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**AGENDA  
REGULAR MEETING  
FREDERICK COUNTY BOARD OF SUPERVISORS  
WEDNESDAY, AUGUST 12, 2015  
7:00 P.M.  
BOARD ROOM, COUNTY ADMINISTRATION BUILDING  
107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

**6:00 P.M. – Closed Session:**

There will be a Closed Session Pursuant to Section 2.2-3711 A (7) of the Code of Virginia, 1950, as Amended, for Consultation with Legal Counsel and Briefing by Legal Counsel, Pertaining to a Legal Claim Against the County, LAKE HOLIDAY COUNTRY CLUB, INC. V. FREDERICK COUNTY BOARD OF SUPERVISORS, ET AL., Currently Pending in the Frederick County Circuit Court, and a Legal Claim Against the County, LEUENBERGER V. SPICER, ET AL., Currently Pending in the United States District Court for the Western District of Virginia, Where Such Consultation or Briefing in an Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Board, and the Matter Requires the Provision of Legal Advice by Such Counsel; and Pursuant to Section 2.2-3711 A (1) of the Code of Virginia, 1950, as Amended, for Discussion of a Personnel Matter, Specifically Concerning One or More Provisions of the County Administrator's Contract of Employment.

**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, F, G, H, I, J and K)

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

**Board of Supervisors Comments**

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

1. Closed Session and Joint Work Session with Frederick County School Board, July 8, 2015.
2. Regular Meeting, July 8, 2015.

**County Officials:**

1. Employee of the Month Awards (August, September, and October).  
(See Attached) ----- B
2. Committee Appointments. (See Attached)----- C
3. Request from Commissioner of the Revenue for Refunds.  
(See Attached) ----- D
4. Request from Parks and Recreation Commission Re: Donation and Naming of Picnic Shelter at Rose Hill Park. (See Attached) ----- E
5. Resolution Authorizing Recreation Trails Program Grant Application for Trail at Rose Hill. (See Attached)----- F
6. Request from Frederick County Schools to Participate in the Fall 2015 Virginia Public School Authority (VPSA) Bond Sale and to Schedule Public Hearing Date. (See Attached)----- G
7. Request from GIS Manager for Road Name Change. (See Attached) ----- H
8. Memorandum and Resolution Re: Water and Sewer Connection Fees for New Round Hill Fire and Rescue Station and Event Center – Reduction In Loan Principal for Frederick County Sanitation Authority.  
(See Attached) ----- I

**Committee Reports:**

1. Parks and Recreation Commission. (See Attached) ----- J
2. Public Works Committee. (See Attached)----- K
3. Public Safety Committee. (See Attached)----- L
4. Human Resources Committee. (See Attached) ----- M

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5. Finance Committee. **(See Attached)**----- N

6. Transportation Committee. **(See Attached)**----- O

**Public Hearing:**

1. Outdoor Festival Permit Request of Concern Hotline – 16<sup>th</sup> Annual Friday Fish Fry Celebration. Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee, for an Outdoor Festival Permit. Festival to be Held on Friday, September 4, 2015, from 4:00 P.M. to 9:00 P.M.; on the Grounds of Grove's Winchester Harley-Davidson, 140 Independence Drive, Winchester, Virginia. Property Owned by Jobalie, LLC. **(See Attached)**---- P

2. Outdoor Festival Permit Request of Rotary Club of Winchester – Shenandoah Valley Apple Harvest Festival. Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee, for an Outdoor Festival Permit. Festival to be Held on Saturday, September 19, 2015, from 10:00 A.M. to 5:00 P.M. and Sunday, September 20, 2015, from 10:00 A.M. to 5:00 P.M.; on the Grounds of the Frederick County Fairgrounds, 167 Fairgrounds Road, (Route 11 North), Clearbrook, Virginia. Property Owned by Frederick County Fair. **(See Attached)**----- Q

3. Amendment to the Frederick County Code, Chapter 7, Elections; Article II, Election Precincts; Section 7-7, Precincts and Respective Polling Places Enumerated. The Purpose of this Proposed Amendment is to Relocate a Polling Place in the Back Creek Magisterial District: To Relocate the Russells Precinct Polling Place from the Round Hill Fire Hall to the Round Hill Fire Event Center. **(See Attached)** ----- R

**Planning Commission Business:**

**Public Hearing:**

1. Ordinance Amendment to the Frederick County Code – Chapter 165 Zoning, Article VIII, Development Plans and Approvals, Part 802 – Site Plans, §165-802.01 Activities Requiring Site Plans, §165-802.02 Site Plan Applications; Review, §165-802.03 Site Plan, §165-802.04 Required Improvements; Article I, General Provisions; Amendments; and Conditional Use Permits, Part 101 – General Provisions, §165-101.02 Definitions & Word Usage. Revisions to the Zoning Ordinance to Update the Site Plan Requirements. **(See Attached)**----- S

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2. Ordinance Amendment to the Frederick County Code – Chapter 165 Zoning, Article IV – Agricultural and Residential District, Part 401 – RA Rural Areas District, §165-401.02 Permitted Uses; Article II – Supplementary Use Regulations, Parking, Buffers and Regulations for Specific Uses, Part 204 – Additional Regulations for Specific Uses, §165-204.22 Farm Wineries; Article I – General Provisions, Amendments, and Conditional Use Permits, Part 101 – General Provisions §165-101.02 Definitions and Word Usage. Revisions to the Zoning Ordinance to Include Farm Breweries, Farm Distilleries as Permitted Uses in the RA (Rural Areas) District. **(See Attached)**----- T
3. Addition to the South Frederick Agricultural and Forestal District – The Proposed Addition is a 175+/- Acre Tract within One Parcel and is Located in the Back Creek Magisterial District Along Conestoga Lane. **(See Attached)** ----- U
4. 2015-2020 Agricultural and Forestal District Addition of Parcels Less Than 5 Acres – This Public Hearing is to Consider the Addition of 46 Parcels Each Less than 5 Acres in Size to the Following Districts: Albin, Apple Pie Ridge, Double Church, Red Bud, South Frederick and South Timber Ridge Districts. This Could Add Up to an Additional 87 Acres to the Established 11,425.93 Acres within the Agricultural and Forestal District Program for the Ensuing Five Year Period. Properties that are Incorporated into an Agricultural and Forestal District are Guaranteed Certain Protection as Specified in Section 15.2-4300 of the Code of Virginia. **(See Attached)** ---- V

**Other Planning Items:**

1. Update of House Bill 2 (HB2). **(See Attached)**----- W

**Board Liaison Reports (If Any)**

**Citizen Comments**

**Board of Supervisors Comments**

**Adjourn**



A



**FREDERICK COUNTY BOARD OF  
SUPERVISORS' MINUTES**

**CLOSED SESSION  
AND  
JOINT WORK SESSION WITH  
FREDERICK COUNTY SCHOOL BOARD**

**July 8, 2015**

A Closed Session of the Frederick County Board of Supervisors was held on Wednesday, July 8, 2015 at 4:30 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

**PRESENT**

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

**CALL TO ORDER**

Chairman Shickle called the meeting to order.

**CLOSED SESSION**

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, the Board convened in 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 adversely affect the negotiating or litigating posture of the Board, and the matter required the provision of legal advice by such counsel.

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 Hess, 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 legal matters, pursuant to section 2.2-3711 A (7) of the Code of Virginia, 1950, as amended, specifically consultation with legal counsel and briefing by legal counsel, where such consultation or briefing in an open meeting adversely affect the negotiating or litigating posture of the Board, and the matter required the provision of legal advice by such counsel 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**

Chairman Shickle advised that the Board would recess until 5:30 p.m.

A Joint Work Session of the Frederick County Board of Supervisors and the Frederick County School Board was held on Wednesday, July 10, 2015 at 5:30 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

**PRESENT**

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

**SCHOOL BOARD MEMBERS PRESENT**

Benjamin F. Waterman, Chairman; Dr. John Lamanna, Vice-Chairman; Jody S. Wall; Michael A. Lake; Stuart Wolk; and Frank E. Wright

**OTHERS PRESENT**

Brenda G. Garton, County Administrator; Kris C. Tierney, Assistant County Administrator; Jay E. Tibbs, Deputy County Administrator; Roderick B. Williams, County Attorney; Cheryl B. Shiffler, Finance Director; C. William Orndoff, Jr., Treasurer; Ellen Murphy, Commissioner of the Revenue; Finance Committee members Judith McCann-Slaughter and Bill M. Ewing; Dr. David Sovine, Superintendent of Schools; Albert Orndorff, Assistant Superintendent for Administration; Lisa Frye, Executive Director of Finance; and Lori Riddle, Assistant to the Coordinator of Policy and Communications.

**CALL TO ORDER**

Chairman Shickle called the joint work session with the Frederick County School Board to order.

**ADOPTION OF AGENDA – APPROVED**

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

### **SCHOOL CONSTRUCTION PROJECTS**

Dr. David Sovine, Superintendent of Schools, thanked the two boards for this opportunity to meet and discuss the schools' capital needs. He noted that following this meeting, the Board of Supervisors would be asked to entertain a budget adjustment request later tonight at its regular meeting. Dr. Sovine began by reviewing the 2016-2021 Capital Improvements Plan. He noted the additions to Aylor Middle School would be delayed until the replacement Frederick County Middle School opens. Dr. Sovine concluded by reviewing the capital facilities goals:

- Support high quality instruction;
- Safety and Security Enhancements;
- Reduce energy use per student;
- Reduce overall operating costs per student; and
- Build capacity.

Dr. Sovine then asked Mr. Al Orndorff, Assistant Superintendent for Administration, to speak about student growth trends and projections.

Assistant Superintendent Orndorff reviewed the projected student growth from ten previously approved residential construction projects. Based on these approved developments, it is projected that 859 students would be added to the student population. He then showed a preliminary site plan for the 12<sup>th</sup> elementary school to be located at Snowden Bridge. The proposed cost is \$24.6 million. The school would have a capacity of 750-850 students. He noted

the school board was requesting the Board appropriate \$1.5 million for design from the school proffer funds.

Superintendent Orndorff then reviewed the proposed addition and renovation to Armel Elementary School. The total cost of this 28,000 square foot project is \$7.6 million. He noted the school board was requesting an appropriation of \$500,000 for design costs.

Finally, Superintendent Orndorff reviewed the preliminary planning for the 4th high school. He noted the student capacity for this school would be 1,725 and the estimated cost would be \$89.5 million. He advised the school board was requesting \$1.2 million to complete the design of the project.

Dr. Sovine reviewed the actions being requested by the school board at the Board's regular meeting. He advised the school board was seeking supplemental appropriations for the following:

- I. \$1.2 million for design of the 4<sup>th</sup> high school.
- II. \$1.5 million for design of the 12<sup>th</sup> elementary school.
- III. \$500,000 for design of the Armel additions and renovations.

Executive Director of Finance Lisa Frey provided a brief overview of current and projected debt service. Current debt service is approximately \$15 million. If the schools entire capital improvements plan were to be implemented then debt service would peak at approximately \$27 million.

Dr. Sovine noted the operating costs for the 4<sup>th</sup> high school would be approximately \$10 million and the operating costs for the 12<sup>th</sup> elementary school would be approximately \$2 million.

Chairman Shickle asked about the term of the proposed debt.

Finance Director Frey advised the debt term is 20 years and currently rates are 4.3%.

County Administrator Garton advised that, in looking at the projected debt service, she estimated this would equate to an additional 16 cents on the current tax rate to fund the debt, assuming there was no additional revenue growth. She then noted the operating costs for the two proposed schools equate to an additional 16 cents on the current tax rate, assuming no additional revenue growth. She acknowledged this was a high estimate, but she wanted the Board to see the long-term picture of these projects. She noted there would also be costs associated with not building these schools, to include hiring more teachers, providing space, etc.

Supervisor Hess stated this scenario did not account for the increased tax revenue from the new houses begin built, which is the catalyst for the new schools, so that rate could be less.

Vice-Chairman DeHaven stated he would like to see us project our revenue stream to support this, beyond just looking at the tax rate.

Administrator Garton advised that she had worked with financial advisors in previous localities who perform these services. She stated that she could procure services fairly quickly if she could find a locality with a contract that permitted other localities to ride on.

The consensus of the Board was to investigate procuring the services of a financial consultant.

Chairman Shickle asked Dr. Sovine about the timeline for this budget request in the event some members might want more time to think about what was said this evening.

Dr. Sovine advised that the school board would like to stay on its current timeline. He noted the architectural and engineering for the 4<sup>th</sup> high school has start and is most critical. Design has not been started for the 12<sup>th</sup> elementary school. He noted that without this appropriation the school board would be in a difficult position.



**ADJOURN**

**UPON A MOTION BY VICE-CHAIRMAN DEHAVEN, SECONDED BY  
SUPERVISOR FISHER THIS WORK SESSION IS HEREBY ADJOURNED. (6:50 P.M.)**

**FREDERICK COUNTY BOARD OF  
SUPERVISORS' MINUTES**

**REGULAR MEETING**

**July 8, 2015**

A Regular Meeting of the Frederick County Board of Supervisors was held on Wednesday, July 8, 2015 at 7:00 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

**PRESENT**

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

**CALL TO ORDER**

Chairman Shickle called the meeting to order.

**INVOCATION**

Supervisor Fisher delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Vice-Chairman DeHaven led the Pledge of Allegiance.

**ADOPTION OF AGENDA – APPROVED**

County Administrator Brenda Garton advised she had no changes for the agenda.

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

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

**CONSENT AGENDA – APPROVED**

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

- Minutes from the June 10, 2010 Regular Meeting – **Tab A**;
- 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 – **Tab D**;
- Request from County Attorney to Schedule Public Hearing re: County Code Amendment – Polling Place Change – **Tab F**;
- Parks and Recreation Commission Report – **Tab H**; and
- Public Safety Committee Report – **Tab J**.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Lofton, 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 – APPROVED UNDER CONSENT AGENDA**

The minutes from the June 10, 2015 regular meeting was approved under the consent agenda.

#### **COUNTY OFFICIALS**

#### **EMPLOYEE OF THE MONTH AWARD – GRANT PEARSON APPROVED**

Upon a motion by Supervisor Hess, seconded by Supervisor Lofton, the Board approved Grant Pearson as Employee of the Month for July 2015.

**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.

**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.

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

#### **COMMITTEE APPOINTMENTS**

#### **APPOINTMENT OF WILLIAM SCHULLER AS RED BUD DISTRICT REPRESENTATIVE TO THE HISTORIC RESOURCES ADVISORY BOARD - APPROVED**

Upon a motion by Supervisor Ransom, seconded by Vice-Chairman DeHaven, the Board appointed William Schuller as Red Bud District representative to the Historic Resources Advisory Board. This is a four year appointment. Term expires February 22, 2018.

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 ERIC R. LAWRENCE AND KRIS C. TIERNEY AS  
FREDERICK COUNTY REPRESENTATIVE AND FREDERICK COUNTY  
ALTERNATE TO THE NORTHERN SHENANDOAH VALLEY REGIONAL  
COMMISSION - APPROVED**

Upon a motion by Supervisor Lofton, seconded by Supervisor Hess, the Board reappointed Eric R. Lawrence and Kris C. Tierney as Frederick County representative and Frederick County alternate to the Northern Shenandoah Valley Regional Commission. This is a three year appointment. Term expires September 30, 2018.

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 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 – APPROVED UNDER THE  
CONSENT AGENDA**

**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 comment 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 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 of any political subdivision thereof shall be pledge thereto.

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

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

Administrator Garton advised this was a request from the Commissioner of the Revenue to authorize the Treasurer to refund Brookfield Stephenson Village, LLC 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 Stephens Village complex.

Upon a motion by Vice-Chairman DeHaven, seconded by Supervisor Hess, the Board approved the refund request and supplement appropriation.

