
MAR	71,320	37,800	3,025	9,635	115,620	73,600	10,920	1,940	46,000	133,820	503,680
APR	85,440	35,980	3,900	9,660	112,860	79,860	1,360	1,800	39,440	275,261	645,561
MAY	62,260	38,080	2,935	6,565	83,540	81,310	1,380	1,740	63,680	44,180	385,670
JUN	0	0	0	0	0	0	0	0	23,980	0	23,980
TOTAL	811,920	370,003	36,190	89,345	1,151,620	815,720	24,500	21,040	487,623	1,508,387	5,316,348
FY 13-14	904,780	417,090	39,399	99,177	1,281,105	902,701	15,230	22,650	611,580	1,639,225	5,932,937
FY 12-13	913,530	410,338	45,086	102,875	1,508,029	878,450	15,020	24,680	502,680	1,321,938	5,722,626
FY 11-12	865,380	398,320	43,884	99,846	1,492,826	840,717	8,200	29,720	484,600	1,432,678	5,696,171
FY 10-11	949,185	378,452	42,120	98,474	1,404,806	824,873	18,420	23,280	467,920	1,220,107	5,427,637
FY 09-10	1,123,671	370,386	42,844	96,666	1,235,624	671,669	21,160		435,680	1,348,398	5,346,098
FY 08-09	762,810	322,928	23,473	55,246	1,708,302	564,957	28,780		404,760	1,097,151	4,968,407
FY 07-08	794,932	284,220	15,783	40,544	1,971,883	545,692	0		498,110	1,172,880	5,324,044
FY 06-07	600,464	200,720	11,834	29,285	1,684,711	441,321	0		382,574	550,070	3,900,979
FY 05-06	558,367	190,611	12,478	28,526	1,523,162				381,469	204,220	2,898,833
FY 04-05	549,527	193,224	11,415	27,525	1,552,111				273,707	25,080	2,632,589
FY 03-04	541,896	174,256	11,437	31,112	1,443,461				156,870	336,230	2,695,262
FY 02-03	413,627	146,770	9,840	23,148	1,381,195				62,840	171,680	2,209,100
FY 01-02	450,280	181,040	10,565	25,553	1,401,206				54,061	58,140	2,180,845
FY 00-01	436,615	198,519	10,367	24,988	1,759,731					9,620	2,439,840
FY 99-00	422,447	177,260	10,177	22,847	1,686,587					44,180	2,363,498
FY 98-99	402,192	184,405	9,564	22,905	1,411,950					48,810	2,079,826
FY 97-98	485,294	136,110	13,307	29,775	1,830,000						2,494,486
FY 96-97	373,106	211,105	23,584	46,625	1,690,000						2,344,420
FY 95-96	511,978	167,486	28,441	44,995	1,553,060						2,305,960
TO DATE	10,241,771	3,915,812	331,113	748,060	26,730,615	3,889,229	76,560	53,000	3,602,591	7,719,244	57,307,995

FREDERICK COUNTY ESTHER BOYD ANIMAL SHELTER FY 2014-2015

ATTACHMENT 6

DOG REPORT

MONTH	ON HAND AT FIRST OF MONTH	RECEIVED AT KENNEL	BROUGHT IN BY ACO	BITE CASES	BORN AT KENNEL	ADOPTED	RECLAIMED	DISPOSED	DIED AT KENNEL	ESCAPED/ STOLEN	CARRIED OVER NEXT MONTH
JULY	50	40	47	2	0	49	42	3	1	0	44
AUG	44	39	24	1	0	28	22	8	0	0	50
SEP	50	37	39	0	0	38	32	3	0	0	53
OCT	53	50	30	2	0	38	31	5	0	0	61
NOV	61	35	35	2	0	37	24	6	3	0	63
DEC	63	32	23	2	0	54	24	9	0	0	33
JAN	33	44	47	0	0	46	21	8	1	0	48
FEB	48	34	21	1	2	38	14	1	1	0	52
MAR	52	43	27	1	0	44	21	9	0	0	49
APR	49	36	27	0	1	33	30	10	1	0	39
MAY	39	39	36	0	0	25	30	4	0	0	55
JUN											
TOTAL	542	429	356	11	3	430	291	66	7	0	547

In the month of May - 114 dogs in and out of kennel.

## FREDERICK COUNTY ESTHER BOYD ANIMAL SHELTER FY 2014-2015

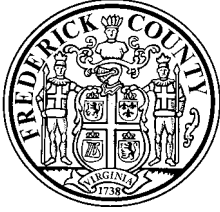
## CAT REPORT

MONTH	ON HAND AT FIRST OF MONTH	RECEIVED AT KENNEL	BROUGHT IN BY ACO	BITE CASES	BORN AT KENNEL	ADOPTED	RECLAIMED	DISPOSED	DIED AT KENNEL	ESCAPED/ STOLEN	CARRIED TO NEXT MONTH
JULY	143	179	31	7	9	31	1	203	22	0	112
AUG	112	211	15	0	0	26	1	176	16	0	119
SEP	119	182	18	5	6	35	2	137	31	0	125
OCT	125	188	22	0	0	24	6	185	13	0	107
NOV	107	89	8	2	4	27	4	95	18	0	66
DEC	66	58	24	0	0	25	1	68	6	0	48
JAN	48	43	34	0	0	17	3	46	10	0	49
FEB	49	50	12	1	0	16	2	44	6	0	44
MAR	44	80	5	4	5	15	2	50	3	0	68
APR	68	121	9	2	9	20	3	96	4	0	86
MAY	86	211	16	2	0	24	1	145	1	0	144
JUN											
TOTAL	967	1412	194	23	33	260	26	1245	130	0	968

In the month of May - 315 cats in and out of shelter.



L



**REZONING APPLICATION #02-15**  
**BLUE RIDGE YOUTH SOCCER ASSOCIATION**  
**Staff Report for the Board of Supervisors**  
**Prepared: June 29, 2015**  
Staff Contact: Candice Perkins, AICP, Senior Planner

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

	<u>Reviewed</u>	<u>Action</u>
<b>Planning Commission:</b>	05/06/15	Public Hearing; Recommended Approval
<b>Board of Supervisors:</b>	07/08/15	Public Hearing Scheduled; Action Pending

**PROPOSAL:** To rezone 20.54 acres from the B2 (General Business) District to RA the (Rural Areas) District. This application for a downzoning from the B2 District to the RA District is accompanied with a Conditional Use Permit to enable an outdoor soccer facility.

**LOCATION:** The property is located east of the City of Winchester, on the west side of US Highway 50/17 at the south side of its intersection with W. Parkins Mill Road (Route 644).

**MAGISTERIAL DISTRICT:** Shawnee

**PROPERTY ID NUMBER:** 77-A-26A

**PROPERTY ZONING:** B2 (General Business) District

**PRESENT USE:** Vacant

**ADJOINING PROPERTY ZONING & PRESENT USE:**

North: RA (Rural Areas)	Use: Residential
South: RA (Rural Areas)	Use: Residential
East: RA (Rural Areas)	Use: Residential
West: RA (Rural Areas)	Use: Residential/Vacant

**SUMMARY FOR THE 07/08/15 BOARD OF SUPERVISORS MEETING:**

The land use proposed in this application is consistent with the goals of the Comprehensive Policy Plan. The current commercial designation shown in the Comprehensive Plan is reflective of the historic zoning of this parcel. This site does not have access to public water and sewer and is outside the limits of the SWSA; therefore the proposed downzoning of the site from the B2 to the RA District is a positive rezoning. The Planning Commission unanimously recommended approval of this rezoning at their May 6, 2015 meeting.

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

## **REVIEW EVALUATIONS:**

**Virginia Dept. of Transportation:** The documentation within the application to rezone this property appears to have little measurable impact on Routes 644 & 50/17. These routes are the VDOT roadways which have been considered as the access to the property referenced. VDOT is not satisfied that the transportation proffers offered in the Blue Ridge Youth Soccer Association Rezoning application dated January 13, 2015 addresses transportation concerns associated with this request. The point of ingress and egress for this parcel is not adequately defined in the submitted rezoning package. VDOT could support the rezoning if the access to the parcel was restricted to a shared entrance from parcel P.I.N 77-A-26B's entrances, on Route 644, that will be required to meet VDOT's commercial entrance requirements. Before development, this office will require a complete set of construction plans detailing entrance designs, drainage features, and traffic flow data from the I.T.E. Trip Generation Manual, Seventh Edition for review. VDOT reserves the right to comment on all right-of-way needs, including right-of-way dedications, and off-site roadway improvements and drainage. Any work performed on the State's right-of-way must be covered under a land use permit. This permit is issued by this office and requires an inspection fee and surety bond coverage.

*Staff Note: VDOT Comments will be addressed with the conditions contained in Conditional Use Permit #01-15.*

**Fire and Rescue:** Plan approved.

**Frederick County Fire Marshall:** Plan approved.

**Public Works Department:** We have no comments regarding the proposed rezoning application.

**Frederick County Parks & Recreation:** No comments.

**Frederick-Winchester Health Department:** The Frederick County Health Department cannot comment at this time until an AOSE onsite well & septic system packet is submitted.

**Frederick County Attorney:** No comments at this time.

## **Planning & Zoning:**

### **1) Site History**

The original Frederick County Zoning Map (U.S.G.S. Winchester Quadrangle) depicts parcels 77-A-26A as being zoned A-2 (Agricultural General) District. The County's agricultural zoning districts were subsequently combined to form the RA (Rural Areas) District upon adoption of an amendment to the Frederick County Zoning Ordinance on May 10, 1989. The subject property was rezoned from the RA District to the B2 District with proffers with the approval of Rezoning #23-89 on November 8, 1989. This rezoning included 23.2282 acres of land, this rezoning is for 20.54 acres of the site as a five acre residential property was subsequently subdivided (that five acres is split zoned RA/B2) and is not subject to this downzoning.

2) **Comprehensive Policy Plan**

The Frederick County 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**

The site is within the limits of the Senseny/Eastern Frederick County Long Range Land Use Plan. The plan shows the area where this site is located with a business/commercial use designation. This land use designation was shown to recognize the existing zoning of parcel 77-A-26A. The site is located outside of the limits of the Sewer and Water Service Area; therefore a proposed downzoning of 77-A-26A is generally consistent with the Senseny/Eastern Frederick County Long Range Land Use Plan as it relates to this area.

- 3) **Potential Impacts** Due to the scope of this rezoning request a detailed impact statement was not required. This application for a downzoning from the B2 District to the RA District is accompanied with a Conditional Use Permit to enable an outdoor soccer facility. Impacts associated with the soccer facility will be addressed through the conditions on CUP #01-15.
- 4). **Proffers** A proffer statement was not provided with this rezoning request; this rezoning will void proffer statement #23-89 as it pertains to the subject property.

**PLANNING COMMISSION SUMMARY AND ACTION FROM THE 05/06/15 MEETING:**

Staff reported that this proposal is to rezone 20.54 acres from the B2 (General Business) District to RA (Rural Areas) District. Ms. Perkins noted this application for a downzoning from the B2 District to the RA District is accompanied with a Conditional Use Permit for an outdoor soccer facility. Ms. Perkins explained the property was rezoned from the RA District to the B2 District with proffers with the approval of Rezoning #23-89 on November 8, 1989. She noted the while the original rezoning included 23.2282 acres of land, this rezoning is for 20.54 acres of the site. A five acre residential property was subsequently subdivided (that five acres is split zoned RA/B2) and that property is not part of this downzoning. Ms. Perkins reported the land use proposed in this application is consistent with the Comprehensive Policy Plan. This site does not have access to public water and sewer and is outside the limits of the SWSA; therefore the proposed downzoning of the site from the B2 to the RA District is a positive rezoning.

Commissioner Oates noted he had no objections to this downzoning. Commissioner Crockett stated this is a great idea for a downzoning and is in support of the idea. The Planning Commission unanimously recommended approval of this rezoning request.

**SUMMARY FOR THE 07/08/15 BOARD OF SUPERVISORS MEETING:**

The land use proposed in this application is consistent with the goals of the Comprehensive Policy Plan. The current commercial designation shown in the Comprehensive Plan is reflective of the historic zoning of this parcel. This site does not have access to public water and sewer and is outside the limits of the SWSA; therefore the proposed downzoning of the site from the B2 to the RA District is a

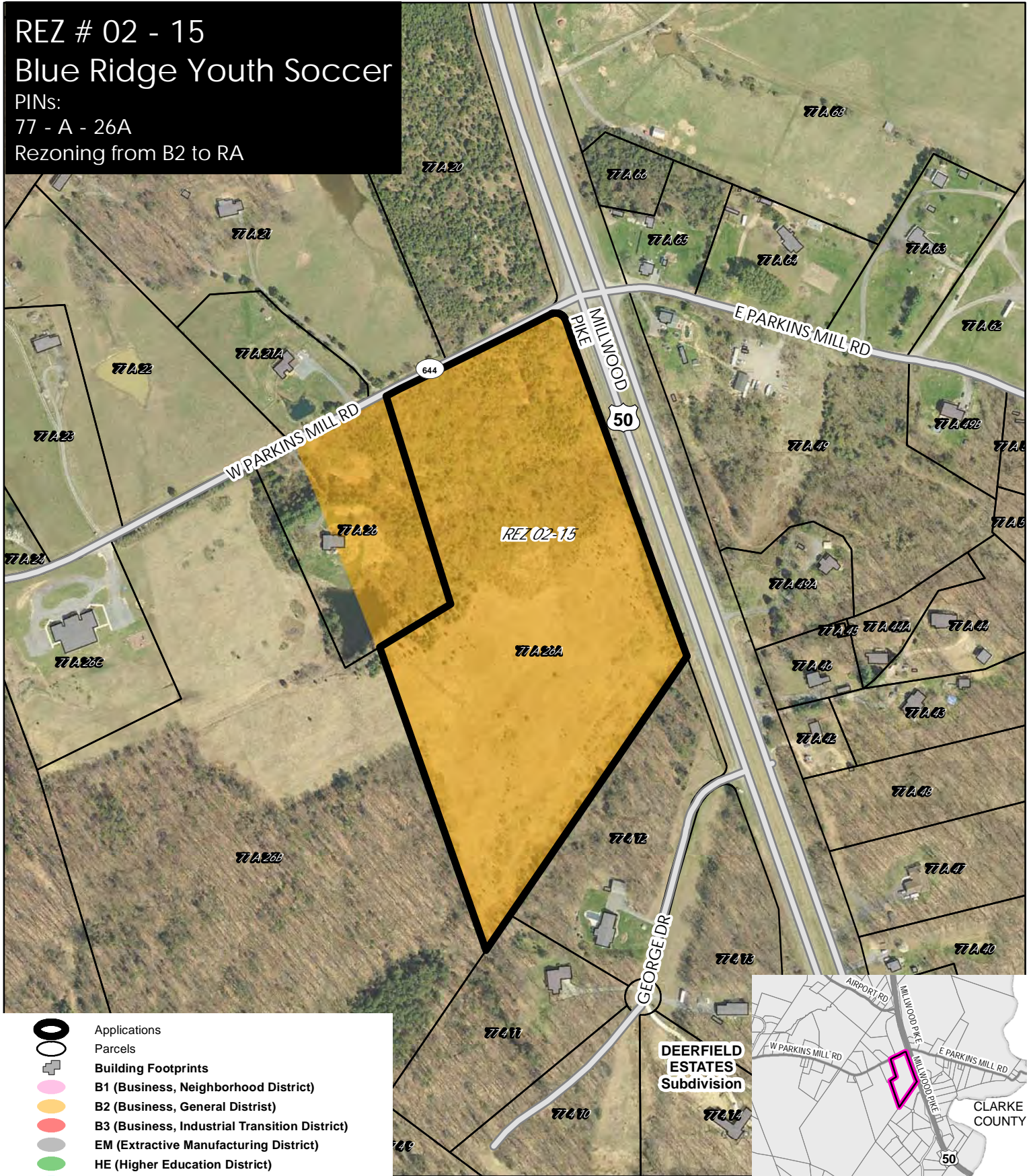


positive rezoning. The Planning Commission unanimously recommended approval of this rezoning at their May 6, 2015 meeting.