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

**REQUEST FROM COUNTY ATTORNEY TO SCHEDULE PUBLIC HEARING  
RE: COUNTY CODE AMENDMENT – POLLING PLACE CHANGE –  
APPROVED UNDER CONSENT AGENDA**

**REQUEST FROM FREDEICK COUNTY PUBLIC SCHOOLS FOR FY16  
BUDGET ADJUSTMENTS - APPROVED**

Administrator Garton advised this was a request from the Frederick County school board for the following budget adjustments:

1. 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. 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. - **APPROVED**

Upon a motion by Supervisor Fisher, seconded by Supervisor Wells, the Board approved a General Fund Supplemental Appropriation in the amount of \$1,200,000.00 from reserved school proffer fund balance and a School Construction Fund Supplemental Appropriation in the amount of \$1,200,000.00.

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

- II. 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 anticipated costs associated with the design of the project. - **APPROVED**

Upon a motion by Supervisor Hess, seconded by Supervisor Lofton, the Board approved a School Construction Fund Supplemental Appropriation in the amount of \$1,500,000.00 from school proffer funds.

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

- III. 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. -

## **APPROVED**

Upon a motion by Supervisor Lofton, seconded by Supervisor Fisher, the Board approved a School Construction Fund Supplemental Appropriation in the amount of \$500,000.00 from school proffer funds (\$300,000.00) and fund balance (\$200,000.00)

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

## **COMMITTEE REPORTS**

### **PARKS AND RECREATION COMMISSION REPORT – APPROVED UNDER CONSENT AGENDA**

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 Supervisors action.

## **HUMAN RESOURCES COMMITTEE REPORT - APPROVED**

The HR Committee met in the First Floor Conference Room at 107 North Kent Street at 1:00 p.m. on Tuesday, June 23, 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' meetings.

**\*\*\*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. - **APPROVED**

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.

Upon a motion by Supervisor Hess, seconded by Supervisor Wells, the Board approved the above recommendation 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. 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. - **APPROVED**

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.

Upon a motion by Supervisor Hess, seconded by Supervisor Lofton, the Board approved the above recommendation 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

4. Should the Board approve the requested action above, the Committee then recommends approval for the transfer of \$47,734.65 from the Fire & 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. - **APPROVED**

Upon a motion by Supervisor Hess, seconded by Supervisor Wells, the Board approved the above recommendation 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

**\*\*\*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.

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 salary increases 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. Brenda 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.

### **PUBLIC SAFETY COMMITTEE REPORT – APPROVED UNDER CONSENT AGENDA**

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:**

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:**

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. Wilkins 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.

### **PUBLIC WORKS COMMITTEE REPORT - APPROVED**

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.

Upon a motion by Supervisor Fisher, seconded by Supervisor Hess, the Board approved the above request 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

#### **\*\*\*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.

##### **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 exceeded expenditures for the first time since Fiscal Year 2006/2007.

### **3. Miscellaneous Reports**

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

## **PLANNING COMMISSION BUSINESS**

### **PUBLIC HEARING**

**REZONING #02-15 FOR BLUE RIDGE YOUTH SOCCER ASSOCIATION, SUBMITTED BY PAINTER-LEWIS P.L.C. TO REZONE 20.54 ACRES FROM 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. - APPROVED**

Senior Planner Candice Perkins advised this was a request to rezone 20.54 acres from B2 (General Business) District to RA (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. 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). The property is located in the Shawnee Magisterial District. She concluded by saying the Planning Commission recommended approval of this proposed rezoning.

Chairman Shickle convened the public hearing.

**Shawn Graber**, Back Creek District, spoke in support of this proposed rezoning application. He asked the Board to approve this rezoning. He concluded by saying this organization was a model for other organizations in the community.



**James Freilich**, Back Creek District, spoke in support of this proposed project. He spoke about the limited available field space in the community and how this project would help improve that situation. He concluded by saying BRYSA was doing this project without any outlay from the county.

**Mark Weisberg**, Winchester United Board, encouraged the Board to support this rezoning proposal. He noted this proposal would allow the Board to be good stewards of county funds while still meeting the county's needs. He concluded by saying the BRYSA proposal was a parks for the community and no county funds would be needed.

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

Upon a motion by Supervisor Fisher, seconded by Supervisor Hess, the Board approved 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 B2 (General Business) Zoning District to RA (Rural Areas) Zoning District.

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

Passed this 8<sup>th</sup> day of July, 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

**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. - APPROVED**

Senior Planner Candice Perkins appeared before the Board regarding this item. She advised this was a request by Blue Ridge Youth Soccer Association for a conditional use permit for a commercial outdoor recreation facility on two parcels of land totaling 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. The Planning Commission originally postponed this item for 45 days to allow the applicant to address the concerns raised during the commission's public hearing. The applicant met with the neighboring property owners and addressed their concerns. The Planning Commission recommended approval of the proposed conditional use permit 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 Fredrick 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.

Chairman Shickle convened the public hearing.

**Ray Lanham**, Gainesboro District, gave a brief overview of the history of the Blue Ridge Youth Soccer Association. He then spoke about the limited amount of field space available in the community. He asked the Board to approve this conditional use permit and noted that this facility would not result in a financial cost to the county.

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

Supervisor Fisher commended BRYSA representatives for their willingness to meet with the neighbors and he appreciated their efforts in addressing those concerns. He concluded by saying this group was an example of how to take charge and address an issue.

Upon a motion by Supervisor Fisher, seconded by Supervisor Lofton, the Board approved Conditional Use Permit #01-15.

**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 Fredrick 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. On 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 8<sup>th</sup> day of July, 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

#### **OTHER PLANNING ITEMS**

**REZONING #14-15 – ABRAM’S CHASE – PROFFER REVISION - APPROVED**

Planning Director Eric Lawrence appeared before the Board regarding this item. He advised this was minor proffer revision to revise the proffers associated with Rezoning #11-06 to change this residential project to an age-restricted residential project. The properties are located on the north side of Senseny Road, approximately 400’ west of the intersection of Channing Drive and Senseny Road. The proposed proffer modification would reduce the monetary contribution to offset the development’s impact, specifically a reduction in the contribution to schools. The Planning Commission recommended approval of this proffer amendment.

Upon a motion by Supervisor Ransom, seconded by Supervisor Fisher, the Board approved the proffer amendment for rezoning #04-15 of Abram’s Chase.

**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

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**

Supervisor Lofton reported on the Extension Leadership Council meeting. He advised that 12 youth attended the state 4-H conference. Five youth, Emily Whitacre, Natalie Whitacre, Victoria Miller, Cody Boden, and Faith Mann, were tapped as 4-H All-Stars. Two adults, Cindy and Sonny Larrick were tapped as honorary All-Stars. He went on to say that Natalie Whitacre and Dale Larrick were chosen to be part of the Virginia delegation to the National 4-H Conference.

Administrator Garton reported that staff had been advised of the proliferation of ticks this summer and that Lyme's disease was on the increase. She noted Cooperative Extension has a number of services and publications that could be helpful to residents.

Chairman Shickle asked that staff prepare a press release and disseminate the pertinent information to the citizens regarding ticks, etc.

### **CITIZENS COMMENTS**

**Shawn Graber**, Back Creek District, advised that he had the opportunity to speak to the Board on a number of occasions since January; however, each time his figures were questioned. He advised that he had looked at some of the numbers presented and it would appear that a few of the board members have no idea what "you" are passing.

Chairman Shickle advised this was not a time to critique the board, so "unless you have a legitimate issue, I will have to ask you to refrain".

### **BOARD OF SUPERVISORS COMMENTS**

Vice-Chairman DeHaven stated, in light of where we are with the R150 development, he would ask staff to analyze the possibility of transferring the revenue sharing monies associated with this project to other projects in the county and that staff report back through the Transportation Committee.

Supervisor Wells asked for an update on the Ag District proposal.

Planning Director Lawrence advised the item is scheduled to come before the Board at its August meeting.

**ADJOURN**

**UPON A MOTION BY VICE-CHAIRMAN DEHAVEN, SECONDED BY SUPERVISOR FISHER, THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS BOARD, THIS MEETING IS HEREBY ADJOURNED. (7:47 P.M.)**



B

# Employee of the Month Resolution

*Awarded to:*

## Aaron E. Jeter

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, Aaron E. Jeter who serves as a Deputy for the Frederick County Sheriff's Department was nominated for Employee of the Month; and,

WHEREAS, On July 10<sup>th</sup>, 2015, a team of three Deputies, that included Aaron Jeter, stopped a vehicle for speeding. After a complete investigation, the Deputies were able to seize 261 packets of heroin. Generally, a patrol deputy would not see this amount of drugs during their entire career. However, with the common trend of heroin tied to thefts, overdoses, and deaths; these Deputies are to be commended for getting the heroin out of our community and quite possibly saving a life; and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 12<sup>th</sup> day of August, 2015, that Aaron Jeter is hereby recognized as the Frederick County Employee of the Month for August 2015; and,

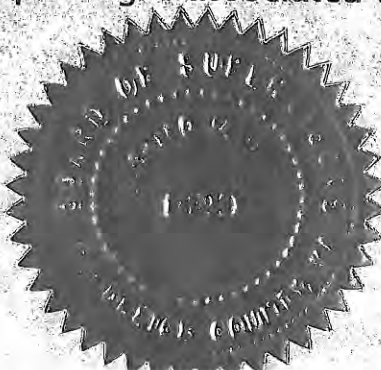
BE IT FURTHER RESOLVED that the Board of Supervisors extends gratitude to Aaron Jeter for his outstanding performance and dedicated service and wishes him continued success in future endeavors; and,

BE IT FURTHER RESOLVED, that Aaron Jeter 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

August 2015

***Aaron Jeter***

Hardworking

Excellence

Professional

---

Richard C. Shickle  
Chairman, Board of Supervisors



# Employee of the Month Resolution

*Awarded to:*

## Chester A. Renner

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, Chester A. Renner who serves as a Corporal for the Frederick County Sheriff's Department was nominated for Employee of the Month; and,

WHEREAS, On July 10<sup>th</sup>, 2015, a team of three Deputies, that included Chester Renner, stopped a vehicle for speeding. After a complete investigation, the Deputies were able to seize 261 packets of heroin. Generally, a patrol deputy would not see this amount of drugs during their entire career. However, with the common trend of heroin tied to thefts, overdoses, and deaths; these Deputies are to be commended for getting the heroin out of our community and quite possibly saving a life; and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 12<sup>th</sup> day of August, 2015, that Chester Renner is hereby recognized as the Frederick County Employee of the Month for September 2015; and,

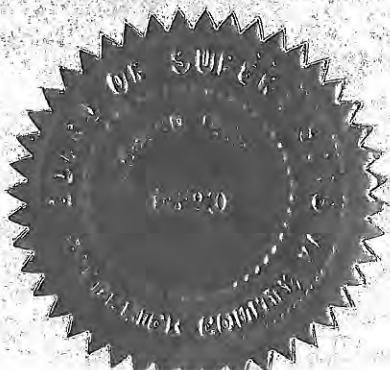
BE IT FURTHER RESOLVED that the Board of Supervisors extends gratitude to Chester Renner for his outstanding performance and dedicated service and wishes him continued success in future endeavors; and,

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

County of Frederick, VA  
Board of Supervisors

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Richard C. Shickle, Chairman







Dedication

***County of Frederick***

Employee of the Month

September 2015

***Chester Renner***

Hardworking

Excellence

Professional

---

Richard C. Shickle  
Chairman, Board of Supervisors



# Employee of the Month Resolution

*Awarded to:*

## Christopher Darlington

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,

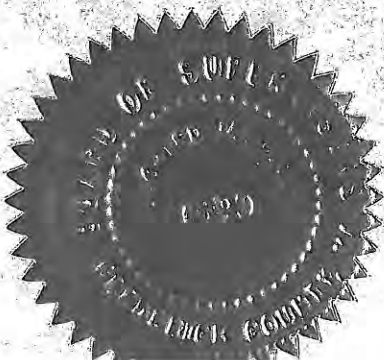
WHEREAS, Christopher Darlington who serves as a Deputy for the Frederick County Sheriff's Department was nominated for Employee of the Month; and,

WHEREAS, On July 10<sup>th</sup>, 2015, a team of three Deputies, that included Christopher Darlington, stopped a vehicle for speeding. After a complete investigation, the Deputies were able to seize 261 packets of heroin. Generally, a patrol deputy would not see this amount of drugs during their entire career. However, with the common trend of heroin tied to thefts, overdoses, and deaths; these Deputies are to be commended for getting the heroin out of our community and quite possibly saving a life; and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 12<sup>th</sup> day of August, 2015, that Christopher Darlington is hereby recognized as the Frederick County Employee of the Month for October 2015; and,

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

BE IT FURTHER RESOLVED, that Christopher Darlington 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

October 2015

***Christopher Darlington***

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:** August 4, 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**

Board of Zoning Appeals

Gary R. Oates – Stonewall District Representative  
1073 Red Bud Road  
Winchester, VA 22603  
Home: (540)667-2001  
Term Expires: 12/31/15  
Five year term

**(See Attached Application of John D. Cline.)** Mr. Oates has resigned from the Board of Zoning Appeals. *(There are seven members on the Board of Zoning Appeals. Recommendations for appointment/reappointment are made by the Board of Supervisors and submitted to the Judge of the Frederick County Circuit Court for final appointment.)*

Agricultural District Advisory Board

John D. Cline – County Representative  
746 Hopewell Road  
Clearbrook, VA 22624  
Home: (540)667-9480  
Appointed: 4/27/11  
Indefinite Term

**(See Attached Application of William H. Cline)** William H. Cline will fill the seat of John Cline.

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.)**

**AUGUST 2015**

No remaining appointments.

**SEPTEMBER 2015**

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

Memorandum – Board of Supervisors  
August 4, 2015  
Page 3

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

BGG/tjp

Attachments

U:\TJP\committeeappointments\WmosLettrs\BoardCommitteeAppts(081215BdMtg).docx



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

Charles S. DeHaven Jr. \_\_\_\_\_, Stonewall \_\_\_\_\_ District Supervisor, would like to  
nominate you to serve on the Board of Zoning Appeals (BZA) \_\_\_\_\_.

As a brief personal introduction to the other Board members, please fill out the information requested below for  
their review prior to filling the appointment. **(Please Print Clearly. Thank You.)**

Name: John D Cline Home Phone: 540-667-9480

Address: 746 HOPEWELL ROAD Office Phone: 540-662-5684

CLEAR BROOK Cell/Mobile: 540-974-0200

VA. 22624 Fax: \_\_\_\_\_

Employer: SELF Email: John.D.Cline@fcva.us

Occupation: FARMER

Civic/Community Activities: BOARD MEMBER-SOUTHERN STATES

BOARD MEMBER-FRED. CO. FRUIT GROWERS

Will You Be Able To Attend This Committee's Regularly Scheduled Meeting On:

Yes: ☒ No: ☐

Do You Foresee Any Possible Conflicts Of Interest Which Might Arise By Your Serving On  
This Committee? Yes: ☐ No: ☒ Explain: \_\_\_\_\_

Additional Information Or Comments You Would Like To Provide (If you need more space, please  
use the reverse side or include additional sheets):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant's Signature: John D. Cline Date: 6-25-15

Nominating Supervisor's Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please submit form to:**

Frederick County Administrator's Office

107 North Kent Street

Winchester, VA 22601

or email to: [tprice@fcva.us](mailto:tprice@fcva.us) or [jtibbs@fcva.us](mailto:jtibbs@fcva.us)

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

Charles S. DeHaven Jr., Stonewall District Supervisor, would like to  
nominate you to serve on the Board of ~~Stonewall~~ **AG ADVISORY BOARD**  
As a brief personal introduction to the other Board members, please fill out the information requested below for  
their review prior to filling the appointment. **(Please Print Clearly. Thank You.)**

Name: William H Cline Home Phone: \_\_\_\_\_  
Address: 781 Hopewell Rd Office Phone: \_\_\_\_\_  
Clear Brook Cell/Mobile: 540 974 0199  
22624 Fax: \_\_\_\_\_  
Employer: CLINE FARM CPLL Email: \_\_\_\_\_  
Occupation: Farmer  
Civic/Community Activities: \_\_\_\_\_

Will You Be Able To Attend This Committee's Regularly Scheduled Meeting On:  
Yes: ☒ No: ☐

Do You Foresee Any Possible Conflicts Of Interest Which Might Arise By Your Serving On  
This Committee? Yes: ☐ No: ☒ Explain: \_\_\_\_\_

Additional Information Or Comments You Would Like To Provide (If you need more space, please  
use the reverse side or include additional sheets):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant's Signature: William H Cline Date: 7-7-15

Nominating Supervisor's Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please submit form to:  
Frederick County Administrator's Office  
107 North Kent Street  
Winchester, VA 22601  
or email to: [tprice@fcva.us](mailto:tprice@fcva.us) or [jtibbs@fcva.us](mailto:jtibbs@fcva.us)

D



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: Frederick County Board of Supervisors  
CC: County Administration  
FROM: Roderick B. Williams, County Attorney  
DATE: July 27, 2015  
RE: Commissioner of Revenue Refund Requests

---

Attached, for the Board's review, are requests to authorize the Treasurer to credit the following entities:

1. Ally Financial/VAULT – \$5,404.94
2. Ford Motor Credit Co. – \$2,929.53
3. Opal Oil LLC – \$4,070.00

A handwritten signature in black ink, consisting of a stylized 'M' followed by a long horizontal line.

Roderick B. Williams  
County Attorney

Attachments





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

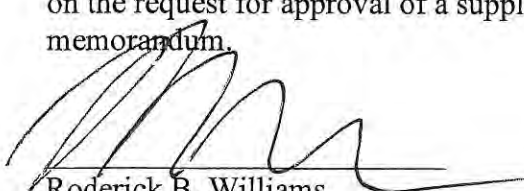
FROM: Roderick B. Williams, County Attorney

DATE: July 6, 2015

RE: Refund – Ally Financial/VAULT

I am in receipt of the Commissioner's request, dated June 26, 2015, to authorize the Treasurer to refund Ally Financial/VAULT in the amount of \$5,404.94, for prorated personal property taxes in 2013, 2014, and 2015. This refund resulted from normal proration of vehicular taxes not previously requested by this financing company.

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 26, 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 Ally Financial/VAULT

A handwritten signature in cursive script, appearing to read "E. Murphy", written over the "FROM:" line.

Please approve a refund of \$5,404.94 for personal property prorated taxes in 2013, 2014, and 2015 for Ally Financial/VAULT. This refund reflects normal proration of vehicular taxes not previously requested by this financing company.

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 \$5,404.94.

Date: 6/25/15

Cash Register: COUNTY OF FREDERICK

Time: 10:48:47

Cashier:

Total Transactions: 845

Customer Name: ALLY FINANCIAL/VAULT

Customer Transactions: 14

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2013	1	00597900013	\$314.28-	\$ .00	\$314.28-
-	PP2014	2	00008580042	\$222.24-	\$ .00	\$222.24-
-	PP2014	3	00008580048	\$950.94-	\$ .00	\$950.94-
-	PP2014	4	00008580067	\$221.13-	\$ .00	\$221.13-
-	PP2014	5	00008580068	\$221.13-	\$ .00	\$221.13-
-	PP2015	6	00008850007	\$49.61-	\$ .00	\$49.61-
-	PP2015	7	00008850008	\$297.67-	\$ .00	\$297.67-
-	PP2015	8	00008850025	\$194.80-	\$ .00	\$194.80-
-	PP2015	9	00008850026	\$194.79-	\$ .00	\$194.79-
-	PP2015	10	00008850031	\$1,155.47-	\$ .00	\$1,155.47-
-	PP2015	11	00008850032	\$1,155.46-	\$ .00	\$1,155.46-
-	PP2015	12	00008850051	\$201.21-	\$ .00	\$201.21-

Multiple Pages

Total Paid :

\$5,404.94

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

Needs Board Approval

Date: 6/25/15

Cash Register: COUNTY OF FREDERICK

Time: 10:48:47

Cashier:\

Total Transactions: 845

Customer Name: ALLY FINANCIAL/VAULT

Customer Transactions: 14

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2015	13	00008850052	\$201.21-	\$ .00	\$201.21-
-	VL2015	14	00011630001	\$25.00-	\$ .00	\$25.00-

Multiple Pages

Total Paid : \$5,404.94

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



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

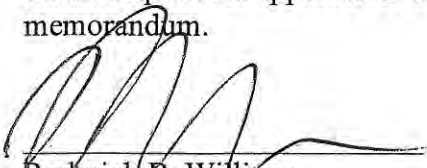
FROM: Roderick B. Williams, County Attorney

DATE: July 9, 2015

RE: Refund – Ford Motor Credit Co.

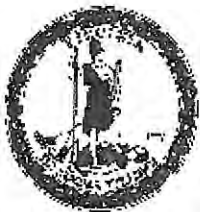
I am in receipt of the Commissioner's request, dated July 2, 2015, to authorize the Treasurer to refund Ford Motor Credit Co. in the amount of \$2,929.53, for prorated personal property taxes in 2014, and 2015 and a license fee for 2015. This refund resulted from normal proration of vehicular taxes not previously requested by this financing company.

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)**



July 2, 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 Ford Motor Credit Co.

A handwritten signature in cursive script, appearing to read "E. Murphy".

Please approve a refund of \$2,929.53 for personal property prorated taxes in 2014 and 2015 and one 2015 license fee for Ford Motor Credit Co. This refund reflects normal proration of vehicular taxes not previously requested by this financing company.

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 \$2,929.53.

Customer Name: FORD MOTOR CREDIT CO

Total Transactions: 847

Customer Transactions: 8

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2014	1	00179930018	\$312.87-	\$ .00	\$312.87-
-	PP2015	2	00182400003	\$250.29-	\$ .00	\$250.29-
-	PP2015	3	00182400004	\$500.58-	\$ .00	\$500.58-
-	PP2015	4	00182400005	\$500.58-	\$ .00	\$500.58-
-	PP2015	5	00182400006	\$500.58-	\$ .00	\$500.58-
-	PP2015	6	00182400013	\$279.88-	\$ .00	\$279.88-
-	PP2015	7	00182400014	\$559.75-	\$ .00	\$559.75-
-	VL2015	8	00253820001	\$25.00-	\$ .00	\$25.00-

Total Paid : \$2,929.53

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

Needs Board Approval



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: July 20, 2015

RE: Refund – Opal Oil Inc. t/a Olde Stone Truck Stop

I am in receipt of the Commissioner's request, dated June 22, 2015, to authorize the Treasurer to refund Opal Oil Inc. (this is the correct name, per the Commissioner's records) in the amount of \$4,070.00, for business license taxes in 2015. This refund results from the taxpayer being unsuccessful in its attempt to purchase the existing Olde Stone Truck Stop. Meals tax and personal property taxes were not involved; only 2015 business license fees were paid.

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 22, 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 Opal Oil LLC t/a Olde Stone Truck Stop

*Ellen E. Murphy*

Please approve a refund of \$4,070.00 for business license taxes for 2015 for Opal Oil LLC trading as Olde Stone Truck Stop – ticket numbers as shown on attachment.

Taxpayer was unsuccessful in completing his purchase of the existing Olde Stone Truck Stop owned by Jaya Company LLC. Therefore the representative of Opal Oil LLC has requested a refund for the 2015 business license paid. No meals tax or personal property taxes are involved.

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 \$4,070.00.



6/22/2015

Abatement Register  
COUNTY OF FREDERICK

-UPDATE-

\*\*TX306AEP\*\*

Page 1

FOR DATE - 6/22/2015

ACCOUNTING PERIOD - 2015/06

Type	Dept	Ticket#	Date	Amt. Charged	Customer	Tran#
----	----	-----	----	-----	-----	-----
ABA	BL2015	00107310001	6/22/2015	\$4,040.00-	OLDE STONE TRUCK STOP	
ABA	BL2015	00107640001	6/22/2015	\$30.00-	OLDE STONE TRUCK STOP	1826
				-----		1827
			Total for Dept.	\$4,070.00-		
			Total for Tran Type	\$4,070.00-		
Abatement count :	2		Total for Company	\$4,070.00-		

E



## COUNTY of FREDERICK

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



# MEMO

**To:** Frederick County Board of Supervisors  
**From:** Jason Robertson, Director of Parks and Recreation  
**Through:** Brenda Garton, County Administrator  
**Subject:** Donation and Naming of Picnic Shelter at Rose Hill Park  
**Date:** July 24, 2015

The naming of any Frederick County Parks and Recreation facility is contingent on the endorsement of the Frederick County Parks and Recreation Commission and approval of the Board of Supervisors per the Parks and Recreation Donation Policy (500.06).

The Parks and Recreation Commission recommended on May 12, 2015 Frederick County accept a \$26,000 donation from the Winchester-Frederick County Jaycees to construct and name a picnic shelter located at Rose Hill the "Tom Baldrige Winchester-Frederick County Jaycees" picnic shelter.

The Parks and Recreation Commission request the Board of Supervisors approve naming the picnic shelter to be constructed at Rose Hill the "Tom Baldrige Winchester-Frederick County Jaycees" shelter.

The Parks and Recreation Department will enter the enclosed Memorandum of Understanding signed by the Winchester Frederick County Jaycee representative detailing the \$26,000 donation and construction of the shelter at Rose Hill should the Board of Supervisors approve the naming of the shelter.

Frederick County Parks & Recreation  
107 N Kent Street  
Winchester VA, 22601

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
FREDERICK COUNTY PARKS AND RECREATION AND THE WINCHESTER-FREDERICK COUNTY JAYCEES

SUBJECT: Shelter Construction Partnership Agreement

Purpose

This Memorandum of Understanding (MOU) is between Frederick County (referred to as 'the County') and the Winchester-Frederick County Jaycees (referred to as 'the Jaycees'). The MOU will define the partnership roles and responsibilities regarding the construction of a picnic pavilion at Rose Hill Park in Frederick County, VA.

Understanding

Provision of a picnic pavilion will be a shared effort between the County and the Jaycees, this partnership is intended to be mutually beneficial to both parties; for the County as gaining a public amenity, for the Jaycees as a naming opportunity and recognition as a community partner. The following outlines the responsibilities for both parties.

The Jaycees shall:

- pay the County the sum of \$26,000 for the construction and naming rights of a 25' x 35' picnic pavilion upon notification from the County that the project is ready to commence

The County shall:

- utilize funds received from the Jaycees for the construction of a 25' x 35' picnic pavilion at Rose Hill Park in a style consistent with other shelters at County owned parks. The shelter shall include a concrete floor, electrical outlets, interior lighting, six (6) picnic tables, and a minimum of one serving table.
- name the shelter the "Tom Baldrige Winchester-Frederick County Jaycees" shelter and display the name with signage on the shelter
- construct the picnic pavilion as described above at the Rose Hill Park location shall commence within six (6) months of the completion of the parking lot at Rose Hill Park

Termination:

Either party may terminate this agreement upon two (2) weeks written notice. Written notice must include a reason for termination. Termination of this agreement will result in the County returning funds to the Jaycees subject to the following conditions:

- funds will be returned within 90 days of notification
- should construction activities be underway, funds returned will be limited to the remainder of funds once current actual costs of picnic pavilion related development are subtracted
- upon termination naming rights for the picnic pavilion are forfeited by the Jaycees

Effective date:

The latest date indicated in the signature block below defines the date this MOU becomes effective.

\_\_\_\_\_  
Frederick County Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Tammy L Clark  
Winchester-Frederick County Jaycees Signature

Tammy L Clark  
Printed Name

FMR CMR  
Title

7-7-15  
Date



## COUNTY of FREDERICK

Parks and Recreation Department

540-665-5678

FAX: 540-665-9687

www.fcprd.net

e-mail: fcprd@fcva.us

# MEMO

**To:** Roderick Williams, Interim County Administrator  
**From:** Jason L. Robertson, Director, Parks & Recreation Dept.  
**Subject:** Parks and Recreation Commission Action  
**Date:** May 19, 2015

The Parks and Recreation Commission met on May 12, 2015. Members present were: Randy Carter, Marty Cybulski, Gary Longerbeam, Ronald Madagan, Charles Sandy, Jr. and Jason Ransom. Members absent were: Kevin Anderson and Patrick Anderson.

### Items Requiring Board of Supervisors Action:

1. July as Parks and Recreation Month – Mr. Carter moved to have the Board of Supervisors designate July as Parks and Recreation Month with the adoption of the attached proclamation, second by Mr. Madagan, motion carried unanimously (5-0). Please see attached resolution.

### Submitted for Board Information Only:

1. Buildings and Grounds Committee – Jaycee Pavilion Memorandum of Understanding – The Buildings and Grounds Committee recommended forwarding a Memorandum of Understanding with Winchester-Frederick County Jaycees to donate money to construct a 25' x 35' picnic pavilion at Rose Hill Park and name the shelter the "Tom Baldrige Winchester-Frederick County" pavilion. Construction of the picnic pavilion shall commence within six (6) months of the completion of the parking lot at Rose Hill Park, second by Mr. Cybulski, motion carried unanimously (5-0). Please see attached Memorandum of Understanding. The recommended acceptance of donation and naming of the pavilion will be on the August 12, 2015 Board of Supervisor's agenda.
2. Appeals/Youth Sports Public Relations Committee – Code of Conduct – The Appeals/Youth Sports/Public Committee recommended approving the Code of Conduct for all Frederick County Parks and Recreation sport and athletic programs as submitted, second by Mr. Cybulski, motion carried unanimously (5-0). Please see attached Code of Conduct.
3. Buildings and Grounds Committee – Rose Hill Park Memorandum of Understanding – The Buildings and Grounds Committee recommended an addendum to the Rose Hill Park Memorandum of Understanding to meet the restroom requirements associated with shelter development at Rose Hill Park, second by Mr. Madagan, motion carried unanimously (5-0).

Page 2  
Parks & Recreation Commission  
May 13, 2015

Please see attached Addendum. The recommended addenda will be on the July 15, 2015 Finance Committee agenda.

Attachment

cc: Charles R. Sandy, Jr., Chairman  
Cheryl Shiffler, Finance Committee



F





## COUNTY of FREDERICK

Parks and Recreation Department

540-665-5678

FAX: 540-665-9687

www.fcprd.net

e-mail: fcprd@fcva.us

---

# MEMO

---

**To:** Frederick County Board of Supervisors  
**From:** Jonathan Turkel, Park and Stewardship Planner  
Jason Robertson, Parks and Recreation Director  
**Through:** Brenda Garton, County Administrator  
**Subject:** Resolution Authorizing Recreation Trails Program Grant Application for Trail at Rose Hill  
**Date:** August 4, 2015

The Frederick County Parks and Recreation Commission recommended Frederick County apply to the Virginia Department of Conservation and Recreation (DCR) for a Recreation Trails Program (RTP) grant to support the Rose Hill trail project. Frederick County Parks and Recreation submitted an application for the construction of the trail at Rose Hill to DCR for the RTP grant on August 4, 2015 meeting the recently announced August 6 deadline. Included in the grant application is a draft resolution which may be authorized by the Board of Supervisors August 12, 2015. The enclosed resolution, if authorized by the Board of Supervisors, will be forwarded to DCR in order to complete Frederick County's RTP grant application for \$ 250,000 which is the maximum grant request amount allowable per project.

The RTP grant will fund eighty percent of qualified expenses significantly reducing local spending if selected. Frederick County has \$ 168,000 dedicated in its current budget for the trail.

The RTP grant is a reimbursement grant. Frederick County may have to allocate funds in addition to those already allocated for the project depending on the timing of billing and receipt of grant reimbursements. These funds will be returned to Frederick County as grant reimbursements arrive.