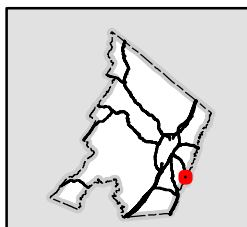
**Following the required public hearing, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.**

# REZ # 02 - 15 Blue Ridge Youth Soccer

PINs:  
77 - A - 26A  
Rezoning from B2 to RA



- Applications
- Parcels
- Building Footprints
- B1 (Business, Neighborhood District)
- B2 (Business, General District)
- B3 (Business, Industrial Transition District)
- EM (Extractive Manufacturing District)
- HE (Higher Education District)
- M1 (Industrial, Light District)
- M2 (Industrial, General District)
- MH1 (Mobile Home Community District)
- MS (Medical Support District)
- OM (Office - Manufacturing Park)
- R4 (Residential Planned Community District)
- R5 (Residential Recreational Community District)
- RA (Rural Area District)
- RP (Residential Performance District)



## REZ # 02 - 15 Blue Ridge Youth Soccer

PINs:  
77 - A - 26A  
Rezoning from B2 to RA

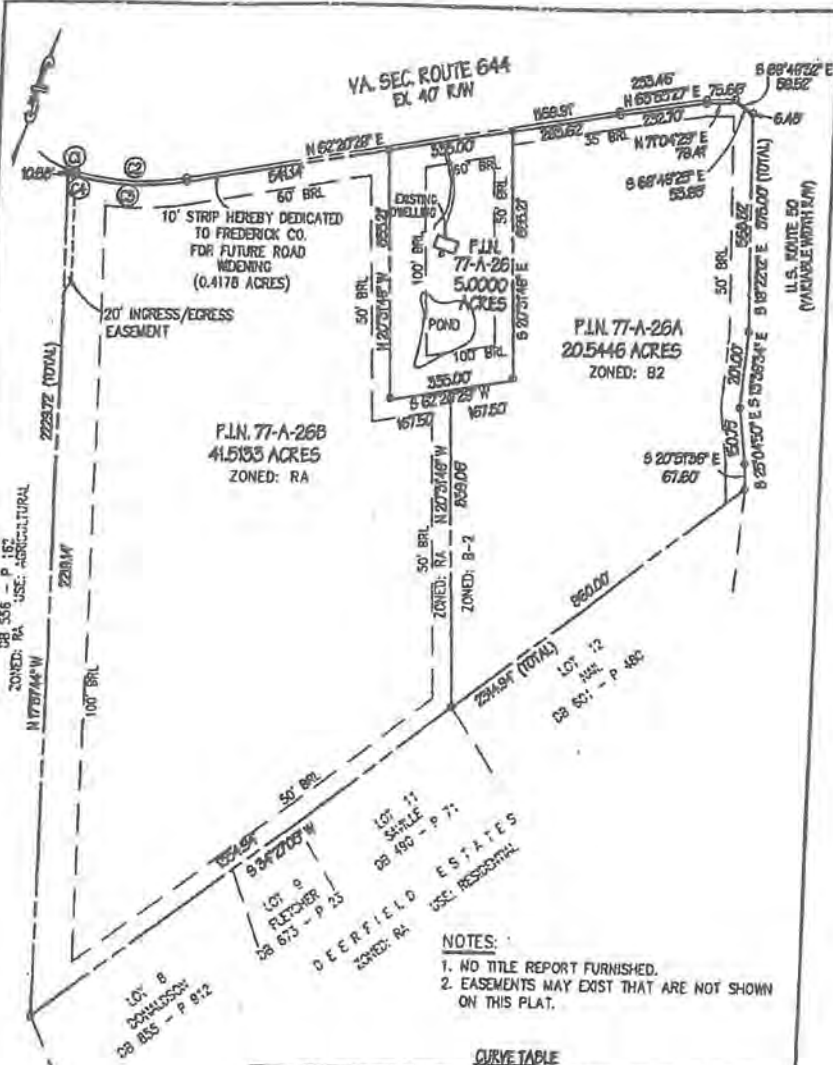
Note:  
Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651  
Map Created: April 8, 2015  
Staff: cperkins



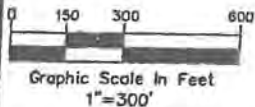
0 230 460 920 Feet



BR 908160488



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	288.00'	20.86'	10.48'	20.86'	N 68°25'56" E	0°40'48"
C2	666.59'	208.20'	146.86'	286.86'	N 74°46'42" E	25°14'10"
C3	666.59'	208.59'	148.21'	291.22'	S 74°46'48" W	25°14'07"
C4	305.00'	16.16'	8.08'	16.15'	S 88°06'05" W	08°24'37"



FINAL PLAT OF SUBDIVISION  
OF THE LAND OF  
OAKCREST BUILDERS, INC.  
SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA

DATE: 8 JUNE 1998 SCALE: 1"=300' SHEET 2 OF 2 MS-OAK

MARSH & LEGGE  
Land Surveyors, P.L.C.  
130 North Cameron Street Winchester, Virginia 22801  
(540) 687-0468 Fax: (540) 687-0469

**REZONING APPLICATION FORM  
FREDERICK COUNTY, VIRGINIA**

*To be completed by Planning Staff:*

Zoning Amendment Number 02-15 Fee Amount Paid \$ n/A  
PC Hearing Date 5/6/15 Date Received 4/7/15  
BOS Hearing Date 5/27/15

*The following information shall be provided by the applicant:*

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

**1. Applicant:**

Name: Painter-Lewis PLC Telephone: (540)662-5792  
Address: 817 Cedar Creek Grade Suite #120  
Winchester, VA 22601

**2. Property Owner (if different than above):**

Name: Oakcrest Builders Inc. Telephone: (540) 303 2216  
Address: 126 N. Kent Street Winchester, VA 22601

**3. Contact person if other than above:**

Name: Painter Lewis, P.L.C. Telephone: (540) 662 5792

**4. Property Information:**

- a. Property Identification Number(s): TM # 77-A-26A
- b. Total acreage to be rezoned: 20.54
- c. Total acreage of the parcel(s) to be rezoned (if the entirety of the parcel(s) is not being rezoned): \_\_\_\_\_
- d. Current zoning designation(s) and acreage(s) in each designation: B2 20.54 ACRES
- e. Proposed zoning designation(s) and acreage(s) in each designation: RA 20.54 ACRES
- f. Magisterial District(s): Shawnee



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

Location map	<input checked="" type="checkbox"/>	Agency Comments	<input type="checkbox"/>
Plat	<input checked="" type="checkbox"/>	Fees	<input type="checkbox"/>
Deed to property	<input checked="" type="checkbox"/>	Impact Analysis Statement	<input checked="" type="checkbox"/>
Verification of taxes paid	<input checked="" type="checkbox"/>	Proffer Statement	<input checked="" type="checkbox"/>
Plat depicting exact meets and bounds for the proposed zoning district	<input type="checkbox"/>		<input type="checkbox"/>
Digital copies (pdf's) of all submitted documents, maps and exhibits	<input checked="" type="checkbox"/>		<input type="checkbox"/>

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

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

Blue Ridge Youth Soccer Association, a Virginia Corporation

Oakcrest Builders, Inc.

**7. Adjoining Property:**

<u>PARCEL ID NUMBER</u>	<u>USE</u>	<u>ZONING</u>
77-A-26	RESIDENTIAL	B2RA
77-A-26B	VACANT	RA
77-4-11	RESIDENTIAL	RA
77-4-12	RESIDENTIAL	RA
(See page 15 for additional	adjoining properties)	

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

The property is located east of the city of Winchester, on the west side of US Highway 50/17,

at the south side of its intersection with W. Parkins Mill Road, SR 644.

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

Number of Units Proposed

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

Square Footage of Proposed Uses


Office: \_\_\_\_\_ Service Station: \_\_\_\_\_  
Retail: \_\_\_\_\_ Manufacturing: \_\_\_\_\_  
Restaurant: \_\_\_\_\_ Warehouse: \_\_\_\_\_  
Commercial: \_\_\_\_\_ Other: \_\_\_\_\_

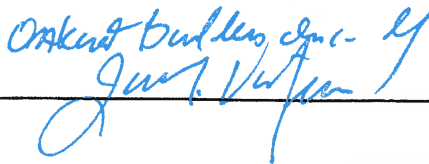
10. Signature:

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

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

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

Applicant(s):  Date: 12-17-14

Owner(s):  Date: 1/5/15

## ADJOINING PROPERTY OWNERS

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

Name and Property Identification Number	Address
Name Julie Hilton Boulais	1148 W. Parkins Mill Road
Property # TM # 77-A-26	Winchester, VA 22602
Name Oakcrest Builders Inc.	126 N. Kent Street
Property # TM# 77-A-26B	Winchester, VA 22601
Name Bruce L. and Donna R. Saville	180 George Drive
Property # TM# 77-4-11	Winchester, VA 22602
Name Edward T. and Cindy C. Nail	130 George Drive
Property # TM#77-4-12	Winchester, VA 22602
Name Albert C. Franklin	110 E. Parkins Mill Road
Property # TM#77-A-49	Winchester, VA 22602
Name Robert D.W. Orndorff	3321 Millwood Pike
Property # TM#77-A-49A	Winchester, VA 223602
Name Richard A. and Janet S. Dye	11310 Vale Road
Property # TM#77-A-20	Oakton, VA 22124
Name Wallace H. and Mae C. Brown	1181 W. Parkins Mill Road
Property # TM#77-A-21	Winchester, VA 22602
Name Gloria C. Johnson	1105 W. Parkins Mill Road
Property # TM#77-A-21A	Winchester, VA 22602



Special Limited Power of Attorney  
County of Frederick, Virginia  
Frederick Planning Website: [www.co.frederick.va.us](http://www.co.frederick.va.us)

Department of Planning & Development, County of Frederick, Virginia  
107 North Kent Street, Winchester, Virginia 22601  
Phone (540) 665-5651 Facsimile (540) 665-6395

Know All Men By These Presents: That I (We)

(Name) Oakcrest Builders, Inc. (Phone) 540-722-4100

(Address) 126 N. Kent St Winchester, VA 22601

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. Deed Book 718 on Page 687, and is described as

Parcel: 77A Lot: 26A Block:      Section:      Subdivision:       
do hereby make, constitute and appoint:

(Name) Painter Lewis PLC (Phone) (540) 662 5792

(Address) 817 Cedar Creek Grade Suite #120 Winchester, VA 22601

To act as my true and lawful attorney-in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- ☒ Rezoning (including proffers)
- ☐ Conditional Use Permit
- ☐ Master Development Plan (Preliminary and Final)
- ☐ Subdivision
- ☐ Site Plan
- ☐ Variance or Appeal

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified.  
In witness thereof, I (we) have hereto set my (our) hand and seal this 5 day of JAN., 20 15.

Signature(s) Oakcrest Builders, Inc.  
James T. V. [Signature]

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

I, Violet Garrett, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 5 day of Jan, 20 15.

Violet Garrett  
Notary Public 184098 My Commission Expires: Dec 31 2017



# **IMPACT ANALYSIS STATEMENT**

**Blue Ridge Youth Soccer Association  
Rezoning Application  
Parcel TM# 77-A-26A  
Millwood Pike**

Shawnee Magisterial District  
Frederick County, Virginia

December 16, 2014



Prepared for:

Prepared by: **PAINTER-LEWIS, P.L.C.**  
817 Cedar Creek Grade, Suite 120  
Winchester, VA 22601  
Tel.: (540)662-5792  
Email: [office@painterlewis.com](mailto:office@painterlewis.com)

IMPACT ANALYSIS STATEMENT  
Blue Ridge Soccer Association

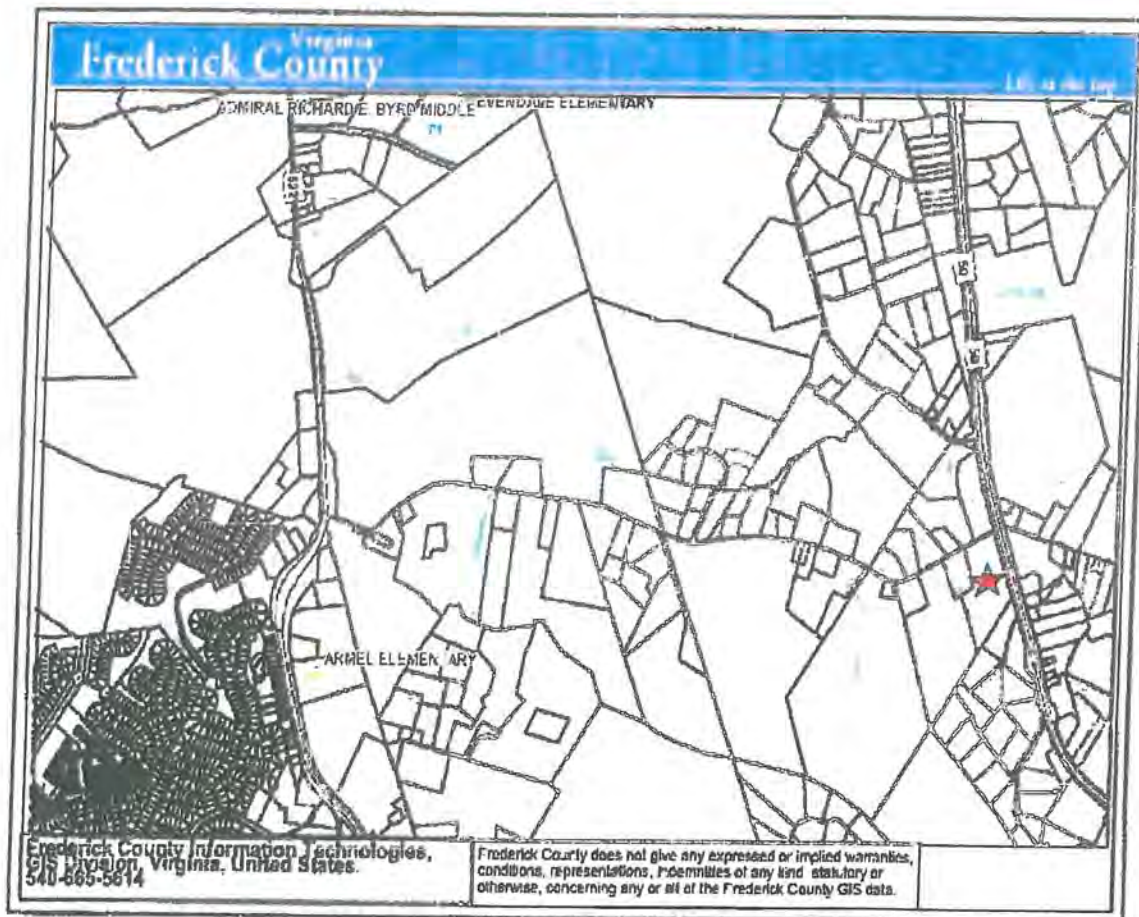
IMPACT ANALYSIS STATEMENT  
TABLE OF CONTENTS

Section	page
<b>i. INTRODUCTION</b>	2
<b>A. SITE SUITABILITY</b>	3
<i>DEVELOPMENT OVERVIEW</i>	3
<i>COORDINATION WITH FREDERICK COUNTY LONG RANGE PLANS</i>	3
<i>100 YEAR FLOOD PLAIN</i>	3
<i>STEEP SLOPES</i>	3
<i>LAKES AND PONDS</i>	4
<i>WETLANDS</i>	4
<i>SOILS</i>	4
<b>B. SURROUNDING PROPERTIES</b>	4
<b>C. TRAFFIC</b>	4
<b>D. SEWAGE CONVEYANCE AND TREATMENT</b>	4
<b>E. WATER SUPPLY</b>	5
<b>F. DRAINAGE</b>	5
<b>G. SOLID WASTE DISPOSAL FACILITIES</b>	5
<b>H. COMMUNITY FACILITIES</b>	5
<i>SCHOOLS</i>	5
<i>DEVELOPMENT IMPACT MODEL</i>	5
<i>EMERGENCY SERVICES</i>	6
<i>PARKS AND RECREATION</i>	6
<i>GENERAL GOVERNMENT FACILITIES</i>	6
<i>LIBRARY</i>	6
<b>I. HISTORIC SITES AND STRUCTURES</b>	6
<b>J. CIVIL WAR BATTLEFIELDS</b>	8

IMPACT ANALYSIS STATEMENT  
Blue Ridge Soccer Association

i. INTRODUCTION

Oakcrest Builders Inc. (the owner) is the owner of 20.54 acres of land contained in a single parcel located on the south side of Route 50 at its intersection with W. Parkins Mill Road in Frederick County, VA. The parcel (the site) is currently zoned B2 (Business General District) and is identified by Tax Identification Number 77-A-26A. The applicant is requesting to rezone the property from B2, Business General District, to **RA, Rural Areas District**. The intended purpose of the rezoning is to enable the applicant to develop the site for the development of soccer fields under a Conditional Use Permit as allowed under the current Frederick County Zoning ordinance, 165-401.03 and under a separate application. The location of the parcel is shown on the map below.



IMPACT ANALYSIS STATEMENT  
Blue Ridge Soccer Association

**A. SITE SUITABILITY**

*DEVELOPMENT OVERVIEW*

The site has about 994 feet of frontage on Route 50/17, and about 602 feet of frontage on W. Parkins Mill Road. Route 50/17 is currently a US Highway, with a functional classification of rural minor arterial road. It is a major east-west roadway between the city of Winchester and the eastern boundary of the county. Access to the parcel will be from W. Parkins Mill Road via a new driveway and will conform to the county long range transportation plans.

The description of RA zoning in the Frederick County Zoning Ordinance §165-401.01 identifies the main purposes and intents of development in this district:

- (1) To preserve large, open parcels of land, tree cover, scenic views, sensitive environmental areas and prime agricultural and locally significant soils.
- (2) To reduce environmental impacts, such as soil erosion, by requiring development which is sensitive to the existing features of the natural terrain and by reducing the amount of clearing needed for roads.

The owner is concurrently applying for a Conditional Use Permit under §165-401.03 Q. Commercial outdoor recreation, athletic or park facilities, to allow for the development of soccer fields to serve the BRYSA soccer teams.

*COORDINATION WITH FREDERICK COUNTY LONG RANGE PLANS*

The site is within the Senseny/Eastern Frederick Urban Area Plan which is part of Appendix I of the 2030 Comprehensive Plan. Both plans, as well as the Eastern Frederick County Long Range Land Use (EFLUP) identify this parcel to be surrounded by land designated RA. A rezoning designation of RA will be in conformance with the EFLUP, the Senseny/Eastern Frederick Urban Area Plan, and the 2030 Comprehensive Plan.

*100 YEAR FLOOD PLAIN*

FIRM Community Panel Number 51069C0355D shows the subject area to be outside of any special flood hazard area.

*STEEP SLOPES*

Steep slopes are defined by the Frederick County Zoning Ordinance as land areas where the slope exceeds 50%. There are no steep slopes that have been identified on the site.



IMPACT ANALYSIS STATEMENT  
Blue Ridge Soccer Association

*LAKES AND PONDS*

There are no ponds or lakes on the site.

*WETLANDS*

There are no wetlands on this site.

*SOILS*

According to the Soil Survey of Frederick County, the site contains the following soil types:

- **Blairton Silt Loam:** This soil is shallow, 2 to 7 percent slope, and moderately well drained. It is found on summit areas and consists of residuum derived from acid shale.

These soils are typically prime farmland.

**B. SURROUNDING PROPERTIES**

The parcel to be rezoned is located in an area that is generally rural in character and is totally surrounded by rural areas. Currently the properties along the east and southeast borders are zoned RA and mostly vacant. The property abutting the site to the west is a residence. The property fronts on US Highway 50/17 to the north, and fronts on W. Parkins Mill Road to the northwest.

**C. TRAFFIC**

The subject property is located on US Highway 50/17, at its intersection with W. Parkins Mill Road. At the location of the site, US Highway 50/17 is currently a four lane divided road. The site has about 994 feet of frontage on Route 50/17, and about 602 feet of frontage on W. Parkins Mill Road. The Annual Average Daily Traffic Volume for the portion of US Route 50/17 between Carpers Valley Road and the Clarke County line is 12,000 in accordance with the Virginia Department of Transportation.

The Annual Average Daily Traffic Volume for W. Parkins Mill Road has not been determined by the Virginia Department of Transportation.

The access to the site is proposed to be off of W. Parkins Mill Road and will be minimal.

**D. SEWAGE CONVEYANCE AND TREATMENT**

The site will be used under a conditional use permit for commercial outdoor recreation, athletic or park facilities. Soccer fields will be installed to be used by the Blue Ridge Youth Soccer Association. This site is outside of the Frederick County Sewer and

**IMPACT ANALYSIS STATEMENT**  
**Blue Ridge Soccer Association**

Water Service Area. On site septic facilities will be provided by the applicant to satisfy the sewage demands.

**E. WATER SUPPLY**

The site is outside the limits of the Frederick County Sewer and Water Service Area. A well will be provided for water supply.

**F. DRAINAGE**

After review of the Frederick County GIS map, it can be determined that this site has gentle to moderate slopes. The majority of slopes range from 1 percent to 15 percent. Storm water runoff flows from west to east toward US Route 50/17 along natural channels. Upon the development of this site a storm water management plan would be implemented to control any added flow created by the increased turf and impervious areas.

**G. SOLID WASTE DISPOSAL FACILITIES**

The nearest citizens' trash facility is located at the main Frederick County Landfill off of Sulphur Springs Road approximately five miles north and west of the site. In general, the collection of solid waste from the proposed development will be accomplished by a private hauler.

**H. COMMUNITY FACILITIES**

***SCHOOLS***

Public schools which are located in proximity to the site include Evendale Elementary School and Boyce Elementary School. The proposed development will not contribute any students to the K-12 school system.

***DEVELOPMENT IMPACT MODEL***

The Frederick County Development Impact Model (D.I.M.) is utilized to determine the fiscal impacts of residential rezoning requests. This rezoning requests does not contain any new residential development, thus there are no capital fiscal impacts which need to be mitigated.

IMPACT ANALYSIS STATEMENT  
Blue Ridge Soccer Association

*EMERGENCY SERVICES*

Police protection is provided by the Frederick County Sheriff's Department. The nearest fire and rescue facility is the Millwood Station Fire & Rescue located at 250 Costello Drive.

*PARKS AND RECREATION*

There will be no additional parks and recreation facilities required to serve this site.

*GENERAL GOVERNMENT FACILITIES*

There will be no additional general government facilities needed to serve this development.

*LIBRARY*

There will be no additional library facilities needed to serve this development.

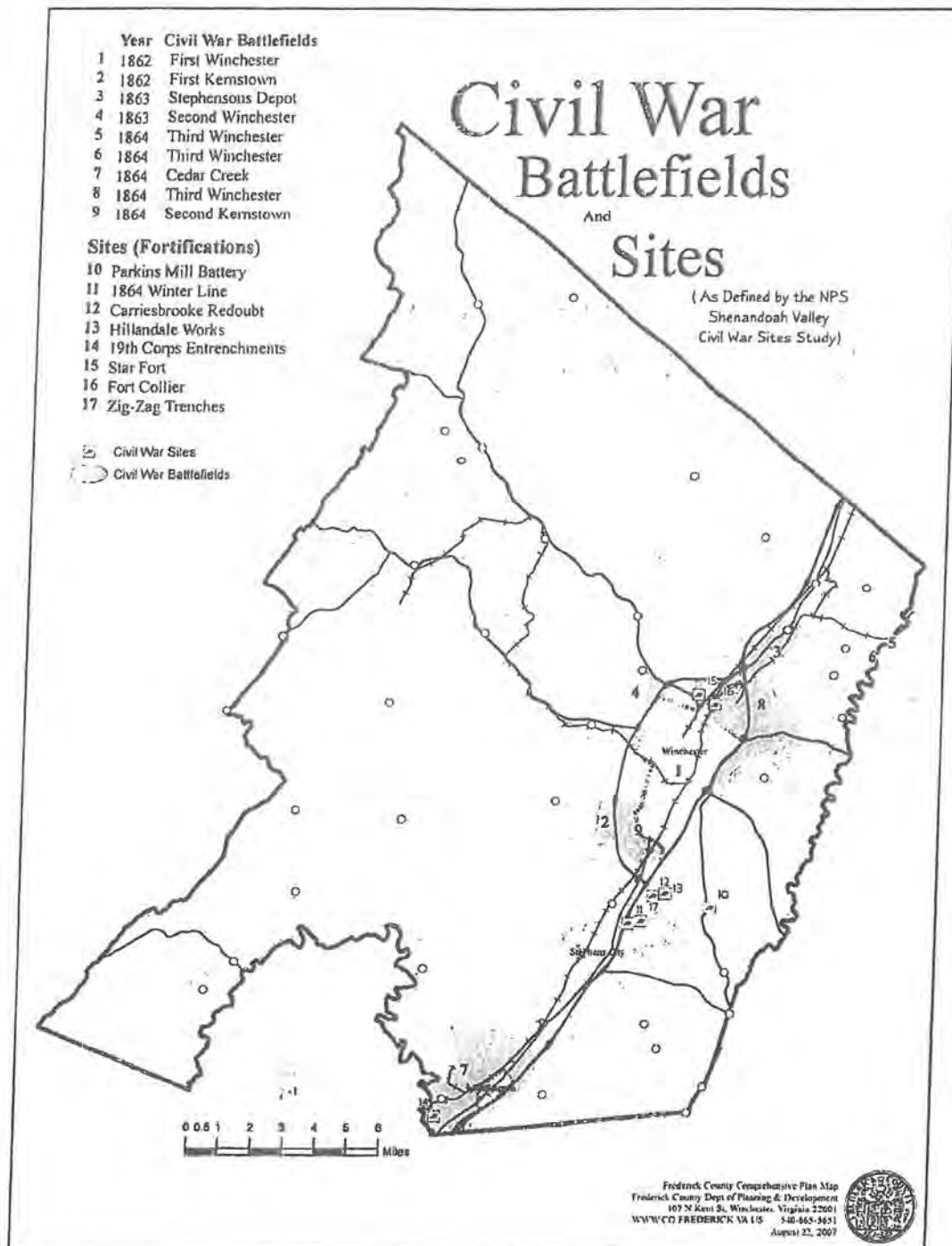
**I. HISTORIC SITES AND STRUCTURES**

This site contains no "potentially significant" historic structures as listed in *The Rural Landmarks Survey Report of Frederick County*.

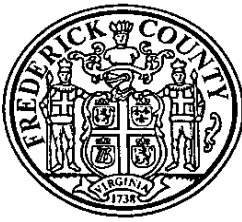
IMPACT ANALYSIS STATEMENT  
Blue Ridge Soccer Association

**J. CIVIL WAR BATTLEFIELDS**

A copy of the *Civil War Battlefields and Sites* map has been included below. The subject parcel does not lie within any defined Civil War Battlefield sites.







## AMENDMENT

---

### Action:

PLANNING COMMISSION: May 6, 2015 - Recommended Approval

BOARD OF SUPERVISORS: July 8, 2015 ☐ APPROVED ☐ DENIED

---

### AN ORDINANCE AMENDING

### THE ZONING DISTRICT MAP

### REZONING #02-15 BLUE RIDGE YOUTH SOCCER ASSOCIATION

**WHEREAS**, **Rezoning #02-15 of the Blue Ridge Youth Soccer Association**, submitted by Painter-Lewis, PLC, to rezone 20.54 acres from B2 (General Business) Zoning District to RA (Rural Areas) Zoning District was considered. The property is located east of the City of Winchester on the west side of US Highway 50/17 at the south side of its intersection with West Parkins Mill Road (Route 644). The property is further identified by PIN 77-A-26A in the Shawnee Magisterial District; and

**WHEREAS**, the Planning Commission held a public hearing on this rezoning on May 6, 2015, and recommended approval of this request; and

**WHEREAS**, the Board of Supervisors held a public hearing on this rezoning on July 8, 2015; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the Zoning District Map to rezone 20.54 acres from the B2 (General Business) Zoning District to RA (Rural Areas) Zoning District.

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

Passed this 8th day of July, 2015 by the following recorded vote:

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

**A COPY ATTEST**

---

Brenda G. Garton  
Frederick County Administrator

M



**CONDITIONAL USE PERMIT #01-15**  
**BLUE RIDGE YOUTH SOCCER ASSOCIATION**  
**Staff Report for the Board of Supervisors**  
**Prepared: June 29, 2015**  
Staff Contact: Candice Perkins, Senior Planner

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*This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this request. It may also be useful to others interested in this zoning matter.*

	<u><b>Reviewed</b></u>	<u><b>Action</b></u>
<b>Planning Commission:</b>	05/06/15	Public Hearing Held; Action Tabled for 45 days
<b>Planning Commission:</b>	06/17/15	Recommended Approval
<b>Board of Supervisors:</b>	07/08/15	Public Hearing Scheduled; Action Pending

**EXECUTIVE SUMMARY:**

This is a request by the Blue Ridge Youth Soccer Association for a Conditional Use Permit for a commercial outdoor recreation facility on two parcels of land that total 57.05 acres located on West Parkins Mill Road. This Conditional Use Permit would enable the construction and operation of an outdoor soccer complex on the subject properties. In accordance with **§ 165-401.03 of the Frederick County Zoning Ordinance**, Commercial outdoor recreation, athletic or park facilities are permitted uses in the RA (Rural Areas) Zoning District with an approved Conditional Use Permit (CUP).

On June 17, 2015, the Planning Commission unanimously recommended approval of CUP #01-15 for Blue Ridge Youth Soccer Association with conditions.

**Should the Board of Supervisors find this use appropriate, the Planning Commission recommended the following conditions be placed on the CUP:**

1. All review agency comments and requirements shall be complied with at all times.
2. An engineered site plan shall be submitted to and approved by the Frederick County Planning Department; all site plan improvements shall be implemented prior to utilizing the facility.
3. Minimum parking shall be thirty (30) spaces per field. Access to the site shall be gated when the fields are not in use.
4. Permanent bathroom facilities shall be provided on site.
5. One permanent concessions stand shall be permitted.
6. No permanent sound or music amplification system shall be installed on the property.
7. All trash shall be removed from the fields each day the fields are in use.



8. One freestanding sign shall be permitted; this sign shall not exceed 12' in height and 50 square feet in size; this sign shall be located on West Parkins Mill Road.
9. Site lighting shall conform with 165-201.07F - Lighting Standards for Recreational Facilities in all Zoning Districts (Class III facility – full cutoff luminaries must be used to control spill light). All lighting shall be turned off by 10:00 p.m.
10. All fields shall be a minimum of 75' from any adjoining property boundary.
11. A double row of evergreen trees 6' in height, planted a maximum of 8' on center shall be provided along any property line that borders a residential dwelling, where existing woodlands (minimum 50' width) are not present. Screening shall be phased as the fields are constructed. Three rows of evergreen trees 6' in height, planted a maximum of 8' on center shall be provided along the southern and western property lines for 77-A-26.
12. Wire fencing shall be provided along parcel 77-A-26C; a gate shall also be provided to restrict access into 77-A-26C.
13. Hours of operation shall be 8:00 a.m. to 10:00 p.m.
14. The property shall only have one entrance, and that entrance shall be onto West Parkins Mill Road. There shall be no entrances onto Route 50. Emergency access that is not open to the public may be shown if approved by VDOT.
15. Any expansion or change of use shall require a new Conditional Use Permit.

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

**LOCATION:** This property is located east of the City of Winchester, on the west side of US Highway 50/17 at the south side of its intersection with West Parkins Mill Road (Route 644).

**MAGISTERIAL DISTRICT:** Shawnee

**PROPERTY ID NUMBER:** 77-A-26A & 77-A-26B

**PROPERTY ZONING & PRESENT USE:**

Zoned: RA (Rural Areas)  
Land Use: Vacant

**ADJOINING PROPERTY ZONING & PRESENT USE:**

North:	RA (Rural Areas)	Use:	Residential
South:	RA (Rural Areas)	Use:	Residential
East:	RA (Rural Areas)	Use:	Residential
West:	RA (Rural Areas)	Use:	Residential/Vacant/Institutional

**PROPOSED USE:** This application is for an outdoor recreation, athletic or park facilities.

**REVIEW EVALUATIONS:**

**Virginia Department of Transportation:** The application for a Conditional Use Permit for this property appears to have little measurable impact on Route 644, the VDOT facility which would provide access to the property. Based on the premise that the access to the property will be via road frontage of parcel 77-A-26B and that this entrance alone will also serve parcel 77-A-26A, VDOT can support the request. Prior to operation of the facility, a commercial entrance must be constructed to our standards to allow for safe egress and ingress of the property. Any work performed on the State's right-of-way must be covered under a Land Use Permit. The permit is issued by this office and requires an inspection fee and surety bond coverage.

**Frederick County Fire Marshall:** Plans approved.

**Fire and Rescue:** Plans approved.

**Frederick County Inspections:** Building shall comply with The 2012 Virginia Uniform Statewide Building Code and Section 303, A-Assembly Use Group. Other Code that applies is ICC/ANSI A117.1-09 Accessible and Usable Buildings and Facilities and International Energy Code 2012. Building shall comply with height and area requirements as allowed for type of construction in T503, IBC 2012. Quantity of fixtures shall comply with T2901.1. A building permit is required. The plans shall indicate the location of the structure, the accessible parking/unloading, and accessible route into the facility. Handicap parking shall comply with

ANSI A117.1-09. A minimum of 8' unloading area with an 8' wide parking or 5' parking with 11' unloading area shall be provided. Accessible transition from the parking and unloading area are flush with sidewalk to provide ANSI A117.1-09 required accessible route into main entrance.

**Winchester-Frederick County Health Department:** The Frederick County Health Department cannot comment at this time. If onsite well & septic system is required, a comment cannot be issued until an AOSE packet is submitted.

**Planning and Zoning:** In accordance with § 165-401.03 of the Frederick County Zoning Ordinance, Commercial outdoor recreation, athletic or park facilities are permitted uses in the RA (Rural Areas) Zoning District with an approved Conditional Use Permit (CUP). This proposed use will be for a soccer complex which would be classified as commercial outdoor recreation and athletic facilities. This proposed use would be conducted on two parcels that contain a total 57 acres.

This property is surrounded by residential properties that are zoned RA (Rural Areas). The proposed use and its traffic, lighting, and noise could impact the residential properties. Staff has drafted conditions in an effort to mitigate those impacts. The conditions specify site access, lighting, hours of operation, signage, restroom facilities, and buffering.

One of the conditions requires the submittal and approval of an engineered site plan; this site plan would depict all improvements on the site including, but not limited to: parking (minimum double prime and seal), entrance locations, signage, landscaping, structures, and signage.

#### **PLANNING COMMISSION SUMMARY & ACTION OF THE 5/06/15 MEETING:**

Action – Tabled for 45 Days by Majority Vote

The Commissioners inquired what type of buffering or fencing will be around the property for the neighbors and what the hours and days of operation would be. Staff stated that evergreen trees were proposed for residential properties where woodlands were not present. The applicant stated that the facility would be utilized outside of school hours, evenings and weekends. The Commissioners questioned the number of parking spaces proposed. The applicant stated that there has been no engineering or site plan work done as of today and obtaining the Conditional Use Permit would allow them to move forward. He also noted the following: BRYSA has grown 29% from 2011-2014; the anticipated development would not happen for at least two years; development would be completed in phases as BRYSA raises funds to offset costs. The Commissioners were concerned with the buffering proposed and wanted a six foot tall berm also included with the landscaping.

Four citizens spoke during the public hearing:

Mr. Edward Nail of 130 George Drive, Winchester, VA came forward to speak. Mr. Nail posed the following questions and concerns: will this facility be used for children or adults; lighting at night; the noise this will create; will there be wells drilled on the property and if so how many; the buffer trees are not adequate for this large of a facility; who will maintain the property; will there be any type of security; can the conditions of the Conditional Use Permit change.

Mrs. Julie Boulais of 1148 West Parkins Mill Road, Winchester, VA came forward to voice her concerns. She noted her property is the five acres in the middle of this proposal. Mrs. Boulais explained her major concern is the pond on their property; she does not want it destroyed. She is also concerned with the buffering, trash, security, and lighting.

Mr. Tommy Almond of 861 West Parkins Mill Road, Winchester, VA came forward and stated his concerns in regards to the traffic flow given the large number of people that is anticipated. He also noted there is not a traffic light at the intersection of Route 50 and West Parkins Mill Road and that is a concern.

Mrs. Jennifer Sheehy, owner and operator of Winchester Montessori located on West Parkins Mills Road stated her concerns: extra traffic this will bring on a narrow road; buffering does not appear to be adequate; safety for all involved. Mrs. Sheehy noted she is in favor of the soccer fields but more study needs to take place before this can go through.

The Commissioners required additional information on the following:

- Maximum number of people that could be at the facility at one time
- Landscaping screening – addition of berms and wire securing fencing
- Requested the applicant to meet with the neighbors to discuss the concerns

Action – Tabled for 45 Days by Majority Vote

Staff would note that the applicant has scheduled a meeting on June 6, 2015 with the residents to discuss their concerns; the outcomes of this meeting will be shared with the Planning Commission at the June 17, 2015 meeting.

#### **STAFF CONCLUSIONS FOR THE 06/17/15 PLANNING COMMISSION MEETING:**

Should the Planning Commission find this use appropriate, Staff would suggest the following conditions be placed on the CUP:

1. All review agency comments and requirements shall be complied with at all times.
2. An engineered site plan shall be submitted to and approved by the Frederick County Planning Department; all site plan improvements shall be implemented prior to utilizing the facility.



3. Minimum parking shall be thirty (30) spaces per field. Access to the site shall be gated when the fields are not in use.
4. Permanent bathroom facilities shall be provided on site.
5. One permanent concessions stand shall be permitted.
6. No permanent sound or music amplification system shall be installed on the property.
7. All trash shall be removed from the fields each day the fields are in use.
8. One freestanding sign shall be permitted; this sign shall not exceed 12' in height and 50 square feet in size; this sign shall be located on West Parkins Mill Road.
9. Site lighting shall conform with 165-201.07F - Lighting Standards for Recreational Facilities in all Zoning Districts (Class III facility – full cutoff luminaries must be used to control spill light). All lighting shall be turned off by 10:00 p.m.
10. All fields shall be a minimum of 75' from any adjoining property boundary.
11. A double row of evergreen trees 6' in height, planted a maximum of 8' on center shall be provided along any property line that borders a residential dwelling, where existing woodlands (minimum 50' width) are not present. Screening shall be phased as the fields are constructed. Three rows of evergreen trees 6' in height, planted a maximum of 8' on center shall be provided along the southern and western property lines for 77-A-26.
12. Wire fencing shall be provided along parcel 77-A-26C; a gate shall also be provided to restrict access into 77-A-26C.
13. Hours of operation shall be 8:00 a.m. to 10:00 p.m.
14. The property shall only have one entrance, and that entrance shall be onto West Parkins Mill Road. There shall be no entrances onto Route 50. Emergency access that is not open to the public may be shown if approved by VDOT.
15. Any expansion or change of use shall require a new Conditional Use Permit.

**PLANNING COMMISSION SUMMARY & ACTION OF THE 6/17/15 MEETING:**

Action – Recommended Approval

Seven citizens spoke under the public comment portion of the meeting supporting the application. Mr. Ray Lanham spoke on behalf of BRYSA. He explained after hearing the comments and concerns from the citizens at the May 6, 2015 Planning Commission meeting the organization felt a community meeting needed to be held. He noted Mr. and Mrs. Sheehy, the owners of Winchester Montessori graciously hosted the meeting on June 6, 2015. Mr. Lanham reported Nathan Laing the Commissioner of BRYSA, Jim Carden the Executive Director of Winchester United, and himself were present at the meeting along with approximately 25 community members. He explained they felt a meeting needed to be held to let the citizens know about BRYSA and what they want to do with the property. He noted most importantly they wanted to hear the citizens' concerns. It became apparent these concerns needed to be addressed. Mr. Lanham stated on June 8, 2015 he and Nathan Laing met with Staff to discuss changes that needed to be made on this property. The concerns that were addressed were explained by Mr. Lanham:

- Security – the mode of operation will be complete supervision of players and visitors at all times during practice sessions and games to be monitored by coaches, team managers, and parents; no pregame or post game loitering; no tobacco or alcohol; no trespassing signs will be posted; the property will be gated; a fence between Winchester Montessori and the BRYSA property will be installed; a swing gate installed for the parking lot of Winchester Montessori ; signs for traffic will be posted; BRYSA could potentially rent out the property and there will be a BRYSA member there at all times.
- Screening – will provide 75' no build zone between BRYSA and any adjoining property; between 120 George Drive, will place two rows of evergreen trees 6' in height and 8' on center staggered; between 1148 W. Parkins Mill Road, will place three rows of evergreen trees 6' in height and 8' on center staggered.
- Trash – players, parents, and coaches will be responsible for clean-up and all trash will be removed daily.
- Lighting – BRYSA will follow the ordinance which will be turned off by 10:00 p.m.