**RESOLUTION AUTHORIZING AN APPLICATION FOR FEDERAL  
ASSISTANCE FROM THE RECREATIONAL TRAILS PROGRAM TO THE VIRGINIA  
DEPARTMENT OF CONSERVATION & RECREATION**

WHEREAS, under the provisions of Recreation Trails Program Fund (RTP), federal funding assistance is requested to aid in financing the cost of trail/trailhead/trailside construction and/or rehabilitation within Frederick County and

WHEREAS, Frederick County considers it in the best public interest to complete the project described in the RTP application;

NOW, THEREFORE, BE IT RESOLVED that:

1. Frederick County staff be authorized to make formal application to Department of Conservation and Recreation (DCR) for funding assistance;
2. Any funding assistance received will be used for implementation and completion of construction of the Rose Hill Park trail within the specified time frame;
3. We certify that project funding is currently available and is committed for the completion of this project while seeking periodic reimbursement through the RTP. We are aware that the RTP funding, if approved, will be paid on a reimbursement basis meaning we may only request payment after eligible and allowable costs have already been paid to our vendors and evidence of such has been provided to DCR.
4. We acknowledge that the assisted trail project will have an assigned life expectancy assigned to it and that the facility must be maintained to standards suitable for public use.
6. We acknowledge that we are responsible for compliance with the National Environmental Policy Act, Endangered Species Act, Historic Preservation Act, Executive Orders 11988 and 11990 ( Floodplain Management and Wetlands Protection) and all other applicable state and federal laws;
7. We acknowledge that appropriate opportunity for public comment will be on this application and evidence of such is a required component for approval.
8. Adopted this 12<sup>th</sup> day of August, 2015.

**VOTE:**

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

*-Signed and approved by the following authorized representative:*

*Signed:* \_\_\_\_\_ *Title: County Administrator*

*Date:* \_\_\_\_\_



COUNTY of FREDERICK

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

# MEMO

**To:** John R. Riley, Jr., County Administrator  
**From:** Jason L. Robertson, Director, Parks & Recreation Dept.  
**Subject:** Parks and Recreation Commission Action  
**Date:** December 10, 2014

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

Items Requiring Board of Supervisors Action:

None

Submitted for Board Information Only:

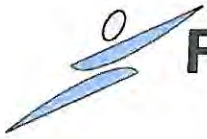
1. Board Resolution for DCR RTP Grant Application for Rose Hill Trail – Mr. Madagan moved to request a resolution from the Board of Supervisors to apply for a grant from the Department of Conservation and Recreation (DCR) Recreational Trails Program for Rose Hill Park, second by Mr. Longerbeam, motion carried unanimously (7-0). Staff will request a resolution from the Board of Supervisors once the grant is announced.
2. Fiscal Year 2016 Budget Request – The Finance Committee met on December 1, 2014 to review the Department's Fiscal 2016 Budget. The Finance Committee recommended to approve the Fiscal 2016 Budget as submitted, second by Mr. Brondos, motion carried unanimously (7-0).

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



G





# Frederick County Public Schools

... to ensure all students an excellent education

Executive Director of Finance

fryel@fcpsk12.net

**DATE:** July 23, 2015  
**TO:** Jay Tibbs, Deputy County Administrator  
**FROM:** Lisa K. Frye, Executive Director of Finance  
**SUBJECT:** Fall 2015 VPSA Bond Sale

*Lisa K. Frye*



The School Board requests, by way of the attached resolution, participation in the Virginia Public School Authority (VPSA) bond sale program for the remaining cash needs to complete the replacement Frederick County Middle School. The resolution for \$29.1 million will cover participation in the fall 2015 bond sale in the amount of \$20.1 million as well as participation in the spring 2016 bond sale in the amount of \$9 million.

To begin the governing body approval process, a public hearing is required and is requested to be set for September 9, 2015, after which an approving resolution can be considered by the Board of Supervisors. The approving resolution is being prepared by bond counsel and will be provided in advance of the September 9 agenda packet deadline.

Please do not hesitate to contact me should you have any questions. Thank you.

Attachment (1)

cc: David T. Sovine, Ed.D., Superintendent  
Brenda G. Garton, County Administrator  
Cheryl Shiffler, Frederick County Finance Director  
Bond Counsel

**RESOLUTION REQUESTING THE BOARD OF SUPERVISORS  
TO ISSUE GENERAL OBLIGATION SCHOOL BONDS FOR  
SCHOOL PURPOSES AND CONSENTING TO  
THE ISSUANCE THEREOF**

**BE IT RESOLVED:**

1. The School Board of the County of Frederick (the "School Board") hereby (i) requests, pursuant to Section 15.2-2640 of the Code of Virginia, 1950, as amended (the "Code"), that the Board of Supervisors of the County of Frederick (the "County") cause the County to issue its general obligation school bonds (the "Bonds") in one or more series in an aggregate principal amount not in excess of \$29,100,000 to finance the construction and equipping of the replacement of Frederick County Middle School, which constitutes a capital project for public school purposes and (ii) consents, pursuant to Section 15.2-2638.B(iii) of the Code and Article VII, Section 10(b) of the Constitution of Virginia, to the issuance of the Bonds.

2. Further, the School Board consents to and authorizes an application to the Virginia Public School Authority (the "VPSA") for the purchase of the Bonds by the VPSA as part of its 2015 Fall Pooled Bond Sale or as part of a future VPSA pooled bond sale. The Chairman of the School Board, the Superintendent of the schools of Frederick County School Division (the "Schools"), and such other officer or officers of the School Board or the Schools as either may designate (the "Authorized Officers") are hereby authorized to decrease the amount of proceeds requested to the extent the County and such Authorized Officers deem it necessary to issue the Bonds in an amount less than provided in paragraph 1 above.

3. The Authorized Officers are hereby authorized and directed to execute and deliver on behalf of the School Board a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the


Bonds and containing such covenants as may be necessary for the bonds issued by VPSA (the "VPSA Bonds") to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Tax Code"), and the applicable regulations. The School Board covenants on behalf of itself and the Schools under its governance that the School Board and the Schools shall comply with the provisions of the Tax Compliance Agreement and the Tax Code so that the interest on the VPSA Bonds is excludable from gross income under the Tax Code.

4. This resolution shall take effect immediately.

\* \* \*

Members present at the meeting were: WRIGHT, LARK, CLARK  
CAMPBELL, WATERMAN, LIDEC Members absent from the  
meeting were: WOLK. Members voting in favor of the foregoing resolution were:  
WRIGHT, LARK, CLARK  
CAMPBELL, WATERMAN, LIDEC Members voting against the foregoing resolution were:  
NONE. Members abstaining from voting on the foregoing resolution  
were: NONE.

Date: July 21, 2015

  
\_\_\_\_\_  
Clerk, School Board of the County of Frederick,  
Virginia

[SEAL]



H





## COUNTY OF FREDERICK

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### Information Technologies

Patrick Fly, GIS Manager

pfly@co.frederick.va.us

Voice 540.722.8225

Fax 540.722.2169

### MEMORANDUM

**To:** Board of Supervisors

**From:** Patrick Fly, GIS Manager

**Subject:** Road Name Change Request: "Estas Lane" to "Fallen Oak Lane"

**Date:** July 30, 2015

---

On July 28<sup>th</sup>, 2015 Ms. Golladay (Gainesboro District) submitted a formal Road Name Change Request to change "Estas Lane" to "Fallen Oak Lane". Ms. Golladay submitted a petition with signatures of all the property owners accessing Estas Lane approving the road name change.

Ms. Golladay stated that she did not feel the name chosen by the developer fit the rural character of the subdivision. She was looking for a road name that in her opinion better describes the surrounding countryside.

In accordance with Chapter 56-6 of the County Ordinance, GIS has reviewed the request and is recommending approval of the road name change to Fallen Oak Lane.

July 28, 2015

RE: Road Name Change

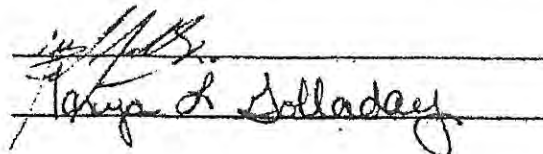
Kyle Schwizer  
107 N Kent St.  
Winchester, Va. 22601

This letter is to pursue a name change for the road previously known as Fairview Church Rd, Gore, Va. 22637, also known as Estas Lane, Gore, Va. 22637. The home or land owners have agreed to the names in order of preference:

1. Fallen Oak Lane
2. Whisper Woods Lane
3. Fallen Acorn Lane

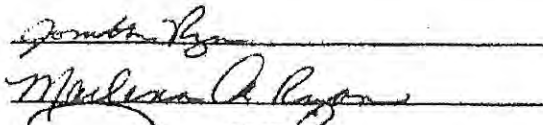
Listed below are the owners by ID numbers, signed in agreeance of the road name change.

Gerry and Tanya Golladay Jr. (Lot 16 A 5E)

  
\_\_\_\_\_

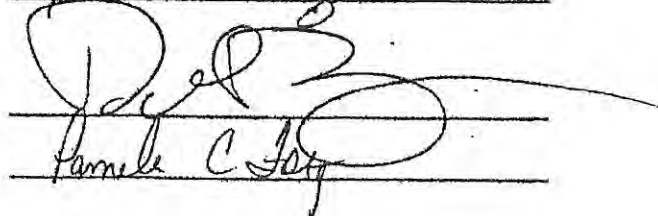
Jon and Marlena Ryan

(Lot 16 A 5D)

  
\_\_\_\_\_

Darren and Pam Foltz

(Lot 16A 5C)  
(Lot 16A 5A)

  
\_\_\_\_\_



**16 A 5**  
**Foltz Investment Group Ltd**

# ESTAS LN -- ROAD NAME CHANGE

**16 A 5A**  
**Foltz Darren S**

**16 A 5C**  
**Foltz Investment Group Ltd**

**16 A 5F**  
**Foltz Investment Group Ltd**

**16 A 5E**  
**Golladay Gerry L Jr**

**16 A 5B**  
**Foltz Investment Group Ltd**

**16 A 5D**  
**Ryan Jonathan L**

## Map Features

Address

## Frederick County Streets

### Building Footprint

### Parcel Boundary

FAIRVIEW  
RD



I





**COUNTY of FREDERICK**

**Department of Public Works**

540/665-5643

FAX: 540/678-0682

**MEMORANDUM**

**TO:** Board of Supervisors

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

**SUBJECT:** Water and Sewer Connection Fees for New Round Hill Fire and Rescue Station and Event Center

**DATE:** August 4, 2015

---

Staff is requesting that the board of supervisors reduce the principle of the outstanding loan between the county and the Frederick County Sanitation Authority by an amount of \$77,856 to cover the connection fees for the water and sewer services at the new Round Hill Fire and Rescue Station and Event Center. A breakdown of these fees is attached for your review.

A resolution describing this reduction is attached for your consideration. Time is of the essence to prevent any unnecessary delays in completing this project.

HES/rls

Attachments: as stated

cc: file

**RESOLUTION AUTHORIZING REDUCTION IN LOAN PRINCIPAL FOR  
FREDERICK COUNTY SANITATION AUTHORITY - APPROVAL WITH  
CONDITIONS**

**WHEREAS**, the Round Hill Fire and Rescue Company provides an essential service to Frederick County; and

**WHEREAS**, the existing Round Hill facilities could no longer meet the need of the Company and the surrounding community; and

**WHEREAS**, Frederick County and the Round Hill Fire and Rescue Company have partnered to establish a replacement Station; and

**WHEREAS**, water and sewer connections are needed for the construction of the Fire Station and the associated Events Center; and,

**WHEREAS**, the Frederick County Sanitation Authority can provide said connections at total combined cost of \$77,856;

**NOW, THEREFORE BE IT RESOLVED**, the Frederick County Board of Supervisors hereby reduces the principle of the outstanding loan between the County and the Frederick County Sanitation Authority by \$77,856.

**BE IT FURTHER RESOLVED**, the Frederick County Sanitation Authority shall waive the water and sewer connection fee associated with the construction of the new Round Hill Fire and Rescue Station and Events Center and shall provide water and sanitary sewer service to the site.

Adopted the 12<sup>th</sup> day of August, 2015



# FREDERICK COUNTY SANITATION AUTHORITY

315 Tasker Road, Stephens City, VA 22655

(540) 868-1061 voice

P.O. Box 1877, Winchester, VA 22604

(540) 868-1429 fax

## APPLICATION FOR WATER / SEWER / FIRE SERVICE

### Billing Information

Name: \_\_\_\_\_  
Street: \_\_\_\_\_  
City/Zip: \_\_\_\_\_

### Meter Location Information

Subdivision: Round Hill Fire Station  
Section: Event Center Lot: \_\_\_\_\_  
Street: \_\_\_\_\_

type of service	meter size (inch)	fees				amount deposit required (\$)
		availability (\$)	lateral installed by		total (\$)	
			other (\$)	FCSA (\$)		
domestic water	1 ½"	8,543.00	425.00		8,968.00	0.00
domestic sewer	1 ½"	20,510.00			20,510.00	0.00
fire service line - backflow prevention device size	8"	41,883.00			41,883.00	
water only service (irrigation, cooling, etc.)						
subtotal		70,936.00	425.00		71,361.00	0.00
		Other Fees				-22,983.00
remarks:		temporary meter				
		TOTAL PAID				\$48,378.00

I agree: 1) that payment of the amount due shall be at the rate in effect at the time of connection; 2) to make proper connection to the Authority's facilities per the drawing show below; and 3) that connection to the Authority's water and/or sewer services must be made within 180 calendar days from this application's date of approval. If these three requirements are not met with the time frame noted, my right to connect to the Authority's facilities may be forfeited as well as my right to a refund.

Authority Rules and Regulations are available upon request.

Check valves are installed at the water meter on all connections. These valves will not allow increased water pressure in the applicant's lines to be relieved through our water mains. It is the applicant's responsibility to provide for the release of increased line pressure.

**I have read and understand the above agreement.**

August 3, 2015

Signature

Date

Phone Number

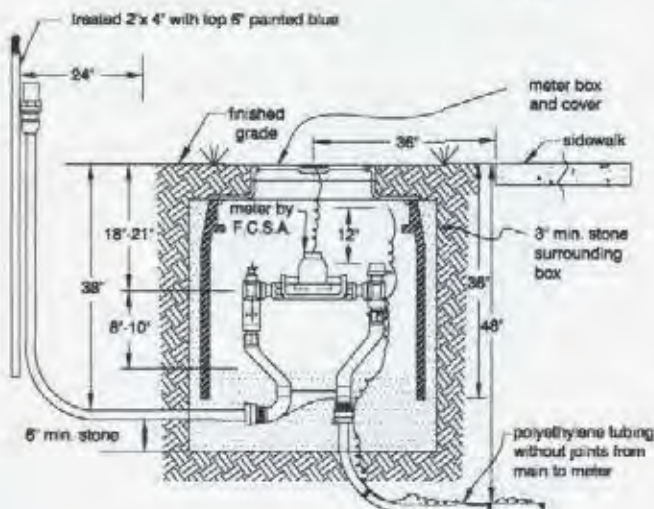
Printed Name

Approved for service

August 3, 2015

Date

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





# FREDERICK COUNTY SANITATION AUTHORITY

315 Tasker Road, Stephens City, VA 22655

(540) 868-1061 voice

P.O. Box 1877, Winchester, VA 22604

(540) 868-1429 fax

## APPLICATION FOR WATER / SEWER / FIRE SERVICE

### Billing Information

Name: \_\_\_\_\_  
Street: \_\_\_\_\_  
City/Zip: \_\_\_\_\_

### Meter Location Information

Subdivision: Round Hill Fire Station  
Section: Event Center Lot: \_\_\_\_\_  
Street: \_\_\_\_\_

type of service	meter size (inch)	fees				amount deposit required (\$)
		availability (\$)	lateral installed by		total (\$)	
			other (\$)	FCSA (\$)		
domestic water	1 ½"	8,543.00	425.00		8,968.00	0.00
domestic sewer	1 ½"	20,510.00			20,510.00	0.00
fire service line - backflow prevention device size						
water only service (irrigation, cooling, etc.)						
subtotal		29,053.00	425.00		29,478.00	0.00
					Other Fees	
remarks:					temporary meter	
					TOTAL PAID	\$29,478.00

I agree: 1) that payment of the amount due shall be at the rate in effect at the time of connection; 2) to make proper connection to the Authority's facilities per the drawing show below; and 3) that connection to the Authority's water and/or sewer services must be made within 180 calendar days from this application's date of approval. If these three requirements are not met with the time frame noted, my right to connect to the Authority's facilities may be forfeited as well as my right to a refund.

Authority Rules and Regulations are available upon request.