Staff noted as previously reported this is a request by the Blue Ridge Youth Soccer Association for a Conditional Use Permit for a commercial outdoor recreation facility on two parcels of land that total 57 acres. Staff noted that the applicant held a meeting on June 6, 2015 with the residents to discuss their concerns. The conditions of the CUP have been updated to include security fencing along the adjacent school property and a gate for their entrance, the property will be gated when not in use, the proposed buffer has been increased to include a double row of evergreen trees instead of a single row, minimum parking standards, allowance for concession stand, trash removal, and a minimum of 75' setback for all fields to adjacent properties. Staff noted that revised conditions (specifically a revision to #10) were provided to the Commission.

Following an overview of the conditions, the Commission unanimously recommended approval of CUP #01-15 for Blue Ridge Youth Soccer Association.

Absent: Crockett, Mohn, Kenney

**CONCLUSIONS FOR THE 7/8/2015 BOARD OF SUPERVISORS MEETING:**

This is a request by the Blue Ridge Youth Soccer Association for a Conditional Use Permit for a commercial outdoor recreation facility on two parcels of land that total 57.05 acres located on West Parkins Mill Road. This Conditional Use Permit would enable the construction and operation of an outdoor soccer complex on the subject properties. In accordance with **§ 165-401.03 of the Frederick County Zoning Ordinance**, Commercial outdoor recreation, athletic or park facilities are permitted uses in the RA (Rural Areas) Zoning District with an approved Conditional Use Permit (CUP).

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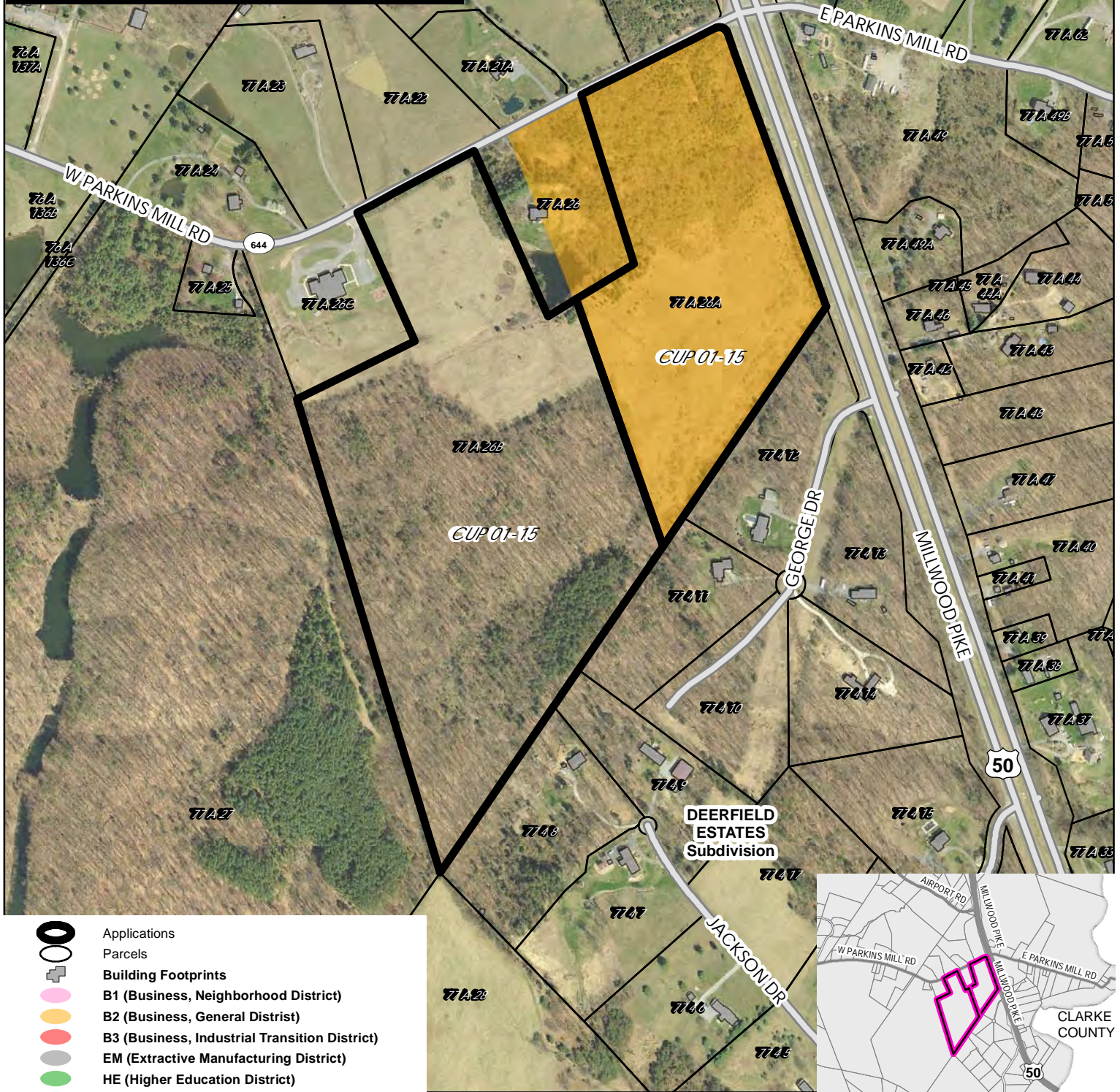
# CUP # 01 - 15

## Blue Ridge Youth Soccer

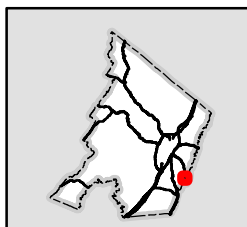
PINs:

77 - A - 26A, 77 - A - 26B

Commercial Outdoor Recreation Facility



- Applications
- Parcels
- Building Footprints
- B1 (Business, Neighborhood District)
- B2 (Business, General District)
- B3 (Business, Industrial Transition District)
- EM (Extractive Manufacturing District)
- HE (Higher Education District)
- M1 (Industrial, Light District)
- M2 (Industrial, General District)
- MH1 (Mobile Home Community District)
- MS (Medical Support District)
- OM (Office - Manufacturing Park)
- R4 (Residential Planned Community District)
- R5 (Residential Recreational Community District)
- RA (Rural Area District)
- RP (Residential Performance District)



### CUP # 01 - 15 Blue Ridge Youth Soccer

PINs:

77 - A - 26A, 77 - A - 26B  
Commercial Outdoor  
Recreation Facility

Note:

Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651  
Map Created: April 8, 2015  
Staff: cperkins



0 305 610 1,220 Feet



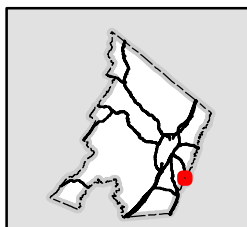
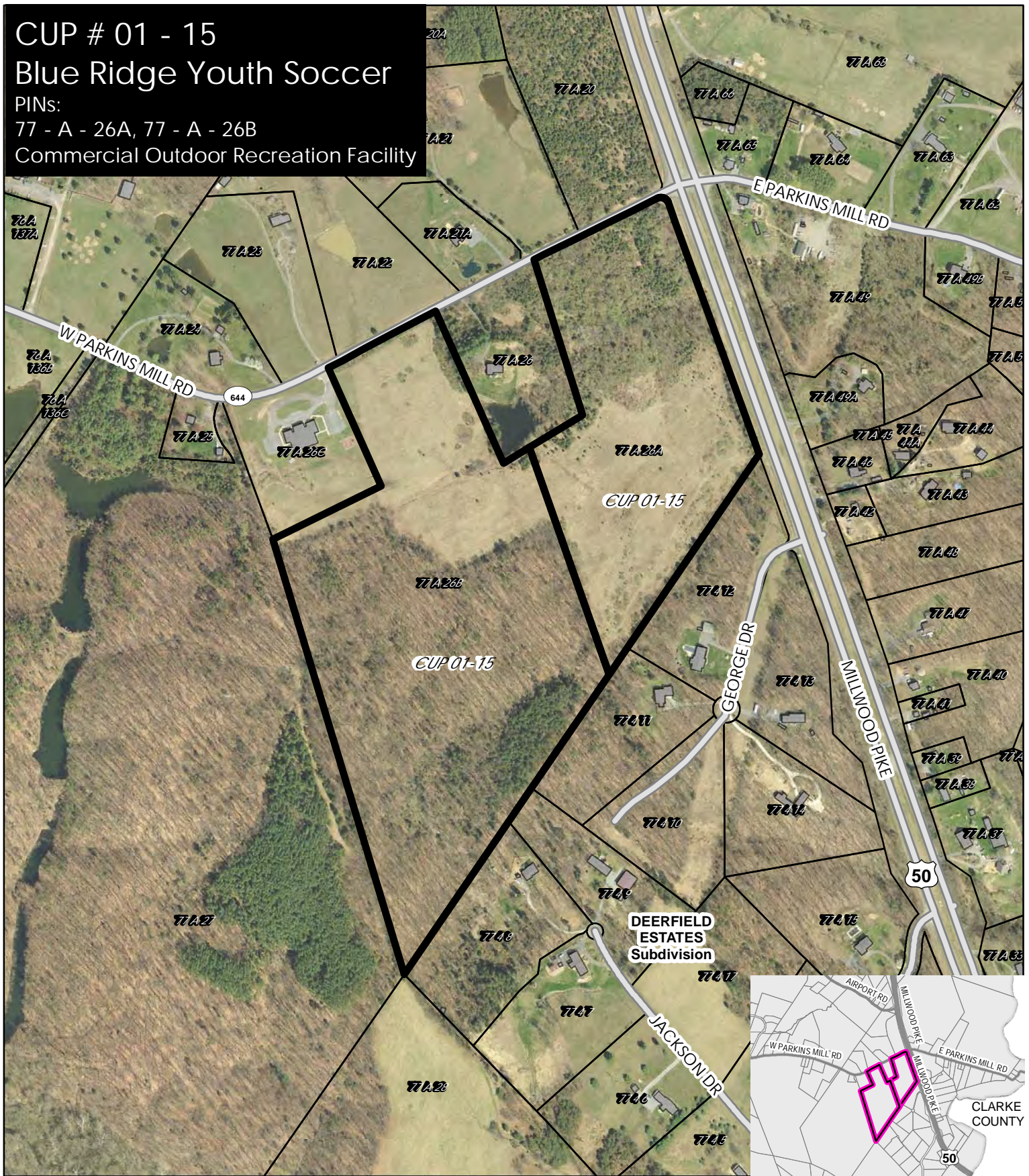
# CUP # 01 - 15

## Blue Ridge Youth Soccer

PINS:

77 - A - 26A, 77 - A - 26B

Commercial Outdoor Recreation Facility



### CUP # 01 - 15 Blue Ridge Youth Soccer

PINS:

77 - A - 26A, 77 - A - 26B  
Commercial Outdoor  
Recreation Facility

Note:

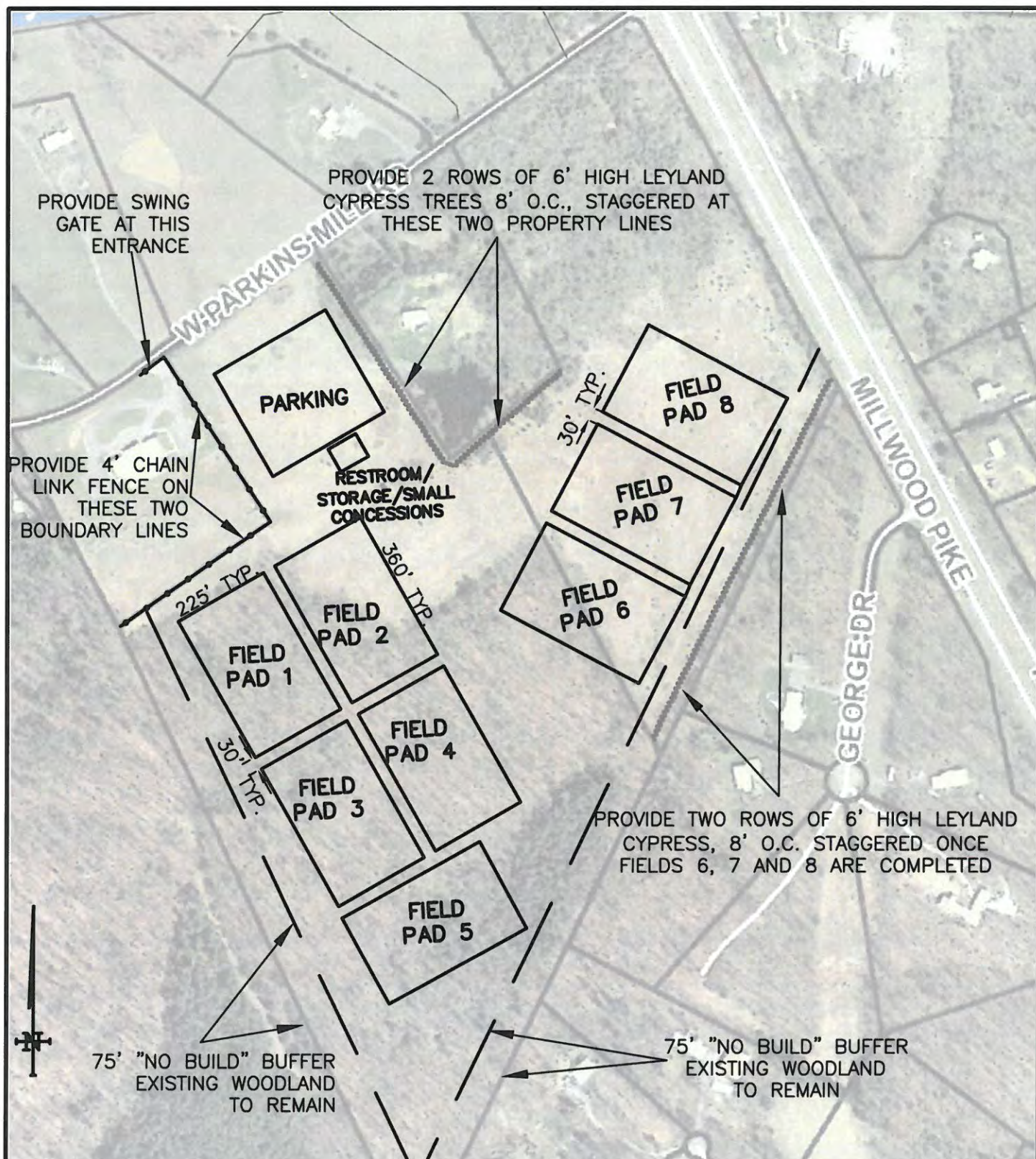
Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651  
Map Created: April 8, 2015  
Staff: cperkins



0 305 610 1,220 Feet

Applications  
Parcels  
Building Footprints





## PAINTER-LEWIS, P.L.C.

817 Cedar Creek Grade, Suite 120  
Winchester, Virginia 22601  
Telephone (540)662-5792  
Facsimile (540)662-5793  
Email office@painterlewis.com

CONSULTING  
ENGINEERS

PROJECT:

### BRYSA CUP/REZONING CONCEPTUAL PLAN TM#77-A-26B

SURVEY:	C.I.:
COUNTY	5'
DRAWN BY:	JOB NO.:
P-L	
SCALE:	DATE:
NTS	06/02/15
SHEET:	1/1



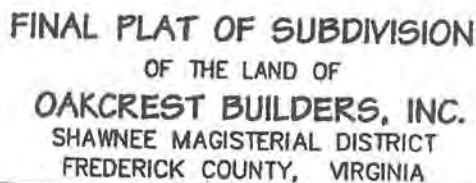


1. NO TITLE REPORT FURNISHED.  
2. EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.

### CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	295.00'	20.96'	10.48'	20.96'	N 89°25'56" E	04°04'18"
C2	656.58'	289.20'	146.98'	289.86'	N 74°46'42" E	25°14'10"
C3	666.58'	283.59'	149.21'	291.22'	S 74°46'45" W	25°14'07"
C4	305.00'	18.15'	9.08'	18.15'	S 89°06'05" W	03°24'31"

Graphic Scale in Feet  
1"=300'



DATE: 8 JUNE 1998

SCALE: 1"=300'