Check valves are installed at the water meter on all connections. These valves will not allow increased water pressure in the applicant's lines to be relieved through our water mains. It is the applicant's responsibility to provide for the release of increased line pressure.

**I have read and understand the above agreement.**

August 3, 2015

Date

Phone Number

Signature

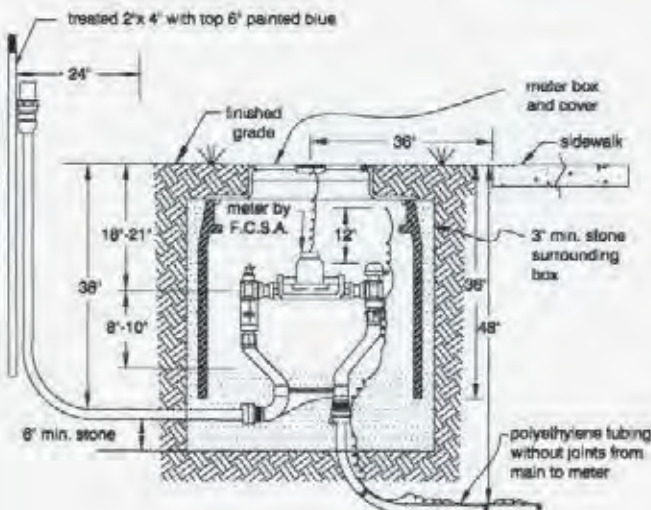
Printed Name

Approved for service

August 3, 2015

Date

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





CSR



**FREDERICK COUNTY  
SANITATION AUTHORITY**

NEW Account #

GIS #: \_\_\_\_\_

TODAY'S DATE: \_\_\_\_\_ EFFECTIVE DATE FOR NEW SERVICE: \_\_\_\_\_  
(Future date required - Same Day Service is additional \$50 Fee)

SERVICE STREET ADDRESS: \_\_\_\_\_

SERVICE CITY, STATE & ZIP: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_ SECTION: \_\_\_\_\_ LOT: \_\_\_\_\_

NAME ON APPLICATION MUST BE ON LEASE OR IF OWNER MUST BE ON FREDERICK COUNTY PROPERTY RECORDS.  
IF BUSINESS, MUST SHOW PROOF OF OWNERSHIP.

1<sup>ST</sup> APPLICANT NAME: \_\_\_\_\_

LAST 4 OF SSN#: \_\_\_\_\_ PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

2<sup>ND</sup> APPLICANT NAME: \_\_\_\_\_

LAST 4 OF SSN#: \_\_\_\_\_ PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

**ARE YOU THE:** OWNER RENTER\* PROPERTY MANAGER CONTRACTOR REALTOR  
(CIRCLE ONE) \*Tenant Authorization Form Required

BILLING ADDRESS: \_\_\_\_\_  
(IF DIFFERENT THAN SERVICE ADDRESS)

ALL NAMES ON PROPERTY OR LEASE: \_\_\_\_\_

\_\_\_\_\_ TOTAL # OF PEOPLE IN RESIDENCE: \_\_\_\_\_

WHO MAY REQUEST INFORMATION OR MAKE CHANGES TO YOUR ACCOUNT OTHER THAN APPLICANTS:

\*SIGN \_\_\_\_\_ \*SIGN \_\_\_\_\_

**BELOW IS FOR FCSEA ONLY**

DEPOSIT/ADMIN FEE: \$ \_\_\_\_\_ PAYMENT TYPE: \_\_\_\_\_ TYPE OF ID: \_\_\_\_\_

**PRIOR ACCOUNT INFORMATION**

ACCOUNT #: \_\_\_\_\_

MOVE OUT NAME: \_\_\_\_\_  
**OWNER RENTER PROPERTY MANAGER CONTRACTOR REALTOR**

FORWARDING ADDRESS: \_\_\_\_\_

REQUESTOR'S NAME & PHONE: \_\_\_\_\_ DATE: \_\_\_\_\_

REQUEST METER TO BE: ON OFF READ FINAL READ LOCK  
REMOVE METER LEAK CHECK

SET TEMP METER OR SET PERM METER

Attempt # Fees Paid Lot Released  
Date Date

METER #: \_\_\_\_\_

SERVICE ORDER #: \_\_\_\_\_ READING: \_\_\_\_\_

LEAK LETTER: \_\_\_\_\_ MOVE IN LETTER: \_\_\_\_\_ MOVE OUT LETTER: \_\_\_\_\_



J





## 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:** July 23, 2015

The Parks and Recreation Commission met on July 14, 2015. Members present were: Randy Carter, Natalie Gerometta, Gary Longerbeam and Ronald Madagan. Members absent were: Kevin Anderson, Patrick Anderson, Marty Cybulski, Charles Sandy, Jr. and Jason Ransom.

Items Requiring Board of Supervisors Action:

None

Submitted for Board Information Only:

1. Play Fund – No action due to lack of quorum.
2. Buildings and Grounds Committee – Frederick Heights Neighborhood Park – No action due to lack of quorum.

cc: Charles R. Sandy, Jr., Chairman  
Jason Ransom, Board of Supervisor Liaison



K





**COUNTY of FREDERICK**

**Department of Public Works**

**540/665-5643**

**FAX: 540/678-0682**

**MEMORANDUM**

**TO:** Board of Supervisors

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

**SUBJECT:** Public Works Committee Report for Meeting of July 28, 2015

**DATE:** July 29, 2015

---

The Public Works Committee met on Tuesday, July 28, 2015, at 8:00 a.m. All members were present except Gary Lofton. The following items were discussed:

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

**1. Alleyway Adjacent to County Administration Building**

The public works director presented a proposed plan to eliminate the ponding and repair the pavement associated with the alleyway located between the county administration building and the George Washington parking garage. The plan will include installing a concrete entrance apron and associated curbing adjacent to Kent Street and overlaying the existing distressed asphalt with three (3) inches of an intermediate bituminous mix. At the conclusion of the discussion, the committee unanimously endorsed a request from Mr. Kris Tierney, assistant county administrator, for a carryforward in the amount of \$30,000 to fund the project. This request will be forwarded to the finance committee for their review and action.

**2. Closed Session**

The committee convened into a closed session to discuss property acquisition for multiple citizens' convenience sites in accordance with the Code of Virginia §2.2-3711 Subsection A, (3), Acquisition and Disposition of Real Estate. After reconvening from closed session, each committee member certified that only items related to property acquisition were discussed in closed session. No action resulted from the closed session.



**Public Works Committee Report**

**Page 2**

**July 29, 2015**

3. Miscellaneous Reports
  - a) Tonnage Report  
**(Attachment 1)**
  - b) Animal Shelter Dog Report  
**(Attachment 2)**
  - c) Animal Shelter Cat Report  
**(Attachment 3)**

Respectfully submitted,

Public Works Committee

Gene E. Fisher, Chairman

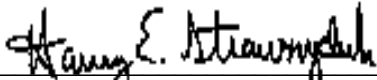
David W. Ganse

Gary Lofton

Whit L. Wagner

Robert W. Wells

James Wilson

By 

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

Public Works Director

HES/rls

Attachments: as stated

cc: file



## COUNTY of FREDERICK

Department of Public Works

540/665-5643

FAX: 540/678-0682

### MEMORANDUM

**TO:** Public Works Committee

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

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

**DATE:** July 7, 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>13,133 TONS (UP 665 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	15,321

HES/gmp

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

## DOG REPORT

MONTH	ON HAND AT FIRST OF MONTH	RECEIVED AT KENNEL	BROUGHT IN BY ACO	BITE CASES	BORN AT KENNEL	ADOPTED	RECLAIMED	DISPOSED	DIED AT KENNEL	ESCAPED/ STOLEN	CARRIED OVER NEXT MONTH
JULY	50	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	55	32	30	0	0	37	26	10	0	0	44
TOTAL	597	461	386	11	3	467	317	76	7	0	591

In the month of June - 117 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	144	241	20	11	0	26	4	278	4	0	104
TOTAL	1111	1653	214	34	33	286	30	1523	134	0	1072

In the month of June - 416 cats in and out of shelter.

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## 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 July 16, 2015

**DATE:** July 30, 2015

A meeting of the Public Safety Committee was held on Thursday July 16, 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, Gene Fisher, Chuck Torpy. Member Jason Ransom was absent. Also in attendance were County Administrator Brenda Garton, Fire & Rescue Chief Denny Linaburg, Communications Director LeeAnna Pyles, North Mountain Chief Josh Taylor, Fire & Rescue Association President Dan Cunningham, Gainesboro Supervisor Robert Hess and Deputy Fire Chief Larry Oliver as well as Chris Rucker representing Valley Health and Sheila Pitzer, the Director of revenue for Premier. The following items were discussed:

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

##### 1. Revenue Recovery Vendor (see attached A)

Chief Linaburg advised the County utilized the City of Winchester's contract for E.M.S. billing services when our program started in 2013. He noted during the 22 months that the Revenue Recovery program has been operational the 3<sup>rd</sup> party billing vendor Premier Accounts Receivable Management, a subsidiary of Valley Health Systems has been successful. However, the City's contract has expired. The City advertised a new request for proposals for E.M.S. Billing Services in April 2015 and was awarded a contract to Intermedix Corporation. Similar to the prior contract, there is a "ride-on" provision that would allow the County to utilize this vendor. Staff is seeking a recommendation from the Committee regarding the possibility of utilizing the City's contract with the new vendor or whether the County should issue its own request for proposals for third party E.M.S. Billing Services. Mr. Wilkins suggested that we look into why the City changed vendors and their selection criteria. Ms. Garton advised that a letter would be issued by Frederick County to Premier Accounts Receivable Management to extend our current contract on



a month to month basis until such time as the new RFP could be issued and a vendor selected. Mr. Torpy and Mr. Fisher motioned that Frederick County prepare its own RFP and criteria for potential billing vendors. The Committee unanimously approved this recommendation.

*It is the Committee's recommendation that the Board of Supervisors concur that Frederick County prepare its own RFP to select a new 3<sup>rd</sup> party billing company for the Revenue Recovery program.*

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

**2. Fire & Rescue Service Plan:**

Chief Linaburg sought the committee's feedback on the draft Fire & Rescue Department Service Plan. Chairman Lofton stated immediate needs should be identified so they can be obtained for the upcoming budget cycle. Chief Linaburg highlighted staffing and aging equipment as the most immediate needs within the department. Following a lengthy discussion of staff retention, 24 hour shifts, and aging apparatus/equipment, the Committee asked for a detailed report on these various topics.. Chairman Lofton asked who determines what and where the new equipment will be located. Chief Linaburg advised each station keeps track of their immediate needs. Mrs. Garton discussed the need to revisit Shenandoah County regarding mutual aid to assist Company 17 (Star Tannery). Mr. Fisher advised the County had made contact in May 2014 however the talks had stalled. Chairman Lofton advised the most immediate need for the upcoming budget cycle is staffing and he requested that Chief Linaburg provide a proposed budget request on staffing so those numbers can be reviewed at the next meeting.

**Next Meeting:** TBA

**Adjourn:** The meeting was adjourned at 10:00 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

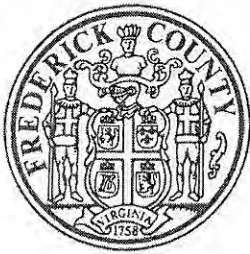
Chuck Torpy  
Ronald Wilkins

By



LeeAnna Pyles, Director Public Safety Communications

LP/sds



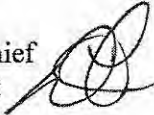
## COUNTY OF FREDERICK, VIRGINIA

FIRE AND RESCUE DEPARTMENT

1080 Coverstone Drive  
Winchester, VA 22602

Dennis D. Linaburg  
Fire Chief

### MEMORANDUM

**DATE:** July 10, 2015  
**TO:** Public Safety Committee  
**FROM:** Dennis D. Linaburg, Fire Chief  
Fire and Rescue Department   
**SUBJECT:** Options For E.M.S. Expense Recovery Program Billing Services

On June 30, 2015 the City of Winchester's Contract for E.M.S. Billing Services expired. This original R.F.P. was distributed on March 28, 2008 and a contract was awarded to Valley Regional Enterprises on July 1, 2008 with a service period going through June 30, 2010 with five (5) additional one (1) year contract renewals. This R.F.P. and contract was utilized by Frederick County to "ride-on" for E.M.S. Billing Services when our program started in October 2013 with a known end date of June 30, 2015. Our contract with Premier Accounts Receivable Management expired on June 30, 2015.

The City of Winchester advertised their new R.F.P. for E.M.S. Billing Services in April 2015 and based on consultation with the County Attorney, Frederick County was going to "ride-on" their R.F.P. again. The City of Winchester received eleven (11) vendor proposals from companies across the country which were reviewed by the E.M.S. Committee from Winchester Fire and Rescue Department. Ultimately, after presentations from the top three (3) companies, Intermedix Corporation was awarded the contract. Based on the City of Winchester's decision and past practice of utilizing their R.F.P. to ride-on, Frederick County was considering changing billing companies once contract language with the new vendor was discussed and approved with an effective date of July 1, 2015.

Presented with the above information, we have two (2) options available to the County to secure third party E.M.S. Billing Services for Frederick County Fire and Rescue Department. The first option is to ride-on the City of Winchester's R.F.P. and contract for the five (5) year period. The second option is to write and issue an R.F.P. for Frederick County. In the interim, with the County Attorney's approval, we will enter into a month-to-month contract (if necessary) with Premier Accounts Receivable Management based on the City of Winchester's 2008 R.F.P. to continue billing Medicare, Medicaid, and private insurance companies.

Should you have any additional questions, please feel free to contact me.

DDL/lao

cc: File Copy

Office (540) 665-5618

• dlinabur@fcva.us •

Fax (540) 678-4739

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## 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 29, 2015  
SUBJECT: Human Resources Committee Report

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The HR Committee met in the First Floor Conference Room at 107 North Kent Street at 8:00am on Friday, July 24, 2015. All members were present.

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

1. The Committee recommends approval of the Employee of the Month award for August, September, and October.
2. The IT Director presented a reorganization plan to create an Applications Development Group within the IT Department. The Committee unanimously supports this reorganization as it will address both current and future IT needs for Frederick County. The IT department maintains two separate budget department allocations, Management Information Systems (MIS) and Information Technology, both of which are under the IT Director. In order to achieve this reorganization, the HR Committee recommends approval to transfer \$70,671.00 from the IT department into the MIS department. Both departments under the IT Director are in the General Fund.

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

1. Update on the HR Committee projects and priorities. The HR Director provided to the group an update of the projects and priorities as discussed in our last meeting.

Effective July 1, 2015, the County officially began the practice of recognizing maximum thresholds as maximum amounts a position can achieve per the currently adopted salary chart. Mrs. Garton met with each employee who could have potentially been impacted by this decision prior to the payroll date. Also, the County Administrator has received sample Bonus Ordinances and have provided them to the HR Director and County Attorney. They will begin drafting the ordinance for Frederick County and once completed, will present drafted ordinance to HR Committee for feedback.

There being no further business, the meeting was adjourned.