SHEET 2 OF 2

**MARSH & LEGGE**  
Land Surveyors, P.L.C.

MS-OAK

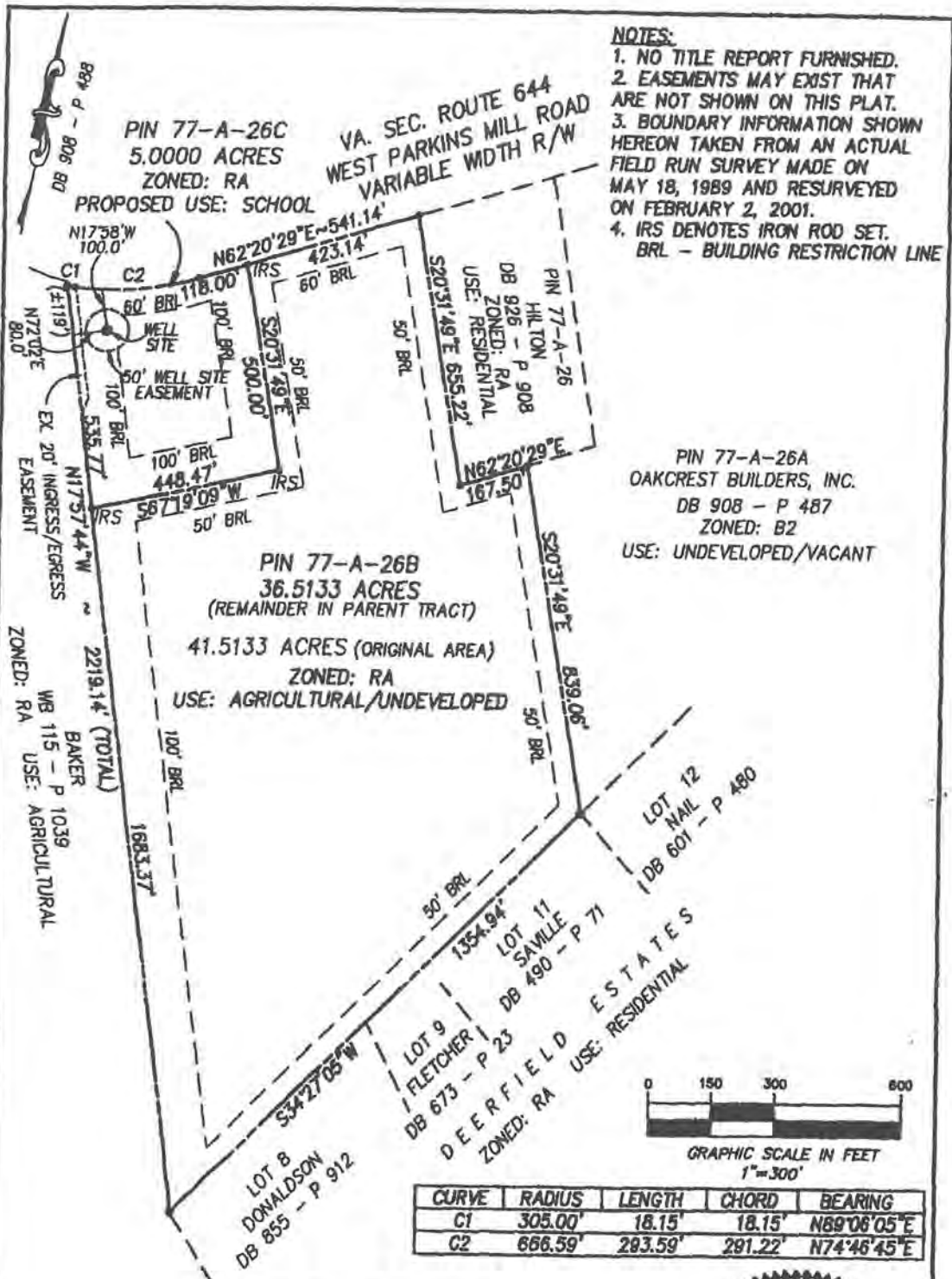
139 North Cameron Street Winchester, Virginia 22601  
(540) 867-0488 Fax (540) 867-0489



01814

**NOTES:**

1. NO TITLE REPORT FURNISHED.
2. EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
3. BOUNDARY INFORMATION SHOWN HEREON TAKEN FROM AN ACTUAL FIELD RUN SURVEY MADE ON MAY 18, 1989 AND RESURVEYED ON FEBRUARY 2, 2001.
4. IRS DENOTES IRON ROD SET.  
BRL - BUILDING RESTRICTION LINE



**MINOR RURAL SUBDIVISION**  
OF A PORTION OF THE LAND OF  
**OAKCREST BUILDERS, INC.**

SHAWNEE MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VIRGINIA



DATE: 2 APRIL 2002

SCALE: 1"=300'

SHEET 2 OF 2

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

680 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22801

PHONE (540) 887-0488 ~ FAX (540) 887-0489 ~ marshalllegge.com

DRAWN BY: HH

DWG NAME: ID2139



Submittal Deadline  
P/C Meeting  
BOS Meeting

4/10/15  
5/6/15  
5/27/15

APPLICATION FOR CONDITIONAL USE PERMIT  
FREDERICK COUNTY, VIRGINIA

1. Applicant (check one): Property Owner ☐ Other ☒

NAME: Painter-Lewis, PLC

ADDRESS: 817 Cedar Creek Grade Suite #120 Winchester, VA 22601

TELEPHONE: (540)662-5792

2. Please list all owners, occupants, or parties in interest of the property:

Blue Ridge Youth Soccer Association

Oakcrest Builders Inc.

3. The property is located at: (please give exact directions and include the route number of your road or street)

The property is located east of the city of Winchester, on the west side of US Highway 50/17,

at the south side of its intersection with W. Parkins Mill Road, SR 644.

4. The property has a road frontage of 2,843.04 feet and a depth of 2,314.94 feet and consists of 62.06 acres. (Please be exact)

5. The property is owned by Oakcrest Builders Inc. as evidenced by deed from Margaret P. Danner (previous owner) recorded in deed book no. 718 on page 687, as recorded in the records of the Clerk of the Circuit Court, County of Frederick.

6. Property Identification Number (P.I.N.) 77-A-26A, 77-A-26B  
Magisterial District Shawnee  
Current Zoning RA

12. Additional comments, if any: \_\_\_\_\_

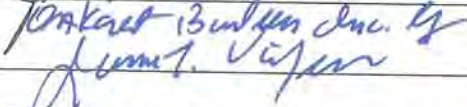
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I (we), the undersigned, do hereby respectfully make application and petition the governing body of Frederick County, Virginia to allow the use described in this application. I understand that the sign issued to me when this application is submitted must be placed at the front property line at least seven (7) days prior to the first public hearing and maintained so as to be visible until after the Board of Supervisors' public hearing. Your application for a Conditional Use Permit authorizes any member of the Frederick County Planning Commission, Board of Supervisors or Planning and Development Department to inspect your property where the proposed use will be conducted.

Signature of Applicant



Signature of Owner



Owners' Mailing Address

126 North Kent Street, Winchester, VA 22601

Owners' Telephone No.

540-722-4100

**TO BE COMPLETED BY THE ZONING ADMINISTRATOR:**

**USE CODE:** \_\_\_\_\_

**RENEWAL DATE:** \_\_\_\_\_

7. Adjoining Property:

	<u>USE</u>	<u>ZONING</u>
North	RESIDENTIAL	B2RA, RA
East	RESIDENTIAL	B2
South	RESIDENTIAL	RA
West	RESIDENTIAL	RA

8. The type of use proposed is (consult with the Planning Dept. before completing):  
 COMMERCIAL OUTDOOR RECREATION, ATHLETIC OR PARK FACILITIES IN ACCORDANCE WITH FREDERICK COUNTY ZONING  
 ORDINANCE CONDITIONAL USE PERMIT UNDER §165-401.03 Q

9. It is proposed that the following buildings will be constructed:  
 RESTROOM FACILITIES

10. The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear and in front of (across street from) the property where the requested use will be conducted. (Continue on back if necessary.)  
 These people will be notified by mail of this application:

Name and Property Identification Number	Address
Name Ricky A. and Patsy J. Brown	1171 W. Parkins Mill Road
Property # TM#77-A-21A	Winchester, VA 22602
Name Julie Hilton Boulais	1148 W. Parkins Mill Road
Property # TM# 77-A-26	Winchester, VA 22602
Name Gloria C. Johnson	1105 W. Parkins Mill Road
Property # TM# 77-A-22	Winchester, VA 22602
Name Gloria C. Johnson	1105 W. Parkins Mill Road
Property # TM# 77-A-23	Winchester, VA 22602
Name John F. and Jennifer Sheehy LLC	2366 Rileyville Road
Property # TM# 77-A-26C	Rileyville, VA 22650
Name Eric B. and Karen Helm Baker	425 Pine Road
Property # TM# 77-A-27	Stephenson, VA
Name Mary Baker Fisher	246 Bush Drive
Property # TM# 77-A-28	Winchester, VA 22602



Name and Property Identification Number		Address
Name	Connor J. and Karah M. Brandt	215 Jackson Drive Winchester, VA 22602
Property #	TM# 77-4-8	
Name	William L. Fletcher Jr.	210 Jackson Drive Winchester, VA 22602
Property #	TM#77-4-9	
Name	Bruce L. and Donna R. Saville	180 George Drive Winchester, VA 22602
Property #	TM# 77-4-11	
Name	Edward T. and Cindy C. Nail	130 George Drive Winchester, VA 22602
Property #	TM# 77-4-12	
Name	Robert D. W Orndorff	3321 Millwood Pike Winchester, VA 22602
Property #	TM # 77-A-49A	
Name	Albert C. Franklin	110 E. Parkins Mill Road Winchester, VA 22602
Property #	TM# 77-A-49	
Name	Richard A. and Janet S. Dye	11310 Vale Road Oakton, VA 22124
Property #	TM# 77-A-20	
Name	Wallace H. and Mae C. Brown	1181 W. Parkins Mill Road Winchester, VA 22602
Property #	TM# 77-A-21	
Name		
Property #		
Name		
Property #		
Name		
Property #		
Name		
Property #		
Name		
Property #		



**Special Limited Power of Attorney**  
**County of Frederick, Virginia**  
 Frederick Planning Website: [www.co.frederick.va.us](http://www.co.frederick.va.us)

**Department of Planning & Development, County of Frederick, Virginia**  
**107 North Kent Street, Winchester, Virginia 22601**  
**Phone (540) 665-5651 Facsimile (540) 665-6395**

Know All Men By These Presents: That I (We)

(Name) Oakcrest Builders, Inc. (Phone) 540-722-4100

(Address) 126 N. Kent St. Winchester, VA. 22601

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. 718 on Page 687, and is described as

Parcel: 77-A Lot: 26A 26B Block:      Section:      Subdivision:       
 do hereby make, constitute and appoint:

(Name) Painter-Lewis, PLC (Phone) (540)662-5792

(Address) 817 Cedar Creek Grade Suite#120 Winchester, VA 22601

To act as my true and lawful attorney-in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- ☐ Rezoning (including proffers)
- ☒ Conditional Use Permit
- ☐ Master Development Plan (Preliminary and Final)
- ☐ Subdivision
- ☐ Site Plan
- ☐ Variance or Appeal

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified.

In witness thereof, I (we) have hereto set my (our) hand and seal this 5<sup>th</sup> day of JAN., 2015,

Signature(s) [Signature]

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

I, Violet Garrett, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 5 day of Jan, 2015.

Violet Garrett  
 Notary Public

184098

My Commission Expires: Dec. 31, 2017



# RESOLUTION

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**Action:**

PLANNING COMMISSION: May 6, 2015 - Public Hearing Held; Action Tabled 45 days  
June 17, 2015 - Recommended Approval

BOARD OF SUPERVISORS: July 8, 2015    ☐ APPROVED    ☐ DENIED

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## RESOLUTION

### **CONDITIONAL USE PERMIT #01-15 BLUE RIDGE YOUTH SOCCER ASSOCIATION**

**WHEREAS, Conditional Use Permit #01-15 for the Blue Ridge Youth Soccer Association**, submitted by Painter-Lewis, PLC, to enable the construction and operation of an outdoor soccer complex, was considered. The properties are located east of the City of Winchester, on the west side of US Highway 50/17 at the south side of its intersection with West Parkins Mill Road (Route 644), and is identified by PIN(s) 77-A-26A & 77-A-26B in the Shawnee Magisterial District. The commercial outdoor recreation, athletic or park facilities are permitted uses in the RA (Rural Areas) District with a conditional use permit; and,

**WHEREAS**, the Frederick County Planning Commission held a public hearing on the conditional use permit on May 6, 2015, and tabled the application for 45 days; and

**WHEREAS**, the Frederick County Planning Commission held a public meeting on June 17, 2015, and recommended approval of the Conditional Use Permit with conditions; and,

**WHEREAS**, the Frederick County Board of Supervisors held a public hearing on this Conditional Use Permit during their regular meeting on July 8, 2015; and,

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

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the zoning map to reflect that Conditional Use Permit Application #01-15 – Blue Ridge Youth Soccer Association is permitted on the parcels identified by Property Identification Number (PINs) 77-A-26A & 77-A-26B with the following conditions:

1. All review agency comments and requirements shall be complied with at all times.
2. An engineered site plan shall be submitted to and approved by the Frederick County Planning Department; all site plan improvements shall be implemented prior to utilizing the facility.
3. Minimum parking shall be thirty (30) spaces per field. Access to the site shall be gated when the fields are not in use.
4. Permanent bathroom facilities shall be provided on site.
5. One permanent concessions stand shall be permitted.
6. No permanent sound or music amplification system shall be installed on the property.
7. All trash shall be removed from the fields each day the fields are in use.
8. One freestanding sign shall be permitted; this sign shall not exceed 12' in height and 50 square feet in size; this sign shall be located on West Parkins Mill Road.
9. Site lighting shall conform with 165-201.07F - Lighting Standards for Recreational Facilities in all Zoning Districts (Class III facility – full cutoff luminaries must be used to control spill light). All lighting shall be turned off by 10:00 p.m.
10. All fields shall be a minimum of 75' from any adjoining property boundary.
11. A double row of evergreen trees 6' in height, planted a maximum of 8' on center shall be provided along any property line that borders a residential dwelling, where existing woodlands (minimum 50' width) are not present. Screening shall be phased as the fields are constructed. Three rows of evergreen trees 6' in height, planted a maximum of 8' on center shall be provided along the southern and western property lines for 77-A-26.
12. Wire fencing shall be provided along parcel 77-A-26C; a gate shall also be provided to restrict access into 77-A-26C.



13. Hours of operation shall be 8:00 a.m. to 10:00 p.m.
14. The property shall only have one entrance, and that entrance shall be onto West Parkins Mill Road. There shall be no entrances onto Route 50. Emergency access that is not open to the public may be shown if approved by VDOT.
15. Any expansion or change of use shall require a new Conditional Use Permit.

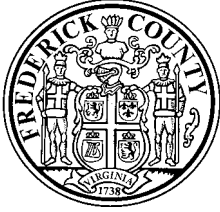
Passed this 8th day of July, 2015 by the following recorded vote:

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

**A COPY ATTEST**

\_\_\_\_\_  
Brenda G. Garton  
Frederick County Administrator

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**REZONING APPLICATION #04-15  
ABRAM'S CHASE (PROFFER AMENDMENT)  
Staff Report for the Board of Supervisors  
Prepared: June 18, 2015  
Staff Contact: Michael T. Ruddy, AICP, Deputy Director**

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	<b><u>Reviewed</u></b>	<b><u>Action</u></b>
<b>Planning Commission:</b>	05/20/15	Recommended Approval
<b>Board of Supervisors:</b>	07/08/15	Pending Minor Proffer Amendment No Public Hearing Required

**PROPOSAL:** To revise proffers associated with Rezoning #11-06. This revision relates to the residential land use sections of the proffers. The Applicant is changing this residential project to an Age-Restricted residential project.

**LOCATION:** The properties are located on the north side of Senseny Road (Route 657); approximately 400' west of the intersection of Channing Drive and Senseny Road.

**PLANNING COMMISSION RECOMMENDATION AND EXECUTIVE SUMMARY FOR THE  
07/08/15 BOARD OF SUPERVISORS MEETING:**

**The Planning Commission recommended approval of this rezoning proffer amendment request, an application to modify the proffers associated with Rezoning #11-06.**

This request to amend the proffer statement to restrict the residential uses to age-restricted residential uses remains consistent with the 2030 Comprehensive Plan. In addition, the modification to the proffer statement to reduce the monetary contribution to offset the impact development is accurate and in the appropriate form. The amounts proffered are consistent with the County's Development Impact Model (DIM). This request is a minor proffer revision, and does not require a public hearing.

There are no anticipated issues with changing this residential project to an Age-Restricted residential project. Planning Commission members did not express any concerns with this request.

**Following the public meeting for this item, a decision regarding this rezoning proffer amendment application by the Board of Supervisors would be appropriate. The applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.**

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

	<u>Reviewed</u>	<u>Action</u>
Planning Commission:	05/20/15	Recommended Approval
Board of Supervisors:	07/08/15	Pending Minor Proffer Amendment No Public Hearing Required

**PROPOSAL:** To revise proffers associated with Rezoning #11-06. This revision relates to the residential land use sections of the proffers. The Applicant is changing this residential project to an Age-Restricted residential project.

**LOCATION:** The properties are located on the north side of Senseny Road (Route 657); approximately 400’ west of the intersection of Channing Drive and Senseny Road.

**MAGISTERIAL DISTRICT:** Red Bud

**PROPERTY ID NUMBERS:** 65-A-27A, 65-A-28A

**PROPERTY ZONING:** RP (Residential Performance) District

**PRESENT USE:** Residential and Vacant

**ADJOINING PROPERTY ZONING & PRESENT USE:**

North: RP (Residential Performance)	Use: Lynnehaven Subdivision Open Space
South: RA (Rural Areas)	Use: Agricultural
East: RP (Residential Performance)	Use: Parkwood Manor Subdivision
West: RA (Rural Areas)	Use: Residential

**REVIEW EVALUATIONS:**



**Fire Marshall:** Plans approved.

**Frederick County Fire and Rescue:** Plans approved.

**Frederick County Parks & Recreation:** Parks and Recreation will need to see an open space break out to determine if open space requirements are being met.

**County Attorney:** *Please see attached e-mail from Rod Williams, County Attorney to Evan Wyatt dated April 21, 2015.*

**Planning & Zoning:**

**1) Site History**

This property was rezoned on January 10, 2007 subject to rezoning RZ #11-06. At this time, the Applicant rezoned 3.25 acres from RA (Rural Areas) District to RP (Residential Performance) District with proffers, to accommodate 13 single family detached residential units on small lots.

The original Frederick County Zoning Map (U.S.G.S. Stephenson Quadrangle) identifies the parcel as being zoned A-2 Agricultural. The County’s A-1 and A-2 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 property and all other A-1 and A-2 zoned land to the RA (Rural Areas) District. Parcels 65-A-27A and 65-A-28A maintain this RA zoning classification.

**2) Comprehensive Policy Plan**

The parcels subject to this proffer amendment are located within the County’s Urban Development Area (UDA) and Sewer and Water Service Area (SWSA). The Urban Development Area defines the general area in which more intensive forms of residential development will occur. In addition, the Senseny/Eastern Frederick Urban Area Plan Map identifies this general area with future residential land uses.

**Transportation**

Senseny Road is identified as an improved major collector road and has been addressed accordingly. In addition, Senseny Road is recognized in the Frederick County Bicycle Plan with a short-term designation for bicycle accommodations. Access to the site would be via a new public street that would be stubbed out at the western property line as indicated on the Generalized Development Plan. A 10’ asphalt bicycle/pedestrian trail is also being constructed along the frontage of the property.

This rezoning/proffer amendment remains consistent with the 2030 Comprehensive Plan.

**3) Proffer Statement**

Proffer B, Residential Land Use, has been modified with this proffer amendment to add the qualification that the residential dwelling units will be age-restricted.

As a result of this change, the Applicant has also modified the Monetary Contribution to offset the Impact of Development accordingly by eliminating the contribution to Schools. Proffer D now states that the Applicant will pay to the Treasurer of Frederick County \$2,835.00 for each residential lot platted.

**STAFF CONCLUSIONS FOR THE 05/20/15 PLANNING COMMISSION MEETING:**

This request to amend the proffer statement to restrict the residential uses to age-restricted residential uses remains consistent with the 2030 Comprehensive Plan. In addition, the modification to the proffer statement to reduce the monetary contribution to offset the impact development is accurate and in the appropriate form. The amounts proffered are consistent with the County’s Development Impact Model (DIM).

There are no anticipated issues with changing this residential project to an Age-Restricted residential project.

**PLANNING COMMISSION SUMMARY AND ACTION FROM THE 5/20/15 MEETING:**

Staff reported this property was rezoned on January 10, 2007, at this time the Applicant rezoned 3.25 acres from RA (Rural Areas) District to RP (Residential Performance) District with proffers, to accommodate 13 single family units. Staff noted this revision relates to the residential land use sections of the proffer. The Applicant is changing this residential project to an Age-Restricted residential project with the same number of units. Staff explained with this change the Applicant has modified the monetary contribution to offset the Impact of Development by eliminating the contribution to schools. The proffer now states the Applicant will pay to the Treasurer of Frederick County \$2,835 for each residential lot.

Representation for the Applicant was available for questions from the Planning Commission. There were no questions at that time. The Public Comment portion of the meeting was opened; no one came forward to speak.

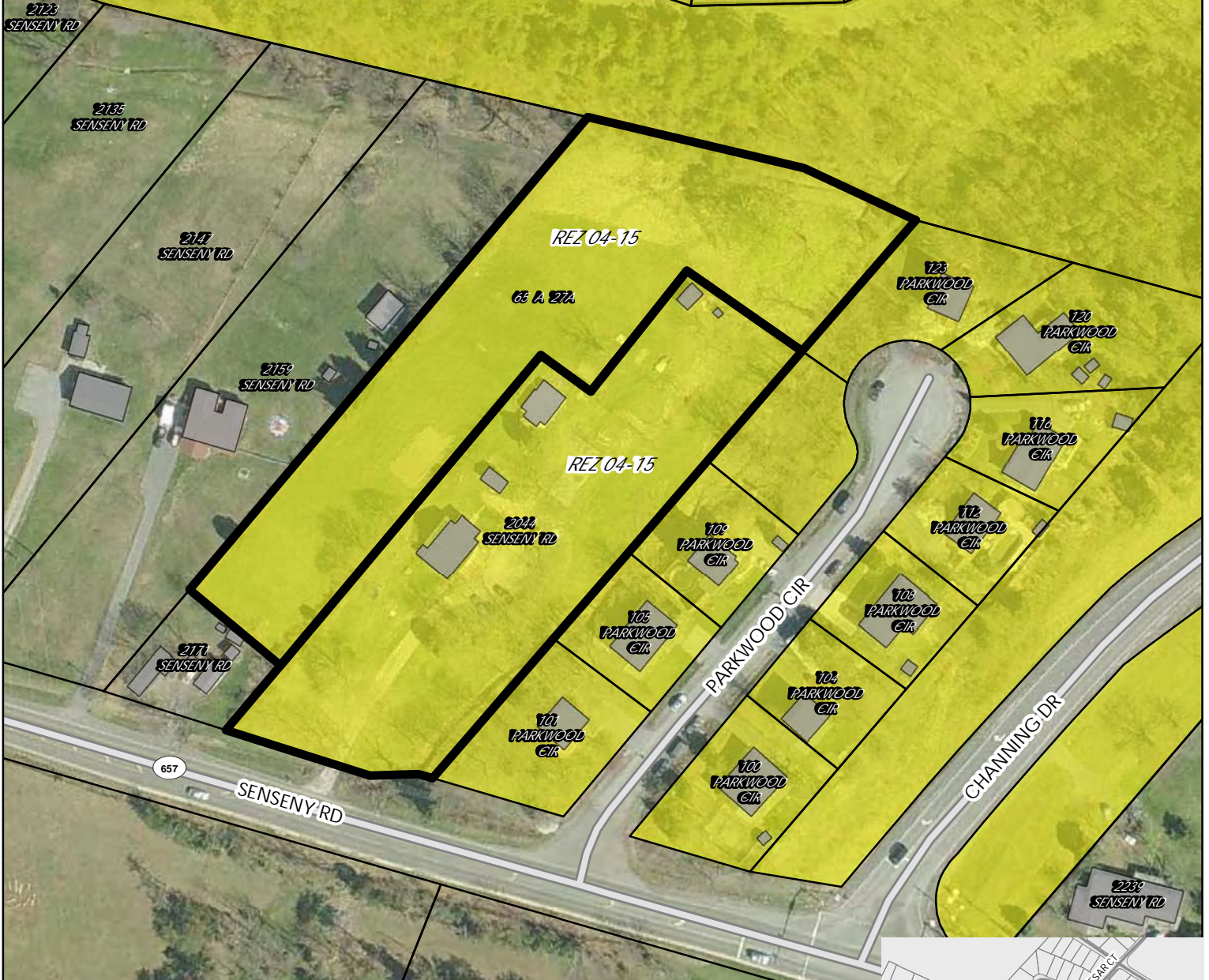
A motion was made, seconded and unanimously passed to recommend approval of REZ #04-15 Abram’s Chase.

Absent: Ambrogio, Thomas, Oates, Crockett

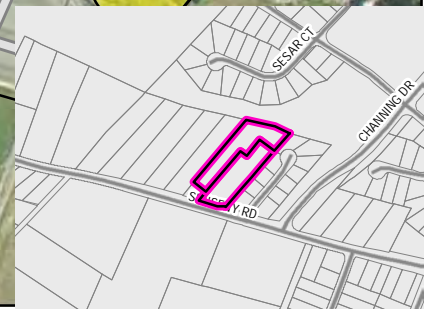
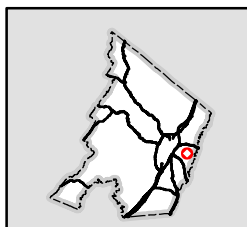
**Following the public meeting for this item, a decision regarding this rezoning proffer amendment application by the Board of Supervisors would be appropriate. The applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.**

# REZ # 04 - 15 Abram's Chase

PINs:  
65 - A - 27A, 65 - A - 28A  
Proffer Revision

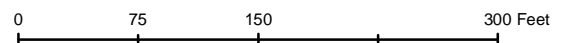


- Applications
- Parcels
- Building Footprints
- B1 (Business, Neighborhood District)
- B2 (Business, General District)
- B3 (Business, Industrial Transition District)
- EM (Extractive Manufacturing District)
- HE (Higher Education District)
- M1 (Industrial, Light District)
- M2 (Industrial, General District)
- MH1 (Mobile Home Community District)
- MS (Medical Support District)
- OM (Office - Manufacturing Park)
- R4 (Residential Planned Community District)
- R5 (Residential Recreational Community District)
- RA (Rural Area District)
- RP (Residential Performance District)



REZ # 04 - 15  
Abram's Chase  
PINs:  
65 - A - 27A, 65 - A - 28A  
Proffer Revision

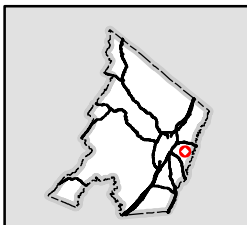
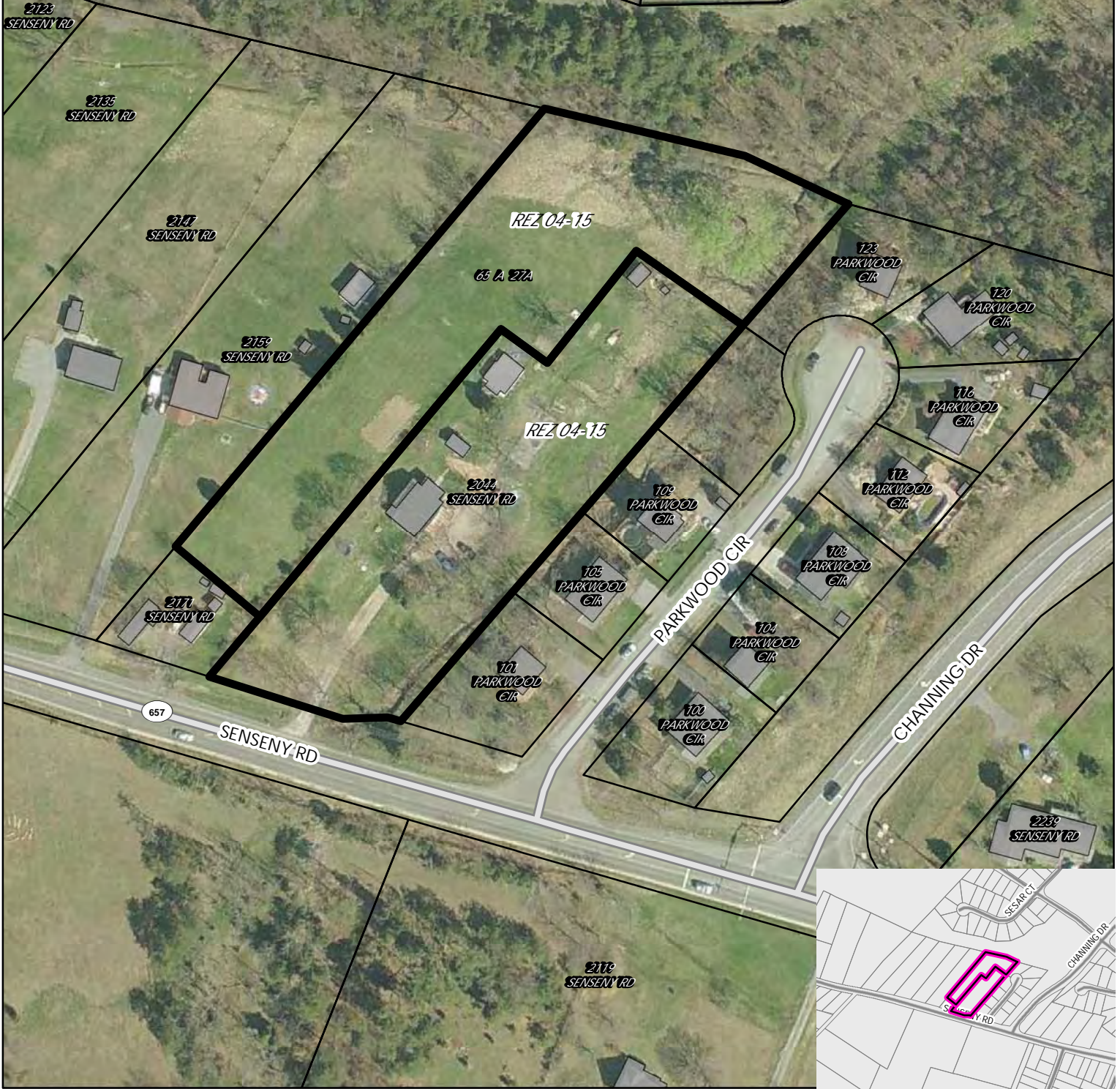
Note:  
Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651  
Map Created: April 27, 2015  
Staff: mrruddy





# REZ # 04 - 15 Abram's Chase

PINs:  
65 - A - 27A, 65 - A - 28A  
Proffer Revision



REZ # 04 - 15  
Abram's Chase  
PINs:  
65 - A - 27A, 65 - A - 28A  
Proffer Revision

Note:  
Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651  
Map Created: April 27, 2015  
Staff: mrruddy

Applications  
Parcels  
Building Footprints

0 75 150 300 Feet



**ABRAM'S CHASE PROFFER STATEMENT**

REZONING: RZ# \_\_\_\_\_ - Conditional Zoning Amendment  
RP, Residential Performance District with Proffers to  
RP, Residential Performance District with Revised Proffers

PROPERTIES: 3.25±-acres  
Tax Parcels 65-((A))-27A & 65-((A))-28A

RECORD OWNERS: Harvest Communities, Inc.

APPLICANT: Harvest Communities, Inc.

PROJECT NAME: Abram's Chase Age-Restricted Subdivision

ORIGINAL DATE  
OF PROFFERS: January 11, 2007

REVISION DATE: April 21, 2015

Preliminary Matters

Pursuant to Section 15.2-2296 Et. Seq. of the Code of Virginia, 1950, as amended, (the "Code") and the provisions of the Frederick County Zoning Ordinance (the "Ordinance") with respect to conditional zoning, Harvest Communities, Inc., (the "Applicant") hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve conditional zoning amendments pertaining to Rezoning Application #11-06 for the 3.25±-acres (the "Property") from the RP, Residential Performance District with approved proffers to RP, Residential Performance District with revised proffers, 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 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 these applicant and their legal successors, heirs, or assigns. The term "Applicant" herein shall also include within its meaning the owner of the properties that are subject to these proffers and such owner's legal successors, heirs, and assigns.

The subject Property, identified as the Abram's Chase Subdivision, and more particularly described as the lands owned by Harvest Communities, Inc., being all of Tax Map Parcels 65-((A))-27A and 65-((A))-28A, recorded as Instrument Number 050028946, and

further identified by plat and survey dated June 22, 1998, prepared by Edward W. Dove, L.S., of Dove & Associates, recorded as Deed Book 910, Page 381.

**A. Generalized Development Plan**

The Applicant hereby proffers to develop the Property in substantial conformity with the attached Generalized Development Plan ("GDP") dated March 17, 2015 that will be approved as part of the rezoning application. The GDP shall identify the general location of the additional travel lane and turn lane on Senseny Road (Route 657), the 10-foot bicycle/pedestrian facility, the internal road system with inter-parcel connectivity, the general location of residential lots and the open space/buffer areas.

**B. Residential Land Use**

The Applicant hereby proffers to develop a maximum of 13 single-family small lot detached residential dwelling units that will be age-restricted.

**C. Transportation Enhancements**

1. The Applicant hereby proffers to construct an internal public street with a temporary turnaround that will be designed to provide for inter-parcel connectivity to Tax Map Parcel 65-((A))-25B.
2. The Applicant hereby proffers to construct a new westbound travel lane on Senseny Road (Route 657) that is 12-feet in width and is located along the Property frontage within the public right-of-way. The new westbound travel lane shall be designed to connect Parkwood Drive to the entrance serving the Property. This improvement shall be bonded and constructed concurrently with the internal public street serving the Property.
3. The Applicant hereby proffers to construct a right turn and taper lane within the public right-of-way to the entrance serving the Property. This improvement shall be bonded and constructed concurrently with the internal public street serving the Property.
4. The Applicant hereby proffers to dedicate right-of-way sufficient to provide for 45 feet from the existing Senseny Road (Route 657) centerline of record. This right-of-way dedication shall be incorporated into and approved concurrently with the final subdivision plat creating the age-restricted residential lots and internal public street system serving the Property.

5. The Applicant hereby proffers to construct a 10-foot asphalt bicycle/pedestrian facility along the frontage of the Property. This improvement shall be bonded and constructed concurrently with the internal public street serving the Property.
6. The Applicant hereby proffers to provide for a curb cut along the internal public street serving the Property to allow for ingress/egress for Tax Map Parcel 65-((A))-26A. The Applicant shall establish an ingress/egress easement for the benefit of Tax Map Parcel 65-((A))-26A that shall be incorporated into the final plat and deed for the Abram's Chase Age-Restricted Subdivision. Additionally, an easement shall be provided at this general location for the benefit of Tax Map Parcel 65-((A))-26A to allow for public water and sewer connections to the Abram's Chase Age-Restricted Subdivision public water and sewer lines at the expense of others.
7. The Applicant hereby proffers to provide a monetary contribution of \$1,000.00 for each age-restricted residential lot to be used towards future improvements to the Senseny Road corridor. This monetary contribution will be paid to Frederick County at the time of issuance of the occupancy permit associated with each age-restricted residential lot and may be used by Frederick County as local matching funds for qualifying transportation projects at the discretion of the County.

**D. Monetary Contribution to Offset Impact of Development**


The Applicant will pay to the Treasurer of Frederick County, Virginia \$2,835.00 for each residential lot that is platted to completely mitigate Capital Facilities Impacts identified below. This monetary contribution will be paid at the time of issuance of the occupancy permit associated with each age-restricted residential lot and is to be distributed in the amounts as follows:

Fire and Rescue	\$ 554.00
General Government	\$ 43.00
Library	\$ 496.00
Parks and Recreation	\$ 1,742.00

**E. Signature**

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

Respectfully Submitted:

By:   
Stuart Butler, President  
Harvest Communities, Inc.

4/23/15  
Date

Commonwealth of Virginia,

City/County of Frederick To Wit:

The foregoing instrument was acknowledged before me this 23 day of April

2015 by Stuart Butler

  
Notary Public

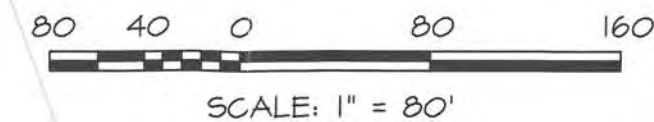
My Commission Expires Sept 30, 2015





# LEGEND

-  LOT AREA (APPROXIMATE)
-  OPEN SPACE AREA (APPROXIMATE)
-  PUBLIC R.O.W. AREA (APPROXIMATE)
-  10' BICYCLE / PEDESTRIAN FACILITY
-  50' ROAD EFFICIENCY BUFFER
-  INGRESS / EGRESS EASEMENT AREA



## ABRAM'S CHASE AGE-RESTRICTED SUBDIVISION GENERALIZED DEVELOPMENT PLAN

RED BUD MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VA



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

DATE:	3/17/2015
SCALE:	1"=80'
DESIGNED BY:	SGM
JOB NO.	4545A
SHEET	1 OF 1



## AMENDMENT

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**Action:**

PLANNING COMMISSION: May 20, 2015 - Recommended Approval

BOARD OF SUPERVISORS: July 8, 2015 ☐ APPROVED ☐ DENIED

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### AN ORDINANCE AMENDING

#### REZONING #04-15 OF ABRAM'S CHASE (PROFFER AMENDMENT)

**WHEREAS, Rezoning #04-15, Abram's Chase (Proffer Amendment),** submitted by Greenway Engineering, Inc., to revise proffers associated with Rezoning #11-06 requesting to amend the proffer statement to restrict the residential uses to age-restricted residential uses. In addition, the modification to the proffer statement to reduce the monetary contribution to offset the impact of the development is accurate and reflects the change to age-restricted residential uses; and

**WHEREAS,** the Planning Commission held a public meeting on this rezoning on May 20, 2015 and recommended approval; and

**WHEREAS,** the Board of Supervisors held a public meeting on this rezoning on July 8, 2015; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that the proffers associated with Rezoning #11-06 have been amended to restrict the residential uses to age-restricted residential uses and to modify the monetary contribution to reflect this change.

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

Passed this 8th day of July, 2015 by the following recorded vote:

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

**A COPY ATTEST**

\_\_\_\_\_  
Brenda G. Garton  
Frederick County Administrator



## ABRAM'S CHASE PROFFER STATEMENT

REZONING: RZ# 11-06 \_\_\_\_\_ - Conditional Zoning Amendment  
RP, Residential Performance District with Proffers to  
RP, Residential Performance District with Revised Proffers

PROPERTIES: 3.25±-acres  
Tax Parcels 65-((A))-27A & 65-((A))-28A

RECORD OWNERS: Harvest Communities, Inc.