The next HR Committee meeting is currently scheduled for Friday, August 14, 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



# Employee of the Month Resolution

*Awarded to:*

## Aaron E. Jeter

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, Aaron E. Jeter who serves as a Deputy for the Frederick County Sheriff's Department was nominated for Employee of the Month; and,

WHEREAS, On July 10<sup>th</sup>, 2015, a team of three Deputies, that included Aaron Jeter, stopped a vehicle for speeding. After a complete investigation, the Deputies were able to seize 261 packets of heroin. Generally, a patrol deputy would not see this amount of drugs during their entire career. However, with the common trend of heroin tied to thefts, overdoses, and deaths; these Deputies are to be commended for getting the heroin out of our community and quite possibly saving a life; and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 12<sup>th</sup> day of August, 2015, that Aaron Jeter is hereby recognized as the Frederick County Employee of the Month for August 2015; and,

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

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




County of Frederick, VA  
Board of Supervisors

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Richard C. Shickle, Chairman





Dedication

***County of Frederick***

Employee of the Month

August 2015

***Aaron Jeter***

Hardworking

Excellence

Professional

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Richard C. Shickle  
Chairman, Board of Supervisors

# Employee of the Month Resolution

*Awarded to:*

## Chester A. Renner

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, Chester A. Renner who serves as a Corporal for the Frederick County Sheriff's Department was nominated for Employee of the Month; and,

WHEREAS, On July 10<sup>th</sup>, 2015, a team of three Deputies, that included Chester Renner, stopped a vehicle for speeding. After a complete investigation, the Deputies were able to seize 261 packets of heroin. Generally, a patrol deputy would not see this amount of drugs during their entire career. However, with the common trend of heroin tied to thefts, overdoses, and deaths; these Deputies are to be commended for getting the heroin out of our community and quite possibly saving a life; and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 12<sup>th</sup>-day of August, 2015, that Chester Renner is hereby recognized as the Frederick County Employee of the Month for September 2015; and,

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

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

County of Frederick, VA  
Board of Supervisors

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Richard C. Shickle, Chairman







Dedication

***County of Frederick***

Employee of the Month

September 2015

***Chester Renner***

Hardworking

Excellence

Professional

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Richard C. Shickle  
Chairman, Board of Supervisors

# Employee of the Month Resolution

*Awarded to:*

## Christopher Darlington

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, Christopher Darlington who serves as a Deputy for the Frederick County Sheriff's Department was nominated for Employee of the Month; and,

WHEREAS, On July 10<sup>th</sup>, 2015, a team of three Deputies, that included Christopher Darlington, stopped a vehicle for speeding. After a complete investigation, the Deputies were able to seize 261 packets of heroin. Generally, a patrol deputy would not see this amount of drugs during their entire career. However, with the common trend of heroin tied to thefts, overdoses, and deaths; these Deputies are to be commended for getting the heroin out of our community and quite possibly saving a life: and,

NOW, THEREFORE BE IT RESOLVED, by the Frederick County Board of Supervisors this 12<sup>th</sup> day of August, 2015, that Christopher Darlington is hereby recognized as the Frederick County Employee of the Month for October 2015; and,

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

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



County of Frederick, VA  
Board of Supervisors

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Richard C. Shickle, Chairman





Dedication

***County of Frederick***

Employee of the Month

October 2015

***Christopher Darlington***

Hardworking

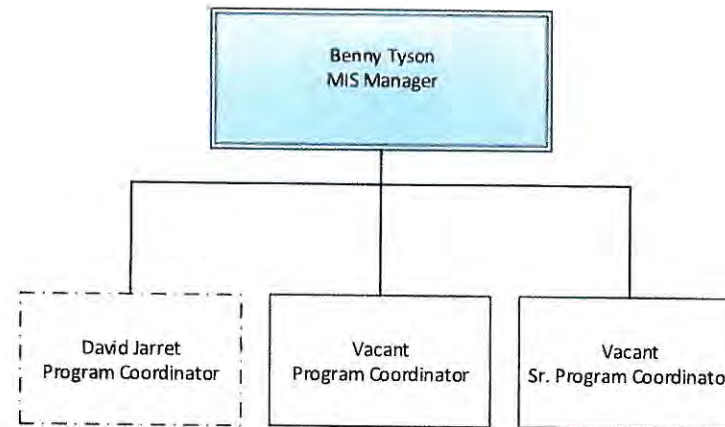
Excellence

Professional

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Richard C. Shickle  
Chairman, Board of Supervisors

## The Development Group



### Development Group

**MIS Manager** (*Reporting to the IT Director*) would be the facilitator of all things development. That would include all data related and development activities – supervising the data management and application development.

**Senior Program Coordinator** would serve as the operations coordinator for development activities and be the immediate back up and function as the group leadership in the event the MIS Director is not present.

**Program Coordinator** would share in the responsibilities of completing development tasks with a strong focus on the universal languages and share in some RPG programming responsibilities.

**Program Coordinator** would focus on RPG and .Net development requests.

### IT GROUP UPDATE

With the recent vacancies (two positions – MIS Deputy Director and webmaster) we have taken the opportunity to step back and explore the IT programming needs county-wide. We are looking to address needs in the areas of RPG programming (AS400) and .Net, HTML5, CSS, C# ,handheld programming ( all Universal language programming).

Through the process of data collection and input from our end users we identified the following needs:

- Fill the vacant positions to support programming, reporting and distribution.
- Identify a path for succession.
- Increase capacity to complete RGP (Report Generating Programming- AS400) tasks.
- Add capacity for programming (i.e. web integration, handheld and data access programming) in today's IT environment as well as anticipating future programming needs.
- Positively Impact to our clients (internal users of development services), by providing better service.
- Improve task completion processes through better management and cross training.

#### **CONCEPT:**

Create a diverse development group that fulfills the need for redundancy (succession planning) and increases our capacity for programming and development across multiple platforms/ environments.

#### **PROPOSAL:**

Reconfigure the current MIS structure by hiring a programmer and add a second position (formerly the webmaster) to cross train on RGP and web integration programming. Collectively, these positions would become the "Development Group" and would manage tasks related to all areas of programming (see brief description and responsibilities below).

**MIS Manager** (*Reporting to the IT Director*) would be the facilitator of all things development. That would include all data related and development activities – supervising the data management and application development in any of the above languages.

**Senior Program Coordinator** (*Reporting to the MIS Manager*) would serve as the operations coordinator for development activities and be the immediate back up and function as the group leadership in the event the MIS Director is not present.

**Program Coordinator** (*Reporting to the MIS Manager*) would share in the responsibilities of completing development tasks with a strong focus on the universal languages and share in some RPG programming responsibilities.

**Program Coordinator** (*Reporting to the MIS Manager*) would focus on RPG and .Net development requests



**County of Frederick, Virginia****Position Details**

Position Title: Sr. Program Coordinator

Date Position Created:

Department: Information Technology

Reports To: MIS Manager

☒ Exempt ☐ Non-Exempt

Date Prepared: 6/29/2015

Prepared By: IT Director

Range: 11

Grade:

Salary: Starting up to \$76,800 DOQ

G/L Line Item:

**Job Description**

**Job Purpose:** Assistant to the MIS Manager and perform the duties of the Director in his absence. This position will be the senior programmer and supervise programmers on both the application development and AS400 development module of the IT department.

Develop and maintain software applications critical to the operations of client by applying technical coding skills to the Sales, Accounting and Vendor Data Transition applications. Apply SDLC development methodology skills and core competencies to complete coding assignments on time.

This includes researching, designing, documenting, and modifying software specifications throughout the production life cycle. The software developer will also analyze, amend software errors in a timely accurate fashion and provide status reports where required.

Provide functional analysis, design, coding, testing, debugging, and implementation for new systems or enhancement to existing systems.

Support and provide troubleshooting for and resolution of system problems

Ensures compliance with IT processes and standards to achieve quality deliverables

Responsible for unit testing independently or with minimal direction adhering to all IT established methodologies, standards and guidelines. Provide technical oversight and assist with the design/development of projects.

Assists the MIS Manager in the implementation and maintenance of the County's information systems. Performs related duties as assigned.

Work is performed under the general supervision of the MIS Manager.

**Essential Functions**

- Develops and maintains intuitive, user-friendly and technically efficient web pages;
- Updates site content and structure in coordination with Marketing and other key departments;
- Enhances user interface;
- Troubleshoots website operation, tracks site usage statistics and monitors performance;
- Produces applications, forms and related web pages in support of the Society's advertising initiatives, web-based interactive communications, and other areas as assigned;
- Learns new tools and methods in an effort to adapt and respond to ever-changing project needs;
- Designs and prepares elements/graphic images for the web;
- Locates and debugs website issues; and
- Produces and uploads broadcast data to the county's media outlets.
- Other related duties as assigned.
- Is responsible for maintenance and administration of pre-production code environments.
- Develop documentation including help text, report samples, and screen samples.
- Work with other developers on the Frederick County development team on the implementation of common frameworks and solutions.
- Assists in the planning of effective data processing applications and the resources needed to carry them out;
- Attention to detail while processing, composing, and proofing materials;
- Able communicate effectively;
- Focus on the internal customers, collaborate with others, solve problems creatively and demonstrate high integrity;
- Maintains and updates detailed system operation procedures for use by MIS and non-data processing personnel;
- Assists in all conversion tasks, procedures and training of users in the new procedures and conversion method;
- Performs or assists in the performance of maintenance of the operational systems and retesting;
- Assists in maintaining schedules for production and facilities and makes adjustments for departures from schedules;
- Assists in the research of hardware and software alternatives for present and future requirements;
- Assists in preparing budgets for MIS activities and personnel;
- Supervises monthly physical inventory of supplies used in the department;
- Assists in the training of users of the system;
- Assists in providing back up and security for the installation;
- Performs and maintains a filing system for materials pertinent to operations, scheduling, special requests,
- Attends formal training instruction to keep abreast of acquired advancement in technology;
- Run Payroll and Accounts Payable twice a month and send files to the bank for direct deposits and ACH payments as required by NACHA rules and regulations;
- Run and print Landfill billing;
- Print Dog Tag applications and payments;
- Print tax bills for Real Estate, Personal Property and Public service;
- Assist users with Query programming;
- Run and print tax books and supplemental billing;
- Process year end W2's and quarterly 1099's;
- Assists users with Query reports;

#### **Job Requirements:**

**Education: Preferred degree in Computer Science or Business administration; documented years of experience may be substituted for formalized education/ degree.**

Strong proficiency in C#, ASP.NET, HTML, JavaScript, CSS, SQL or related technologies

- Flexibility Education Bachelors preferred Discipline Business, Computer Engineering, Computer Science, Information Systems, Mathematics
- Experience with one or more of the C++, PHP, Ruby, Perl, Python, and Tcl
- Environment and application experience including Microsoft is a strong benefit
- Excellent research, problem solving skills, interpersonal and communications skills are essential
- Strong prioritization and organizational skills

- Ability to work independently towards general results
- Can effectively communicate with employees/other business contacts (contractors, customers, vendors, etc.)
- Prior Experience: 3 – 5 years' experience of hands-on coding and development of web applications
- Demonstrated competency in verbal and written communications and interpersonal understanding.
- Demonstrated ability to seek out and understand customers' issues business needs
- Demonstrated ability to handle deadlines and pressures
- Conceptual thinking and reasoning abilities
- Demonstrated competency in logical and analytical thinking
- Demonstrated decision making ability
- Demonstrated competency in identifying and solving problems
- Demonstrated ability in the utilization of multiple tools to solve problems
- Experience in the adaptation to and the application of rapidly changing technology to business needs
- Experience in leveraging APIs toward county goals
- Demonstrated ability to perform as technical expert in field
- Ability to work independently.
- Achievement orientation, Self-starter, Self-control, Concern for quality

#### **AS400 requirements for Senior Distinction**

- 4 - 5 years of recent experience in IT/IS software development.
- 4 - 5 years recent experience with iSeries-AS/400 RPG ILE/IV/Free programming/coding development, Subfiles, CL including embedded SQL programming.
- Strong written and verbal communication skills and the ability to interface effectively with team members, IT groups, and business users.
- Effectively present information and respond to questions either one-on-one or to business groups, including regular status to supervisor and management.
- Responsible for production support and application monitoring based on assigned code implementation efforts.
- Participate in system enhancements, internal quality assurance reviews and post implementation support.
- Must be flexible on assignments. Must work well in a team environment.
- 3 to 5 years with developing / maintaining batch data loads and extract processes on the iSeries/AS400.

#### **Knowledge/Skills:**

Solid understanding of C#, ASP.NET, PL/SQL (procedures, functions, etc.), SQL, XML or related technologies

Experience with IOS/ mobile application design

Experience with AS400 (DB2) database integration

Certification examples – RPG,HTML, .NET, Java, CSS Scripting and SQL database administration (one or many)

Acceptable documents to establish identity and employment authorization and the ability to pass a background check.

#### **Working Conditions:**

**Physical Demands:** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit; use hands to finger, handle, or feel; and talk or hear. The employee frequently is required to reach with hands and arms. The employee is occasionally required to stand; walk; and stoop, kneel, crouch, or crawl. The employee must occasionally lift and/or move up to 40 pounds unassisted. Specific vision abilities required by this job include close vision for extended periods of viewing a computer screen or screens, distance vision, color vision, depth perception, and ability to adjust focus.

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: Program coordinator		Date Position Created:
Department: Information Technology		Reports To: MIS Manager
<input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Non-Exempt	Date Prepared: 6/29/2015	Prepared By: IT Director
Range: 10/11	Grade:	Salary: \$65,800 - \$76,800
G/L Line Item:		

**Job Description**

**Job Purpose:** This position works collaboratively with representatives of all areas and departments of Frederick County to ensure website design is relevant on an ongoing basis. This position will have responsibility working with database structure and integration to collect, display and distribute available county information to both web and internal forms users. The position also works with the Public Information Officer and Director of Information Technology to implement page layout and branding that promote Frederick County's internal /external professional image.

**Essential Functions**

Creates, designs and prepares layouts for a variety of web-based projects including website, e-commerce site and multimedia;

- Develops and maintains intuitive, user-friendly and technically efficient web pages;
- Updates site content and structure in coordination with Marketing and other key departments;
- Enhances user interface;
- Troubleshoots website operation, tracks site usage statistics and monitors performance;
- Produces applications, forms and related web pages in support of the County's advertising initiatives, web-based interactive communications, and other areas as assigned;
- Learns new tools and methods in an effort to adapt and respond to ever-changing project needs;
- Designs and prepares elements/graphic images for the web;
- Locates and debugs website issues; and
- Produces and uploads broadcast media to the county's media outlets.
- Other related duties as assigned.

**Job Requirements:**

**Education: Bachelor's degree in Computer Science, Information Technology, Media, or related field; documented years of experience may be substituted for formalized education/ degree.**

Strong proficiency in C#, ASP.NET, HTML, JavaScript, CSS, SQL, WordPress or related technologies

- Experience with C++, PHP, Python, and Tcl
- Prior Experience: 3 – 5 years' experience of hands-on coding and development of web applications
- Environment and application experience including Microsoft is a strong benefit
- Experience with Web Services and/or messaging systems are a very strong benefit (i.e. Texting programming)
- Excellent research, problem solving skills, interpersonal and communications skills are essential
- Strong prioritization and organizational skills
- Ability to work independently towards general results

- Must demonstrate working proficiency of the English language
- Can effectively communicate with employees/other business contacts (contractors, customers, vendors, etc.)
- Experience leveraging documented APIs
- Demonstrated competency in verbal and written communications and interpersonal understanding.
- Demonstrated ability to seek out and understand customers' issues business needs
- Demonstrated ability to handle deadlines and pressures
- Conceptual thinking and reasoning abilities
- Demonstrated competency in logical and analytical thinking
- Demonstrated decision making ability
- Demonstrated competency in identifying and solving problems
- Demonstrated ability in the utilization of multiple tools to solve problems
- Experience in the adaptation to and the application of rapidly changing technology to business needs
- Demonstrated ability to perform as technical expert in field
- Ability to work independently.
- Achievement orientation, Self-starter, Self-control, Concern for quality

### **Knowledge/Skills:**

Solid understanding of C#, ASP.NET, PL/SQL (procedures, functions, etc.), SQL, XML or related technologies

Experience with iOS/ mobile application design

Experience with Final Cut Pro

Experience with source control such as Git or Subversion, SVN

Experience with AS/400 (DB2) database integration

Ability to write strong, well-tested, well-documented code

Ability to oversee development of projects from requirements & scope to release

Certification examples - HTML, .NET, Java, CSS Scripting and SQL database administration (one or many)

Acceptable documents to establish identity and employment authorization and the ability to pass a background check.

### **Working Conditions:**

**Physical Demands:** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit; use hands to finger, handle, or feel; and talk or hear. The employee frequently is required to reach with hands and arms. The employee is occasionally required to stand; walk; and stoop, kneel, crouch, or crawl. The employee must occasionally lift and/or move up to 40 pounds unassisted. Specific vision abilities required by this job include close vision for extended periods of viewing a computer screen or screens, distance vision, color vision, depth perception, and ability to adjust focus.