APPLICANT: Harvest Communities, Inc.

PROJECT NAME: Abram's Chase Age-Restricted Subdivision

ORIGINAL DATE  
OF PROFFERS: January 11, 2007

REVISION DATE: March 17, 2015

### Preliminary Matters

Pursuant to Section 15.2-2296 Et. Seq. of the Code of Virginia, 1950, as amended, (the "Code") and the provisions of the Frederick County Zoning Ordinance (the "Ordinance") with respect to conditional zoning, Harvest Communities, Inc., (the "Applicant") hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve conditional zoning amendments pertaining to Rezoning Application #11-06 for the 3.25±-acres (the "Property") from the RP, Residential Performance District with approved proffers to RP, Residential Performance District with revised proffers, 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 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 these applicant and their legal successors, heirs, or assigns. **The term "Applicant" herein shall also include within its meaning the owner of the properties that are subject to these proffers and such owner's legal successors, heirs, and assigns.**

The subject Property, identified as the Abram's Chase Subdivision, and more particularly described as the lands owned by Harvest Communities, Inc., being all of Tax Map Parcels 65-((A))-27A and 65-((A))-28A, recorded as Instrument Number 050028946, and



further identified by plat and survey dated June 22, 1998, prepared by Edward W. Dove, L.S., of Dove & Associates, recorded as Deed Book 910, Page 381.

**A. Generalized Development Plan**

The Applicant hereby proffers to develop the Property in substantial conformity with the attached Generalized Development Plan ("GDP") dated March 17, 2015 that will be approved as part of the rezoning application. The GDP shall identify the general location of the additional travel lane and turn lane on Senseny Road (Route 657), the 10-foot bicycle/pedestrian facility, the internal road system with inter-parcel connectivity, the general location of residential lots and the open space/buffer areas.

**B. Residential Land Use**

The Applicant hereby proffers to develop a maximum of 13 single-family small lot detached residential dwelling units that will be age-restricted.

**C. Transportation Enhancements**

1. The Applicant hereby proffers to construct an internal public street with a temporary turnaround that will be designed to provide for inter-parcel connectivity to Tax Map Parcel 65-((A))-25B.
2. The Applicant hereby proffers to construct a new westbound travel lane on Senseny Road (Route 657) that is 12-feet in width and is located along the Property frontage within the public right-of-way. The new westbound travel lane shall be designed to connect Parkwood Drive to the entrance serving the Property. This improvement shall be bonded and constructed concurrently with the internal public street serving the Property.
3. The Applicant hereby proffers to construct a right turn and taper lane within the public right-of-way to the entrance serving the Property. This improvement shall be bonded and constructed concurrently with the internal public street serving the Property.
4. The Applicant hereby proffers to dedicate right-of-way sufficient to provide for 45 feet from the existing Senseny Road (Route 657) centerline of record. This right-of-way dedication shall be incorporated into and approved concurrently with the final subdivision plat creating the age-restricted residential lots and internal public street system serving the Property.

5. The Applicant hereby proffers to construct a 10-foot asphalt bicycle/pedestrian facility along the frontage of the Property. This improvement shall be bonded and constructed concurrently with the internal public street serving the Property.
6. The Applicant hereby proffers to provide for a curb cut along the internal public street serving the Property to allow for ingress/egress for Tax Map Parcel 65-((A))-26A. The Applicant shall establish an ingress/egress easement for the benefit of Tax Map Parcel 65-((A))-26A that shall be incorporated into the final plat and deed for the Abram's Chase Age-Restricted Subdivision. Additionally, an easement shall be provided at this general location for the benefit of Tax Map Parcel 65-((A))-26A to allow for public water and sewer connections to the Abram's Chase Age-Restricted Subdivision public water and sewer lines at the expense of others.
7. The Applicant hereby proffers to provide a monetary contribution of \$1,000.00 for each age-restricted residential lot to be used towards future improvements to the Senseny Road corridor. This monetary contribution will be paid to Frederick County at the time of ~~building permit issuance~~ **issuance of the occupancy permit associated with** each age-restricted residential lot and may be used by Frederick County as local matching funds for qualifying transportation projects at the discretion of the County.

**D. Monetary Contribution to Offset Impact of Development**

The Applicant will pay to the Treasurer of Frederick County, Virginia ~~\$2,836.00~~ **\$2,835.00** for each residential lot that is platted to completely mitigate Capital Facilities Impacts identified below. This monetary contribution will be paid at the time of issuance of the occupancy permit associated with each age-restricted residential lot and is to be distributed in the amounts as follows:

Fire and Rescue	\$ 554.00
General Government	\$ 43.00
Library	\$ 496.00
Parks and Recreation	\$ 1,742.00

**E. Signature**

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

Respectfully Submitted:

By: \_\_\_\_\_  
Stuart Butler, President  
Harvest Communities, Inc.

\_\_\_\_\_  
Date

Commonwealth of Virginia,

City/County of \_\_\_\_\_ To Wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_

20\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_



## **Evan Wyatt**

---

**From:** Rod Williams <rwillia@fcva.us>  
**Sent:** Tuesday, April 21, 2015 10:49 AM  
**To:** Evan Wyatt  
**Cc:** Mike Ruddy; John Bishop  
**Subject:** Abram's Chase

Dear Evan:

I have now had the opportunity to review the proposed revised proffer statement, dated March 17, 2015 (the "Proffer Statement"), for the rezoning of Abram's Chase from the RP zoning district, with proffers, to the RP zoning district, with revised proffers. The subject property encompasses 3.25± acres, constituting tax parcel numbers 65-A-27A and 65-A-28A, in the Redbud Magisterial District. It is my opinion that the Proffer Statement would be in a form to meet the requirements of the Frederick County Zoning Ordinance and the Code of Virginia, and would be legally sufficient as a proffer statement, subject to the following comments:

- The rezoning number should be updated to reflect whatever new number that Planning staff assigns.
- Reflective of an updated practice since the 2007 approval of the original proffer statement, the Proffer Statement needs to be sure to state that it binds the owner and successors and not just the "Applicant" and successors. To avoid the need for extensive changes throughout the Proffer Statement, I would simply suggest the inclusion of a sentence at the end of the first introductory paragraph, along these lines: "The term "Applicant" herein shall also include within its meaning the owner of the properties that are subject to these proffers and such owner's legal successors, heirs, and assigns."
- The timing of the per unit cash proffer for transportation, in Proffer C7, can be changed to the time of issuance of occupancy permit, so as to comply fully with the provisions of Va. Code § 15.2-2303.1:1.
- The total amount of the per unit cash proffer referenced in the first line of Proffer D should be \$2,835.00. This is the total of the listed components, which is one dollar less than the stated amount.

I have not reviewed the substance of the proffers as to whether the proffers are suitable and appropriate for this specific development, as my understanding is that that review will be done by staff and the Planning Commission.

Sincerely,  
Rod

Roderick B. Williams  
County Attorney  
County of Frederick, Virginia  
107 North Kent Street, 3rd Floor  
Winchester, Virginia 22601  
Telephone: (540) 722-8383  
Facsimile: (540) 667-0370



## Evan Wyatt

---

**From:** Mike Ruddy <[mruddy@fcva.us](mailto:mruddy@fcva.us)>  
**Sent:** Wednesday, April 08, 2015 10:03 AM  
**To:** Evan Wyatt  
**Cc:** Rod Williams; John Bishop  
**Subject:** Abrams Chase Conditional Zoning Amendment

Good Morning Evan.

Planning Staff has no additional comments at this time regarding the proposed Conditional Zoning Amendment for the Abram's Chase project. The Proffer Statement, revision dated March 17, 2015, appears to accurately reflect the changes discussed and the proffered monetary contribution to offset the impact of the development is consistent with the current Development Impact Model projections, minus the school construction component.

We look forward to assisting you with the submittal of this application.

Sincerely,

Mike.

Michael T. Ruddy, AICP  
Deputy Director,  
Frederick County Department of Planning & Development  
107 N. Kent Street  
Winchester, VA 22601  
(540)665-5651  
[mruddy@fcva.us](mailto:mruddy@fcva.us)  
[www.fcva.us/planning](http://www.fcva.us/planning)

**REZONING APPLICATION FORM  
FREDERICK COUNTY, VIRGINIA**

*To be completed by Planning Staff:*

Zoning Amendment Number <u>04-15</u>	Fee Amount Paid \$ <u>1,000.00</u>
PC Hearing Date <u>5/20/15</u>	Date Received <u>4/23/15</u>
	BOS Hearing Date <u>6/10/15</u>

*The following information shall be provided by the applicant:*

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

**1. Applicant:**

Name: Greenway Engineering, Inc. Telephone: 540-662-4185  
Address: 151 Windy Hill Lane  
Winchester, VA 22602

**2. Property Owner (if different than above):**

Name: Harvest Communities, Inc. Telephone: 540-533-2806  
Address: 320 Handley Boulevard  
Winchester, VA 22601

**3. Contact person if other than above:**

Name: Evan Wyatt Telephone: 540-662-4185

**4. Property Information:**

- a. Property Identification Number(s): 65-A-27A & 65-A-28A
- b. Total acreage to be rezoned: N/A - Conditional Zoning Amendment
- c. Total acreage of the parcel(s) to be rezoned (if the entirety of the parcel(s) is not being rezoned): N/A - Conditional Zoning Amendment
- d. Current zoning designation(s) and acreage(s) in each designation: RP District  
3.25+/- acres with approved proffers
- e. Proposed zoning designation(s) and acreage(s) in each designation: RP District  
3.25+/- acres with modified proffers
- f. Magisterial District(s): Red Bud District

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

Location map	<input checked="" type="checkbox"/>	Agency Comments	<input checked="" type="checkbox"/>
Plat	<input type="checkbox"/>	Fees	<input checked="" type="checkbox"/>
Deed to property	<input checked="" type="checkbox"/>	Impact Analysis Statement	<input type="checkbox"/>
Verification of taxes paid	<input checked="" type="checkbox"/>	Proffer Statement	<input checked="" type="checkbox"/>
Plat depicting exact meets and bounds for the proposed zoning district	<input type="checkbox"/>		<input type="checkbox"/>
Digital copies (pdf's) of all submitted documents, maps and exhibits	<input type="checkbox"/>		<input type="checkbox"/>

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

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

Harvest Communities, Inc. Stuart Butler, President

**7. Adjoining Property:**

<u>PARCEL ID NUMBER</u>	<u>USE</u>	<u>ZONING</u>
N/A - Conditional Zoning		
Amendment		

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

The Abram's Chase Subdivision property is located on the north side of Senseny Road (Route 657); approximately 400'

west of the intersection of Channing Drive and Senseny Road.

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

Number of Units Proposed

Single Family homes: 13      Townhome:             Multi-Family:         
Non-Residential Lots:             Mobile Home:             Hotel Rooms:       

Square Footage of Proposed Uses

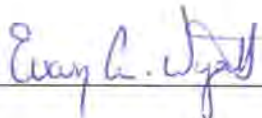
Office:                           Service Station:                       
Retail:                           Manufacturing:                       
Restaurant:                           Warehouse:                       
Commercial:                           Other:                     

**10. Signature:**


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

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

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

Applicant(s):       Date: 3/25/15

Date:                     

Owner(s):       Date: 4/28/15

Date:





**Special Limited Power of Attorney**  
**County of Frederick, Virginia**  
**Frederick Planning Website: [www.co.frederick.va.us](http://www.co.frederick.va.us)**

**Department of Planning & Development, County of Frederick, Virginia**  
**107 North Kent Street, Winchester, Virginia 22601**  
**Phone (540) 665-5651 Facsimile (540) 665-6395**

Know All Men By These Presents: That I (We)

(Name) Harvest Communities, Inc. (Phone) (540) 533-2806

(Address) 320 Handley Boulevard Winchester, VA 22601

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. 050028946 on Page 263, and is described as

Parcel: 27A 28A Lot:        Block: A Section: 65 Subdivision:                       
do hereby make, constitute and appoint:

(Name) Greenway Engineering, Inc. (Phone) (540) 662-4185

(Address) 151 Windy Hill Lane Winchester, VA 22602

To act as my true and lawful attorney-in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- ☒ **Rezoning (including proffers)**
- ☐ **Conditional Use Permit**
- ☐ **Master Development Plan (Preliminary and Final)**
- ☒ **Subdivision**
- ☒ **Site Plan**
- ☐ **Variance or Appeal**

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

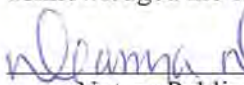
This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified.

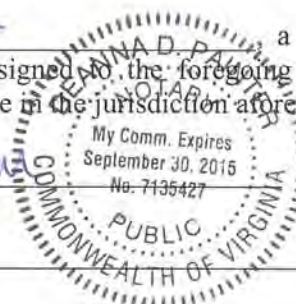
In witness thereof, I (we) have hereto set my (our) hand and seal this 23 day of April, 2015,

Signature(s) 

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

I, Deanna Painter a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 23 day of April, 2015.

  
Notary Public



My Commission Expires: Sept 30, 2015

## Development Impact Model

On October 12, 2005, the Frederick County Board of Supervisors directed staff to use the Development Impact Model (DIM) to project the capital fiscal impacts that would be associated with any rezoning petitions containing residential development, replacing the existing Capital Facilities Fiscal Impact Model. The DIM was created by an economic consultant who evaluated and analyzed development within the County in an effort to assist the County in planning for future capital facility requirements. Critical inputs to the DIM are to be reviewed and updated annually to assure that the fiscal projections accurately reflect County capital expenditures. The Board of Supervisors authorized use of the annual model update on June 25, 2014.

The DIM projects that, on average, residential development has a negative fiscal impact on the County's capital expenditures. As such, all rezoning petitions with a residential component submitted after July 1, 2014 will be expected to demonstrate how the proposal will mitigate the following projected capital facility impacts:

Single Family Dwelling Unit	= \$ 19,583
Town Home Dwelling Unit	= \$ 13,437
Apartment Dwelling Unit	= \$ 12,697

The following is a breakdown of the projected impacts per dwelling unit for each capital facility.

Capital facility	Single Family	Town home	Apartment
Fire And Rescue	\$554	\$412	\$418
General Government	\$43	\$33	\$33
Public Safety	\$0	\$0	\$0
Library	\$496	\$379	\$379
Parks and Recreation	\$1,742	\$1,332	\$1,332
School Construction	\$16,747	\$11,281	\$10,535
Total	\$19,583	\$13,437	\$12,697

The projected capital expenditures depicted above do not include a credit for future real estate taxes. A "read-only" copy of the Development Impact Model is available on the public workstation within the Planning and Development's office. A user manual is also available.

06/25/2014



## AMENDMENT

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**Action:**

PLANNING COMMISSION: December 20, 2006 - Recommended Approval

BOARD OF SUPERVISORS: January 10, 2007 ☒ APPROVED ☐ DENIED

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### AN ORDINANCE AMENDING

### THE ZONING DISTRICT MAP

### REZONING #11-06 OF ABRAM'S CHASE

**WHEREAS**, Rezoning #11-06 of Abram's Chase, submitted by Greenway Engineering, to rezone 3.25 acres from RA (Rural Areas) District to RP (Residential Performance) District, with proffers, for 13 single family homes on small lots, was considered. The property fronts on the north side of Senseny Road (Route 657) adjacent to the Parkwood Manor Subdivision in the Red Bud Magisterial District, and is identified by Property Identification Numbers 65-A-27A and 65-A-28A.

**WHEREAS**, the Planning Commission held a public hearing on this rezoning on September 20, 2006, and recommended approval at a public meeting on December 20, 2006; and

**WHEREAS**, the Board of Supervisors held a public hearing on this rezoning on January 10, 2007; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the Zoning District Map to change 3.25 acres from RA (Rural Areas) District to RP (Residential Performance) District, with proffers, for 13 single family homes on small lots, as described by the application and plat submitted, subject to the attached conditions voluntarily proffered in writing by the applicant and the property owner.

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

Passed this 10th day of January, 2007 by the following recorded vote:

Richard C. Shickle, Chairman	<u>Nay</u>	Barbara E. Van Osten	<u>Aye</u>
Gary W. Dove	<u>Aye</u>	Bill M. Ewing	<u>Aye</u>
Gene E. Fisher	<u>Aye</u>	Charles S. DeHaven, Jr.	<u>Aye</u>
Philip A. Lemieux	<u>Aye</u>		

A COPY ATTEST

  
\_\_\_\_\_  
John R. Riley, Jr.  
Frederick County Administrator



## ABRAM'S CHASE PROFFER STATEMENT

REZONING: RZ# 11-06  
RA, Rural Areas District to RP, Residential Performance District

PROPERTIES: 3.25±-acres  
Tax Parcels 65-((A))-27A & 65-((A))-28A

RECORD OWNERS: Harvest Communities, Inc.

APPLICANT: Harvest Communities, Inc.

PROJECT NAME: Abram's Chase Subdivision

ORIGINAL DATE OF PROFFERS: March 1, 2006

REVISION DATE: January 11, 2007

### Preliminary Matters

Pursuant to Section 15.2-2296 Et. Seq. of the Code of Virginia, 1950, as amended, (the "Code") and the provisions of the Frederick County Zoning Ordinance (the "Ordinance") with respect to conditional zoning, Harvest Communities, Inc., (the "Applicant") hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application #11-06 for the rezoning of 3.25±-acres (the "Property") from the RA, Rural Area District to RP, Residential Performance 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 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 these applicant and their legal successors, heirs, or assigns.

The subject Property, identified as the Abram's Chase Subdivision, and more particularly described as the lands owned by Harvest Communities, Inc., being all of Tax Map Parcels 65-((A))-27A and 65-((A))-28A, recorded as Instrument Number 050028946, and further identified by plat and survey dated June 22, 1998, prepared by Edward W. Dove, L.S., of Dove & Associates, recorded as Deed Book 910, Page 381.

**A. Generalized Development Plan**

The Applicant hereby proffers to develop the Property in substantial conformity with the attached Generalized Development Plan ("GDP") dated November 2006 that will be approved as part of the rezoning application. The GDP shall identify the general location of the additional travel lane and turn lane on Senseny Road (Route 657), the 10-foot bicycle/pedestrian facility, the internal road system with inter-parcel connectivity, the general location of residential lots and the open space/buffer areas.

**B. Residential Land Use**

The Applicant hereby proffers to develop a maximum of 13 single-family small lot detached residential dwelling units.