<b>Supervisory Responsibilities:</b>	
<b>Number of Employees Supervised: 0</b>	<b>Number of Subordinate Supervisors Reporting to Job: 0</b>
<b>Approvals:</b>	
Department Director:	Date:
HR Director:	Date:
Finance Director:	Date:
County Administrator:	Date:
Board of Supervisors Approval:	Date:

## Fund Transfer from IT budget to MIS budget for Personnel

Salary:	\$ 51,485.00
FICA	\$ 3,938.60
Insurances	\$ 9,120.00
Life Ins	\$ 612.67
VRS	\$ 5,462.56
WC	\$ 51.49
Fringe Cost:	\$ 19,185.32
Total:	\$ 70,670.32



N



## COUNTY of FREDERICK

Finance Department  
**Cheryl B. Shiffler**  
Director

540/665-5610  
Fax: 540/667-0370  
E-mail: [cshiffle@fcva.us](mailto:cshiffle@fcva.us)

**TO:** Board of Supervisors

**FROM:** Finance Committee

**DATE:** July 15, 2015

**SUBJECT:** Finance Committee Report and Recommendations

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A Finance Committee meeting was held in the First Floor Conference Room at 107 North Kent Street on Wednesday, July 15, 2015 at 8:00 a.m. Member Gary Lofton was absent.

1. The Parks & Recreation Director requests an FY16 General Fund supplemental appropriation in the amount of \$95,000. This amount represents the use of proffer funds for a restroom building at Rose Hill Park. Proffer funds are available. The Proffer Policy is included. See attached information, p. 4 – 16. The committee recommends approval.
2. The Parks & Recreation Director requests an FY16 General Fund supplemental appropriation in the amount of \$168,000 for the construction of a trail at Rose Hill Park. This amount represents anticipated remaining FY15 funds. The current balance is \$168,000 and the appropriation will not exceed the final FY15 year end balance. See attached memo, p. 17. The committee recommends approval.
3. The Parks & Recreation Director requests an FY16 General Fund supplemental appropriation in the amount of \$22,780.36. This amount represents anticipated remaining FY15 funds for the completion of the Sherando Park Master Plan. The current balance is \$28,520.36 and the appropriation will not exceed the final FY15 year end balance. See attached memo, p. 18. The committee recommends approval.

4. The Public Safety Communications Director requests an FY16 General Fund supplemental appropriation in the amount of \$2,000. This amount represents a grant from the Virginia E911 Wireless Education Program. No local funds required. See attached information, p. 19 – 21. The committee recommends approval.
5. The Sheriff requests an FY15 General Fund supplemental appropriation in the amount of \$400. This amount represents two (2) donations to the DARE program. See attached memos, p. 22 – 23. The committee recommends approval.
6. The Sheriff requests an FY16 General Fund supplemental appropriation not to exceed the final FY15 year end balance for the Abbott Grant. The current balance is \$41,480.72. See attached memo, p. 24. The committee recommends approval.
7. The County Administrator requests authorization to engage in the services of a financial consultant. See attached memo, p. 25 – 26. The committee recommended authorization; however, the County Administrator requests postponement of board action awaiting further information.

#### **INFORMATION ONLY**

1. The Government Finance Officers Association (GFOA) has awarded the County the Award for Outstanding Achievement for Outstanding Achievement in Popular Annual Financial Reporting for the June 30, 2014 Popular Annual Financial Report (PAFR). This is the 8th consecutive year that Frederick County has received this achievement. See attached, p. 27 – 28.
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. Mr. Barker is not available for the scheduled July meeting.

3. The Finance Director provides a Fund 10 Transfer Report for June 2015. See attached, p. 29 – 30.
4. The Finance Director provides a **preliminary** FY 2015 Fund Balance Report for the period ending June 30, 2015. See attached, p. 31.

Respectfully submitted,

FINANCE COMMITTEE

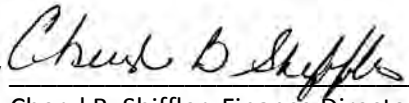
Charles DeHaven, Chairman

Richard Shickle

Judy McCann-Slaughter

Angela Rudolph

Bill Ewing

By   
Cheryl B. Shiffler, Finance Director





COUNTY of FREDERICK

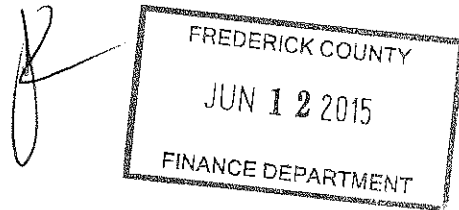
Parks and Recreation Department  
540-665-5678  
FAX: 540-665-9687  
www.fcprd.net  
e-mail: fcprd@fcva.us

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# MEMO

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**To:** Finance Committee  
**From:** Jason Robertson Director, Parks and Recreation  
**Subject:** Parks and Recreation Proffer Fund Request  
**Date:** June 10, 2015

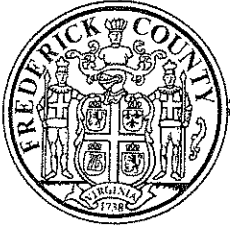


The Parks and Recreation Commission is requesting \$95,000 in Parks and Recreation proffer funds. The purpose of the requested funds is for the construction of a restroom building and related infrastructure at Rose Hill Park.

Per the Rose Hill Park Addendum, the Museum of the Shenandoah Valley / Glass Glen Burnie Foundation will contribute \$18,000 to the restroom project upon completion. It is understood that this amount and any unused remainder of the requested proffer funds will be returned to the Parks and Recreation proffer account.

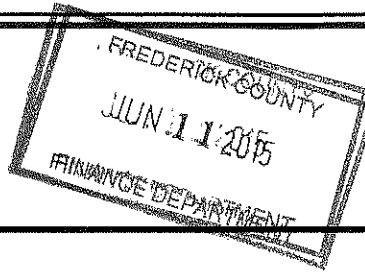
This item is a portion of priority #8 on the approved fiscal 2016 Parks and Recreation Capital Improvements Program. As a community park the service area of Rose Hill Park includes the majority of growth areas in Frederick County.

Please feel free to contact me in advance with any questions you may have regarding this request at: (540) 722-8294



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:

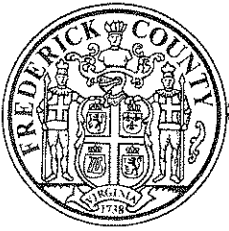
None

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.

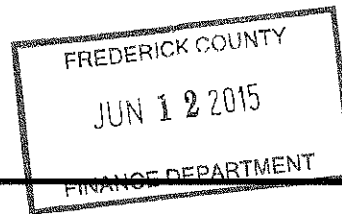
Attachment

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



COUNTY of FREDERICK

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



# MEMO

**To:** Finance Committee  
**From:** Jason Robertson Director, Parks and Recreation  
**Subject:** Rose Hill Park Memorandum of Understanding Addenda 1  
**Date:** June 10, 2015

To meet the restroom requirements associated with shelter development at Rose Hill Park, the Parks and Recreation Commission is recommending approval of an addendum (**Attachment 1**) to the Rose Hill Park Memorandum of Understanding (MOU).

*Please note that concurrent with this recommendation request, a Parks and Recreation Proffer request for the associated restroom construction costs is being submitted to the Finance Committee.*

The addenda outlines six points of change which allow the County to meet the Building Code and Health Code requirements for restrooms associated with planned park amenities. In allowing the County to construct a compliant restroom at the park, savings of \$18,000 will be realized by our partners the Glass Glen-Burnie Foundation (GGBF), and Glass Glen-Burnie Museum (GGBM). GGBF & GGBM have agreed to contribute this \$18,000 to the restroom construction project as stipulated in this addendum. Additional savings realized by GGBF & GGBM resulting from a shift in the parking lot location and resultant lengthening of the recreation trail (\$3,200) is also addressed.

A reference a copy of the original MOU, marked-up with proposed changes is attached (**Attachment 2**).

Please feel free to contact me in advance with any questions you may have regarding this request at: (540) 722-8294

**ADDENDA NO. 1**

To the  
MEMORANDUM OF UNDERSTANDING  
Between  
The COUNTY OF FREDERICK, VIRGINIA (County)  
and  
the GLASS GLEN-BURNIE FOUNDATION (GGBF)  
and  
the GLASS GLEN-BURNIE MUSEUM, INC. (GGBM)

- I. On the 5<sup>th</sup> of May, 2014, the County, GGBF, and GGBM entered into a Memorandum of Understanding (MOU) for the purpose of developing a portion of the property (hereinafter known as "Rose Hill"), located at 1985 Jones Road in the County of Frederick Virginia identified with Property Identification Number 62-A-73B in the Back Creek Magisterial District.
- II. The parties now mutually desire and agree to amend the reference MOU as follows.
  - In Article 2, delete "restroom building"
  - Delete Article 3 and replace with: "GGBF and GGBM agree to allow the County to provide a restroom facility in a location to be agreed upon by all parties, but in the general vicinity of the final parking area. The structural maintenance and utility costs associated with the restroom shall be the responsibility of the County."
  - In Article 4, delete "restroom building"
  - In Article 12, change, "in the event portable toilets are utilized" to "in the event portable toilets are utilized for County events or as a temporary measure until the restroom facility is operational".
  - In Article 21, after "multi-use trail" add "and restroom building". Remove "(engineer estimate is \$169,097)".
  - Add Article 26, "In recognition of cost savings associated with minor site revisions for GGBF and GGBM, and resultant cost increases for the County, GGBF and GGBM agree to contribute \$3,200 for trail length increase and \$18,000 for the restroom construction, payable to the County upon completion of the respective amenity."

All other terms and conditions that are not hereby amended are to remain in full force and effect.

THIS AGREEMENT EXECUTED IN DUPLICATE with one copy to Glass-Glen Burnie Foundation, and the other to the County of Frederick, Virginia.

WITNESS the following signatures and seals:



**THE COUNTY OF FREDERICK, VIRGINIA**

By: \_\_\_\_\_  
County Administrator

State of \_\_\_\_\_ City/County of \_\_\_\_\_, on \_\_\_\_\_,  
\_\_\_\_\_, whose name is signed to the foregoing instrument, personally appeared  
before me, acknowledged the foregoing signature to be his, and having been duly sworn by me,  
made oath that the statements made in the said instrument are true.

My Commission expires \_\_\_\_\_ (Seal)  
Notary

**GLASS-GLEN BURNIE FOUNDATION**

\_\_\_\_\_  
Trustee

State of \_\_\_\_\_ City/County of \_\_\_\_\_, on \_\_\_\_\_,  
\_\_\_\_\_, whose name is signed to the foregoing instrument, personally appeared  
before me, acknowledged the foregoing signature to be his, and having been duly sworn by me,  
made oath that the statements made in the said instrument are true.

My Commission expires \_\_\_\_\_ (Seal)  
Notary

\_\_\_\_\_  
Trustee

State of \_\_\_\_\_ City/County of \_\_\_\_\_, on \_\_\_\_\_,  
\_\_\_\_\_, whose name is signed to the foregoing instrument, personally appeared  
before me, acknowledged the foregoing signature to be his, and having been duly sworn by me,  
made oath that the statements made in the said instrument are true.

My Commission expires \_\_\_\_\_ (Seal)  
Notary

AGREEMENT BETWEEN THE COUNTY OF FREDERICK, GLASS GLEN-BURNIE MUSEUM, INC.  
AND THE GLASS-GLEN BURNIE FOUNDATION.

This agreement is made and entered into this 5<sup>TH</sup> day of MAY, 2014, by and between the COUNTY OF FREDERICK, VIRGINIA (hereinafter, the "County"), THE GLASS GLEN-BURNIE FOUNDATION, a trust created by agreement dated January 29, 1986, and as such agreement was subsequently amended (hereinafter, "GGBF"), and THE GLASS GLEN-BURNIE MUSEUM, INC. (hereinafter, "GGBM").

WHEREAS, GGBF is the fee simple owner of certain property (hereinafter known as "Rose Hill"), located at 1985 Jones Road in the County of Frederick, Virginia identified with Property Identification Number 62-A-73B in the Back Creek Magisterial District and is agreeable to a 50 year lease, commencing on this date, on a 118.4 acre portion of that real estate shown on the attached diagram, labeled Exhibit A, prepared by Painter-Lewis dated 9/9/13, which will be used for recreation purposes for the general public; and

WHEREAS, GGBM has leased Rose Hill from GGBF pursuant to a long-term lease, but GGBM approves the proposed long-term lease\sublease of the 7.7 acre tract identified in Exhibit B, on the terms and conditions set forth herein.

WHEREAS, GGBM expects to receive additional community support and the annual sum of one dollar (\$1) as a result of the location of recreation facilities upon its premises; and

WHEREAS, the County is tasked with meeting the recreational needs of the community and has recognized that amenities located at Rose Hill will provide for fulfilling an identified community need.

NOW THEREFORE, THIS AGREEMENT, WITNESSETH: That for and in consideration of the mutual benefits to be derived and the desire of the parties hereto to meet and fulfill the recreational needs of the general public of Frederick County, in consideration of the premises and the mutual covenants and promises contained herein, GGBF and GGBM hereby lease to the County for a term of fifty (50) years from the date hereof, that certain portion of its real estate situated in Back Creek Magisterial District, Frederick County, Virginia, consisting of 7.7 acres to include the physical footprint of recreation amenities, specific amenity access routes, and a six (6) foot buffer area of amenities and amenity access routes developed on the property, as designated by the attached diagram, labeled Exhibit B, prepared by Painter-Lewis dated 10/01/13, and agreed by the parties hereto, subject to the following:

1. The County will pay GGBM the sum of one dollar (\$1) per year.
2. GGBF hereby agrees to be solely responsible, within two (2) years of the date hereof, for the costs of construction of access road, parking lot, gate, ~~restroom building~~, and interpretative signage at the Rose Hill property shown in substantial conformance with the attached diagram, labeled Exhibit C, prepared by Painter-Lewis dated 11/13/2012, and which items, irrespective of whether located within the leased area, shall remain the property of GGBF or GGBM, but when constructed shall be subject to this sublease. DELETE
3. ~~Restroom building as set forth in 2 above may include indoor fixtures, or alternatively be of a design to accommodate two (2) portable toilets at the discretion of GGBF, utility costs associated with the restroom facility shall be the responsibility of GGBF.~~ DELETE +  
REPLACE TO  
ALLOW FCPRD  
TO INSTALL  
RESTROOM
4. GGBF hereby agrees to make all necessary major repairs necessary to maintain the structural integrity of said items (identified in 2 above); ~~restroom building~~, gate and interpretative signage and structural elements of access road and parking lot. DELETE
5. GGBF and GGBM agree to allow public access to the Rose Hill parking area and recreation amenities on a daily basis, consistent with existing County park rules.
6. GGBF agrees to mow open fields adjacent to the leased area at a minimum annually.
7. GGBF and GGBM agree that main entrance signage to Rose Hill shall be agreed by the parties hereto and identify "Frederick County Parks and Recreation" in substantial conformance with the attached diagram, labeled Exhibit D, prepared by FCPRD dated 8/22/13.
8. GGBM and the County shall keep in force and effect during the term of this agreement General Liability Insurance in mutually agreeable amounts. The County's insurance will provide coverage for recreation amenities provided by the County. Parties shall provide the other with a Certificate of Insurance annually.
9. Except as set forth in 2 above, the County hereby agrees to be solely responsible for the costs of construction of recreation amenities at the Rose Hill property to include a compacted stone dust surface multi use trail and park entrance sign within two (2) years of the date hereof, picnic shelter, play fields, associated signage and at its option a playground within five (5) years of the date hereof in substantial conformance with the attached diagram prepared by Painter-Lewis dated 10/1/2013, and other amenities as agreed upon by the County, GGBM and GGBF; the playground and shelter shall remain the property of the County, including upon termination of the lease term.
10. Location of playground set forth in 9 above, shall be subject to finding a suitable drain field replacement site or finding a mutually acceptable alternate location, the cost of this effort shall be borne by the County.
11. The County hereby agrees to be responsible for the routine day to day maintenance and repairs of the said recreation amenities (identified in 9 above), specified buffer area, access road, parking lot, and specific amenity and restroom access routes on a year

round basis, including trash removal and regular mowing of the grass on or adjacent to the amenity.