**C. Transportation Enhancements**

1. The Applicant hereby proffers to construct an internal public street with a temporary turnaround that will be designed to provide for inter-parcel connectivity to Tax Map Parcel 65--(A)--25B.
2. The Applicant hereby proffers to construct a new westbound travel lane on Senseny Road (Route 657) that is 12-feet in width and is located along the Property frontage within the public right-of-way. The new westbound travel lane shall be designed to connect Parkwood Drive to the entrance serving the Property. This improvement shall be bonded and constructed concurrently with the internal public street serving the Property.
3. The Applicant hereby proffers to construct a right turn and taper lane within the public right-of-way to the entrance serving the Property. This improvement shall be bonded and constructed concurrently with the internal public street serving the Property.
4. The Applicant hereby proffers to dedicate right-of-way sufficient to provide for 45 feet from the existing Senseny Road (Route 657) centerline of record. This right-of-way dedication shall be incorporated into and approved concurrently with the final subdivision plat creating the residential lots and internal public street system serving the Property.

5. The Applicant hereby proffers to construct a 10-foot asphalt bicycle/pedestrian facility along the entire frontage of the Property. This improvement shall be bonded and constructed concurrently with the internal public street serving the Property.
6. The Applicant hereby proffers to provide for a curb cut along the internal public street serving the Property to allow for ingress/egress for Tax Map Parcel 65-((A))-26A. The Applicant shall establish an ingress/egress easement for the benefit of Tax Map Parcel 65-((A))-26A that shall be incorporated into the final plat and deed for the Abram's Chase Subdivision. Additionally, an easement shall be provided at this general location for the benefit of Tax Map Parcel 65-((A))-26A to allow for public water and sewer connections to the Abram's Chase public water and sewer lines at the expense of others.
7. The Applicant hereby proffers to provide a monetary contribution of \$1,000.00 for each residential lot to be used towards future improvements to the Senseny Road corridor. This monetary contribution will be paid to Frederick County at the time of building permit issuance for each residential lot.

**D. Monetary Contribution to Offset Impact of Development**

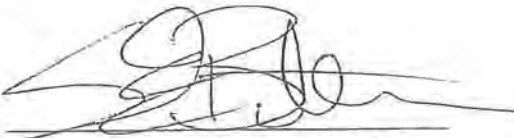
The Applicant will pay to the Treasurer of Frederick County, Virginia \$23,290.00 for each residential lot that is platted to completely mitigate Capital Facilities Impacts identified below. This monetary contribution will be paid at the time of the building permit issuance for each residential lot and is to be distributed in the amounts as follows:

Fire and Rescue	\$ 720.00
General Government	\$ 320.00
Public Safety	\$ 658.00
Library	\$ 267.00
Parks and Recreation	\$ 2,136.00
School Construction	\$19,189.00

**E. Signature**

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

Respectfully Submitted:

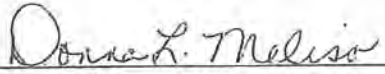
By:   
Stuart Butler, President  
Harvest Communities, Inc.

1/12/07  
Date

Commonwealth of Virginia,

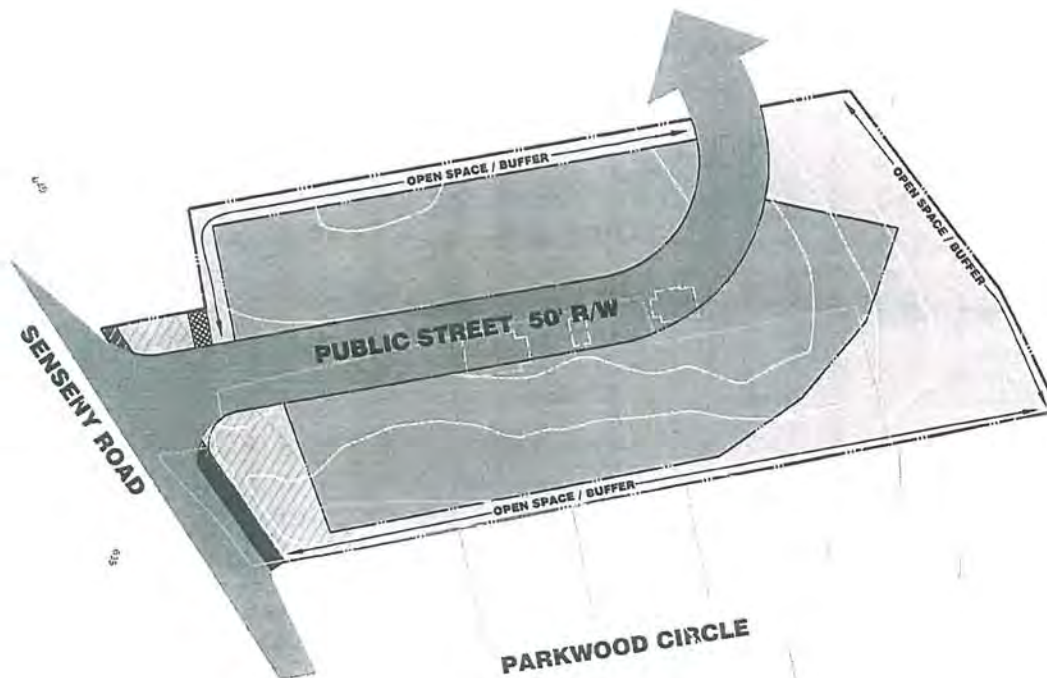
City/County of Frederick To Wit:

The foregoing instrument was acknowledged before me this 12th day of January  
2007 by Stuart Butler, President

  
Notary Public

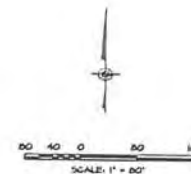
My Commission Expires February 29, 2008





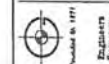
# LEGEND

- LOT AREA
- OPEN SPACE / BUFFER
- PUBLIC R.O.W. AREA
- 10' BICYCLE / PEDESTRIAN FACILITY
- 50' ROAD EFFICIENCY BUFFER
- INGRESS / EGRESS EASEMENT AREA



**GREENWAY ENGINEERING**

11100 W. 10th St. Suite 100  
Tulsa, Oklahoma 74107  
Phone: 918-482-4125  
Fax: 918-482-4125  
www.greenwayeng.com



REVISION

DATE

**ABRAM'S CHASE SUBDIVISION**  
**GENERALIZED DEVELOPMENT PLAN**  
RED BLD MAGISTERIAL DISTRICT  
FREDERICK COUNTY, VA

DATE: NOVEMBER 2009

SCALE: 1" = 60'

DESIGNED BY: BGP

FILE NO. 48-001

SHEET 1 OF 1





ABRAMS CHASE

CONDITIONAL ZONING AMENDMENT

LOCATION MAP

ABRAMS CHASE

CONDITIONAL ZONING AMENDMENT

LOCATION MAP

ABRAMS CHASE

CONDITIONAL ZONING AMENDMENT


LOCATION MAP

RED BUD MAGISTERIAL DISTRICT

FREDERICK COUNTY, VIRGINIA

DATE: 2015-03-17 | PROJECT ID: 4545A | DESIGNED BY: DWE

SCALE: 1 Inch = 300 Feet



1971

END

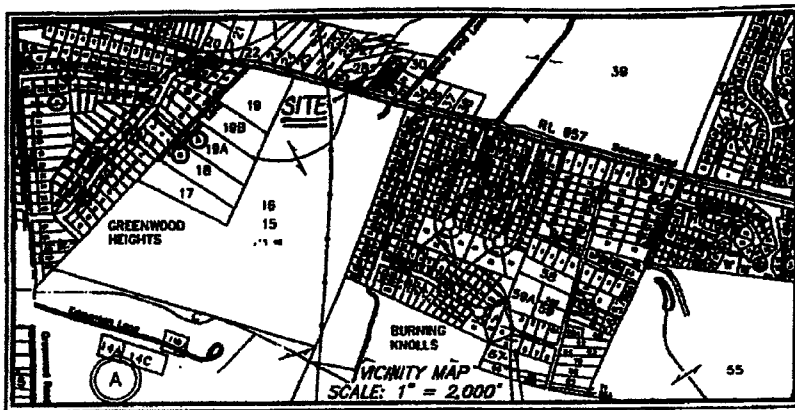
GREENWAY

ENGINEERING

Map Data Source: Frederick County, Va. GIS Department, 2015 Data; Aerial Photos from 2010



BR910PG0381



LOT LINE ADJUSTMENT  
PARCEL 26  
BEING THE PROPERTY OF  
**RICHARD A. RHODES**  
DEED BOOK 799 PAGE 1311  
STONEWALL DISTRICT  
FREDERICK COUNTY, VIRGINIA

AND

PARCELS 27 & 28  
BEING THE PROPERTY OF  
**DOUGLAS H. & NINA M. CLARK**  
DEED BOOK 236 PAGE 471  
STONEWALL DISTRICT  
FREDERICK COUNTY, VIRGINIA

NOTES:

- 1) THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON TAX ASSESSMENT MAP # 65-A-27 & 28 AND 65-A-26 AND IS ZONED RA.
- 2) CURRENT OWNERS: DOUGLAS H. & NINA M. CLARK  
DEED BOOK 236 PAGE 471 (PARCELS 27 & 28)  
RICHARD A. RHODES  
DEED BOOK 799 PAGE 1311 (PARCEL 26)

  
SUBDIVISION ADMINISTRATOR

6/22/98  
DATE

PAGE 1 OF 4

THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT  
AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

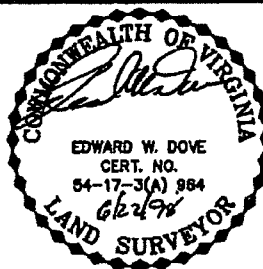
DATE: MAY 18, 1998

SCALE: 1" = 80'

**DOVE**  
& ASSOCIATES

ENGINEERS  
PLANNERS  
SURVEYORS

3078 SHAWNEE DRIVE  
P.O. BOX 2033  
WINCHESTER, VIRGINIA 22601  
(540)867-1103



BK910PG0382

**OWNER'S CONSENT**

THIS PLAT OF THE LOT LINE ADJUSTMENT BETWEEN PARCELS 26, 27 & 28,  
IS MADE WITH THE FULL DESIRE AND CONSENT OF THE UNDERSIGNED OWNERS.

Sandra Love, Administrative of The Estate 6/19/99  
SANDRA LOVE of Douglas H. Clark DATE

Richard A. Rhodes  
RICHARD A. RHODES DATE

STATE OF Frederick  
COUNTY OF Frederick TO-WIT:

I, Pamela J. Olinger A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID,

DO HEREBY CERTIFY THAT Sandra Love, Richard A. Rhodes WHOSE NAMES ARE SIGNED TO THE FOREGOING WRITING  
DATED June 19, 1998 HAVE PERSONALLY APPEARED BEFORE ME, IN MY COUNTY AFORESAID, AND ACKNOWLEDGED THE SAME.

SEEN UNDER MY HAND THIS 19 DAY OF June 1998

Pamela J. Olinger  
NOTARY PUBLIC  
MY COMMISSION EXPIRES August 31, 2000



STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ TO-WIT:

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID,

DO HEREBY CERTIFY THAT \_\_\_\_\_ WHOSE NAMES ARE SIGNED TO THE FOREGOING WRITING  
DATED \_\_\_\_\_ HAVE PERSONALLY APPEARED BEFORE ME, IN MY COUNTY AFORESAID, AND ACKNOWLEDGED THE SAME.

SEEN UNDER MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_

PAGE 2 OF 4

THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT  
AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

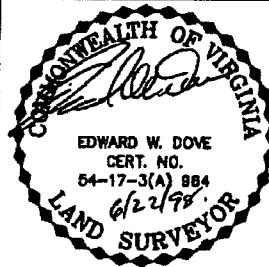
DATE: MAY 18, 1998

SCALE: 1" = 80'

**DOVE**  
& ASSOCIATES

ENGINEERS  
PLANNERS  
SURVEYORS

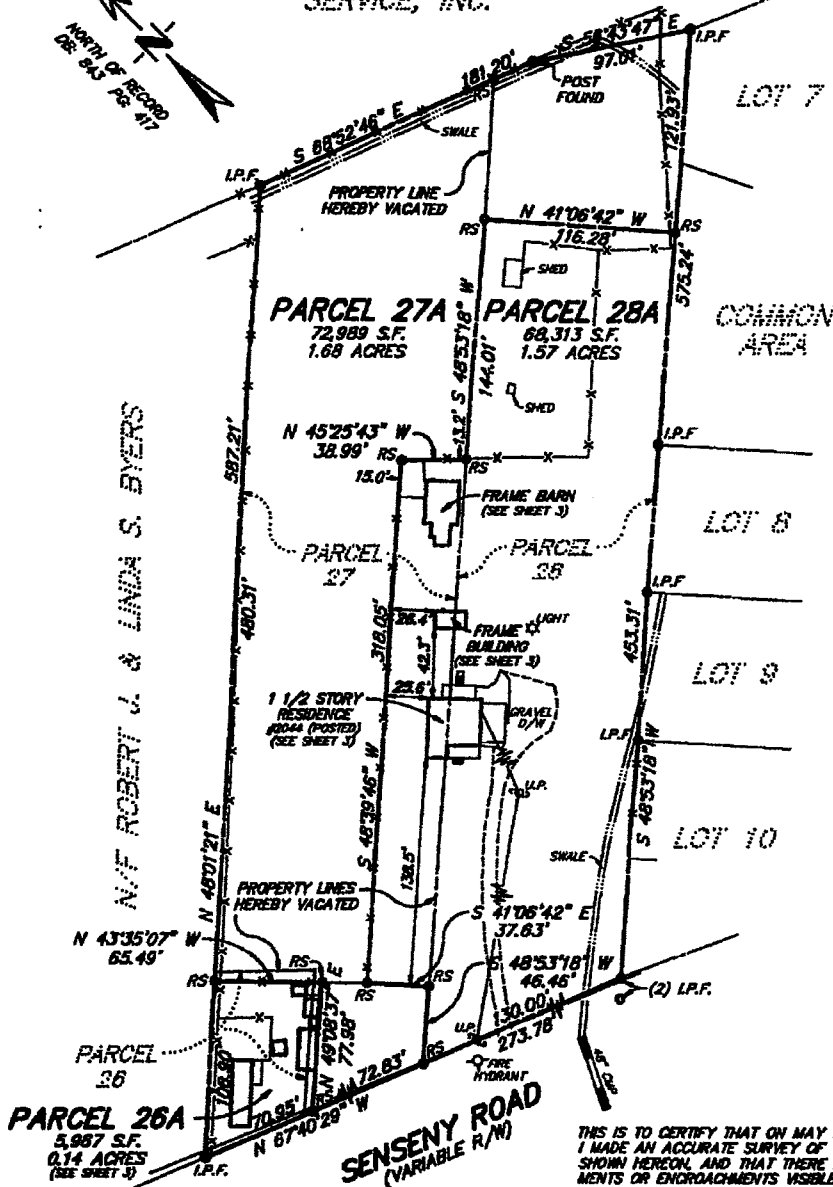
3078 SHAWNEE DRIVE  
P.O. BOX 2033  
WINCHESTER, VIRGINIA 22601  
(540)667-1103





DK 91060383

N/F ELLIOTT DELIVERY  
SERVICE, INC.



**AREA TABULATION**

PARCEL 26 = 0.14 ACRES / PARCEL 26A = 0.14 ACRES  
PARCEL 27 = 1.68 ACRES / PARCEL 27A = 1.68 ACRES  
PARCEL 28 = 1.57 ACRES / PARCEL 28A = 1.57 ACRES  
**3.39 ACRES**

THIS IS TO CERTIFY THAT ON MAY 18, 1998  
I MADE AN ACCURATE SURVEY OF THE PREMISES  
SHOWN HEREON, AND THAT THERE ARE NO EASE-  
MENTS OR ENCROACHMENTS VISIBLE ON THE  
GROUND OTHER THAN THOSE SHOWN HEREON.

**NOTES**

1. TAX ASSESSMENT MAP NO. 65-A-27 & 28
2. CURRENT INSTRUMENT IN CHAIN OF TITLE IS  
DEED BOOK 236 PAGE 471

PAGE 3 OF 4

THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT  
AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

DATE: MAY 18, 1998

SCALE: 1" = 80'

OWNER: CLARK

PURCHASER: LOVE

N.O. # 98187

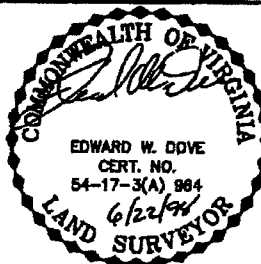
FLOOD NOTE -

ZONE: C COMMUNITY NO: 510063 PANEL: 0115 B DATE: 7-17-78

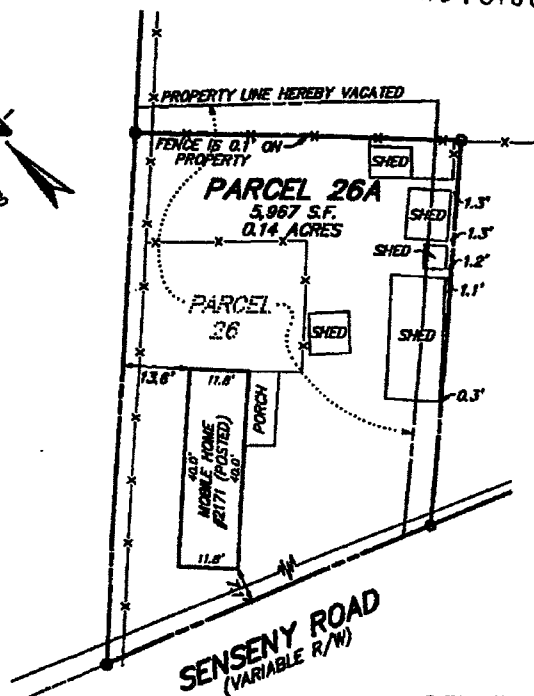
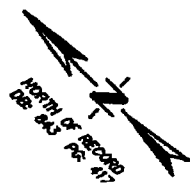
**DOVE**  
& ASSOCIATES

ENGINEERS  
PLANNERS  
SURVEYORS

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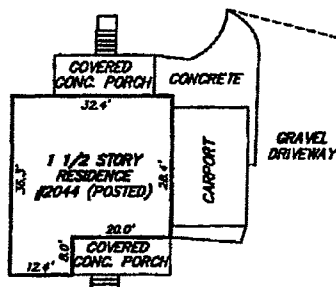
BX910PG0384



**DETAIL OF PARCEL 26A**  
SCALE: 1" = 20'



**BARN DETAIL**  
SCALE: 1" = 20'



**HOUSE DETAIL**  
SCALE: 1" = 20'



**BUILDING DETAIL**  
SCALE: 1" = 20'

PAGE 4 OF 4

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DATE: MAY 18, 1998

SCALE: 1" = 80'

OWNER: CLARK

PURCHASER: LOVE

W.O. # 98187

FLOOD NOTE -

ZONE: C COMMUNITY NO: 510083 PANEL: 0115 B DATE: 7-17-78

**DOVE**  
& ASSOCIATES

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PLANNERS  
SURVEYORS

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