12. The County shall be responsible for cleaning, stocking and associated restroom facility costs, in the event portable toilets are utilized, the County shall be responsible for rental and maintenance charges associated with the portable toilets. *ADD: FOR COUNTY EVENTS OR UNTIL RESTROOM IS COMPLETED.*
13. It is agreed that the playground and multipurpose trail will be unscheduled, open to anyone, provided however, that the rules governing the use of the playground and trail will be formulated and enforced by the County. GGBF and GGBM shall have the opportunity for input in the formulation of the rules. Posting the rules in appropriate areas, once formulated, will be the responsibility of the County. Failure to comply with the formulated rules may result in the termination of the privilege of the use of these facilities by persons failing to comply, for such periods of time as the County shall determine.
14. It is agreed that the shelter and play field(s) will be open on a first come first basis unless reserved. The County will manage reservations consistent with County policy; any fees collected will remain with the County, GGBF and GGBM shall have fees waived for reservations.
15. The County shall be responsible for daily opening and closing and clearing of Rose Hill access road consistent with County park rules.
16. GGBM and the County shall agree to coordinate opening or closing due to either parties' special events or activities requiring access to Rose Hill outside of regular hours.
17. GGBF and/or GGBM, or its designated representatives and the County or its designated representatives shall agree to invite representative(s) of the other organization to meetings where the Rose Hill project is on the agenda to be discussed.
18. The parties shall attempt in good faith to resolve any dispute arising out of or relating to this agreement promptly by negotiation between officials who have authority to settle the controversy. Each party shall give the other part written notice of any dispute not resolved in the normal course of business.
19. If the dispute has not been resolved within 45 days after written notice of a dispute, this Agreement does not preclude either party from initiating litigation thereafter, provided, however, that if one party fails to participate in resolution of a dispute or in the instance of irreparable harm or the need for injunctive relief, the other parties can initiate litigation prior to the expiration of the time period set forth above.
20. In the event the recreation amenities are abandoned or eliminated within the period of this lease, the County shall physically remove the amenities, other than the trail and play fields, and restore the property to the substantial equivalent of its original condition, unless funds to do so are not appropriated. The County represents that it will make a good faith effort to obtain an appropriation of necessary funds to do so.



21. In the event GGBF or GGBM terminates or otherwise renders null this agreement prior to the agreed upon date, GGBF shall pay the County a prorated amount of the nominal <sup>ADD: AND RESTROOM BUILDING</sup> total construction costs of the multi use trail. ~~Such costs shall be agreed to be the actual~~ cost after competitive bidding process and completion of work (engineer estimate is \$169,097), and the proration shall be based upon the remaining portion of the 50-year term at the time of termination.

22. If no notice of termination is presented by a party to the other parties at least six months prior to the conclusion of this agreement, the agreement will continue until six months after such notice is presented. Any party may also, upon two years notice or upon any nonappropriation of funds, sooner terminate this agreement.

23. This agreement represents the entire agreement of the parties and supersedes all prior written and/or oral understandings. No amendment to this agreement or waiver of any term of this agreement shall be effective except upon a writing signed by the parties to this agreement.

24. This agreement shall be construed according to the law of the Commonwealth of Virginia and any disputes hereunder shall be heard only in the courts of Frederick County, Virginia.

25. The signatories represent they have authority to act for their respective entity.

26. ADD SAVINGS TRANS.

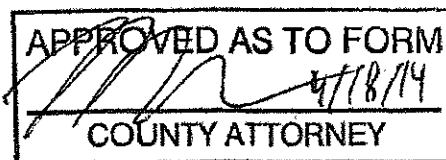
THIS AGREEMENT EXECUTED IN TRIPLICATE with one copy for each party hereto.

WITNESS the following signatures and seals:

THE COUNTY OF FREDERICK, VIRGINIA

By:

  
John R. Riley, Jr., County Administrator



State of Virginia City/County of Winchester, on April 22, 2014,

John R. Riley, Jr. whose name is signed to the foregoing instrument, personally appeared before me, acknowledged the foregoing signature to be his, and having been duly sworn by me, made oath that the statements made in the said instrument are true.

My Commission expires 11/30/2015  (Seal)  
Notary # 7011423

GLASS-GLEN BURNIE FOUNDATION

\_\_\_\_\_  
Trustee

State of \_\_\_\_\_ City/County of \_\_\_\_\_, on \_\_\_\_\_,  
\_\_\_\_\_, whose name is signed to the foregoing instrument, personally appeared  
before me, acknowledged the foregoing signature to be his, and having been duly sworn by me,  
made oath that the statements made in the said instrument are true.

My Commission expires \_\_\_\_\_ (Seal)

Notary

\_\_\_\_\_  
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\_\_\_\_\_  
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made oath that the statements made in the said instrument are true.

My Commission expires \_\_\_\_\_ (Seal)

\_\_\_\_\_  
Notary

Frederick County  
Cash Proffer Policy

As approved by the Board of Supervisors on January 28, 2009.

Proffered funds received by Frederick County will be held for the use specified by the proffer language. In the case of funds proffered to offset impacts to fire and rescue services, in the absence of other proffered specifications, the funds will be earmarked for the first due company in the area of the subject rezoning at the time the proffered funds are received. All proffered funds will be collected, held, and will accumulate until such time as a capital project funding request is received from a qualifying County department, agency, or volunteer fire and rescue company.

Qualifying agency or departmental **requests to access proffered funds shall be submitted to the County=s Finance Department** for processing. In order to qualify as a capital project the following criteria must be met:

- 1) the item or project must have a minimum value of five thousand dollars (\$5,000), and;*
- 2) the item/project must have an anticipated useful life of at least five (5) years.*

The Finance Department will forward requests to the Finance Committee for a recommendation to the Board of Supervisors on the appropriateness of the use of proffered funds for the requested purpose. To assist the Finance Committee and Board in their deliberations requests to utilize proffered funds should include the following: 1) the amount of funds requested, 2) the total project cost, 3) a detailed description of the desired capital project or purchase including a discussion of how recent or anticipated development contributes to the need for the expenditure, and, 4) indicate whether or not the item or project is listed on the County=s Capital Improvements Plan (CIP).

In order to comply with State Code ' 15.2-2-2298 (A) the Planning staff, working in conjunction with the County Attorney, will attempt to insure that cash proffers associated with future rezonings are appropriately addressed through inclusion of relevant capital projects in the County=s CIP prior to acceptance of the proffered funds.

*For the purpose of determining whether a project or item is appropriate for individual listing on the CIP only, a threshold value of \$100,000 and useful life of at least five year shall be utilized. (This would not preclude the purchase of capital items valued at less than \$100,000 utilizing proffered funds, where other relevant criteria are met and procedures followed.)*



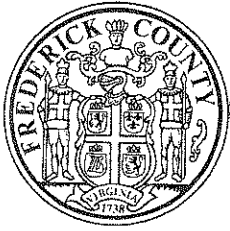
# PROFFER BALANCES

JUNE 2015	SCHOOLS	PARKS	FIRE&RESCUE	OTHER	TOTAL
FUND BALANCE @6/30/11	1,067,746.18	284,661.18	394,823.75	767,572.19	2,514,803.30
FY12 REVENUE	255,092.01	45,376.29	35,463.90	444,502.35	780,434.55
B.A.6/22/11 Sherando Ballfield		-150,000.00			-150,000.00
B.A.9/14/11 Greenwood Upgrade			-65,905.03		-65,905.03
B.A.9/28/11 SCFR addition			-58,809.17		-58,809.17
B.A.1/25/12 Imp.to Amherst St.Campus	-600,000.00				-600,000.00
B.A.5/23/12 IT Equip.Sheriff				-39,650.00	-39,650.00
FY13 REVENUE	584,170.65	106,011.70	86,213.31	408,867.50	1,185,263.16
Parks Proffer Mini Bus B.A.9/12/12		-75,000.00			-75,000.00
B.A. 2/27/13 Greenwood Ambulance			-25,211.38		-25,211.38
B.A. 2/17/13 TRANSPORTATION RT.11				-650,000.00	-650,000.00
B.A. 5/22/13 CLEARBROOK FIRE Co			-15,000.00		-15,000.00
FY14 REVENUE	938,297.09	177,930.76	1,170,124.32	103,110.20	2,389,462.37
Unspent Proffers Returned Parks(Bus)		13,681.00	0.00		13,681.00
Unspent Proffers Returned SCFR			29,004.17		29,004.17
B.A.10/9/13 Stephens City Fire C/F			-2,202.30		-2,202.30
B.A.2/26/14 BRIDGES VALLEY MILL				-45,300.00	-45,300.00
<b>FY15 REVENUE</b>	<b>809,400.97</b>	<b>141,909.23</b>	<b>89,427.83</b>	<b>72,191.10</b>	<b>1,112,929.13</b>
B.A.5/28/14 SHERANDO PARK SITE PLAN		-15,000.00			-15,000.00
B.A.6/25/14 Round Hill Event Center&FC			-1,000,000.00		-1,000,000.00
B.A.9/10/14 Round Hill Event Center&FC			-146,790.00		-146,790.00
<b>GRAND TOTAL</b>	<b>3,054,706.90</b>	<b>529,570.16</b>	<b>491,139.40</b>	<b>1,061,293.34</b>	<b>5,136,709.80</b>

## \*Other Category

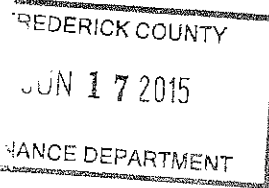
Transportation Imp.Rt.50	10,000.00
Rt.50 Rezoning	25,000.00
Rt.656&657 Transportation Imp.	25,000.00
Administration Building	218,936.34
Bridges	1,000.00
Library	101,206.00
Sheriff	41,776.00
Stop Lights	26,000.00
Historic and Open Space Preservation	108,000.00 *1
Meadows Edge RaceyTract Rt.277	162,375.00
BPG Properties/RT.11 Corridor	330,000.00
Solid Waste	12,000.00
Other Proffers @6/30/15	1,061,293.34

\*1 Bd.Action 12/11/13 \$50,000 for  
debt payment Huntsberry Property



## COUNTY of FREDERICK

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



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# MEMO

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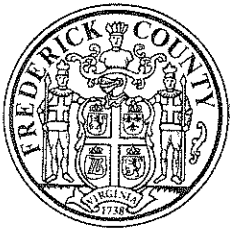
**To:** Finance Committee  
**From:** Jason L. Robertson, Director  
**Subject:** Fiscal Year 2015 Carry Forward  
**Date:** June 12, 2015

The Parks and Recreation Department is requesting a fiscal year 2015 fund carry forward of \$168,000 in line item 4-010-07103-8900-000-000 to fiscal year 2016.

The \$168,000 is needed for the construction of the one mile trail at Rose Hill Park. Staff will be applying for and is awaiting the announcement of the Virginia Department of Conservation and Recreation(DCR) Recreation Trails Program Grant.

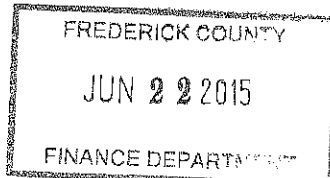
JLR/kcd

7/7/15 balance: \$168,000



COUNTY of FREDERICK

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



M E M O R A N D U M

TO: Frederick County Finance Committee  
FROM: Jason Robertson, *JR*  
Director  
SUBJ: Fiscal 2015 Carryforward  
DATE: June 19, 2015

The Parks and Recreation Department is requesting a fiscal 2015 fund carry forward of \$ 22,780.36 in line 7103-3002-00 to fiscal 2016.

The \$ 22,780.36 is needed for the completion of the Sherando Park Master Plan. An agreement was entered into with the consultant group Land Planning and Design Associates under the Professional Services line code in FY 15. Payment for services from this agreement will be incurred in FY 16.

*7/7/15 balance: \$28,520.36*



## COUNTY of FREDERICK, VIRGINIA

### DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS

5 North Kent Street, Winchester, VA 22601

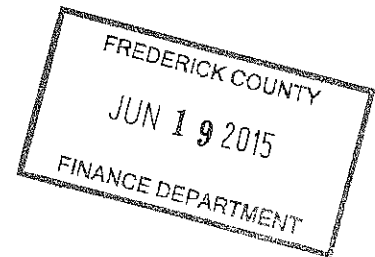
LeeAnna Pyles  
Director

TO: Finance Committee

FROM: LeeAnna Pyles, Director  
Public Safety Communications

DATE: June 15, 2015

REF: July Committee Agenda



I would like be placed on the Finance Committee's July agenda for grant appropriations for the Department of Public Safety Communications. The grant, from the Virginia E-911 Wireless Education Program, is in the amount of \$2,000 for training and education. We are asking that the funds be accepted into FY 15-16 line item: 3506-5506-000-000 from Revenue line item: 3-010-024040-0042 (10DB).

If you have any questions please call me at your convenience.



## Sharon Kibler

---

**From:** Leeanna Pyles  
**Sent:** Wednesday, July 08, 2015 1:08 PM  
**To:** Sharon Kibler  
**Subject:** FW: Award letter  
**Attachments:** FY16BoardGrants.pdf

Will this email and attachment do?

LeeAnna

---

**From:** Spears-Dean, Dorothy (VITA) [<mailto:Dorothy.SpearsDean@vita.virginia.gov>]  
**Sent:** Wednesday, July 08, 2015 1:06 PM  
**To:** Marzolf, Steve (VITA); Leeanna Pyles  
**Subject:** RE: Award letter

Hi Leeanna:

We do not issue award letters for WEP grants. Typically, we refer WEP grant awardees to the award spreadsheet that is posted to the ISP website. For your convenience, I have attached the spreadsheet. Your award was approved by the Board at their January 2015 Board meeting. It is grant ID #33 and it is located midway down on the first page.

If I can be of further assistance, please don't hesitate to contact me. Thanks and have a great day.

**Dorothy A. Spears-Dean, Ph.D.**

Public Safety Communications Coordinator,  
Service Management and Delivery  
Virginia Information Technologies Agency (VITA)  
*VITA - Enabling the Business of Government*  
[dorothy.spearsdean@vita.virginia.gov](mailto:dorothy.spearsdean@vita.virginia.gov)  
[www.vita.virginia.gov](http://www.vita.virginia.gov)  
(804) 416-6201 (voice)  
(804) 840-7260 (mobile)  
(804) 416-6353 (fax)

VITA Customer Care Center - Call (866) 637-8482 (toll free) to report an outage or request service. Or e-mail the VCCC at [vccc@vita.virginia.gov](mailto:vccc@vita.virginia.gov). Please note: E-mail should not be used to report critical issues or outages impacting an agency. To report a critical issue, please call the VCCC directly.

			FY16 PSAP GRANT APPLICATIONS - BOARD APPROVED (January 8, 2015)								
Region	PSAP Name	Grant ID	Project Title (GIS,Fall,Spring,Other for WEP)	Grant Type	Prog Type	Tier	Project Focus (Priority)	Amount Requested	Project Cost	Rank After Review (AutoFill)	Amount Approved
1	Amelia	1	WEP - EMD	IND	WEP	N/A	WEP	\$2,000.00	\$3,000.00	0	\$2,000.00
3	Amherst	52	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
3	Appomattox	54	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
7	Arlington	134	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
3	Augusta	55	WEP - GIS, Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
6	Bedford	118	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
3	Campbell	58	WEP - GIS, Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
1	Caroline	3	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
3	Charlottesville-UVA-Albemarle	60	WEP - Fall	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
5	Chesapeake	97	WEP - Fall	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
1	Chesterfield	4	WEP - Fall, Spring, APCO Nat'l	IND	WEP	N/A	WEP	\$2,000.00	\$2,924.00	0	\$2,000.00
6	Christiansburg	121	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
2	Clarke	28	WEP - Fall, Spring, Southern Software CAD Conf in SC 10/2016	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
1	Colonial Heights	5	WEP - Fall, Spring, & GIS Plus Online	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
2	Culpeper	29	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
4	Dickenson	77	WEP-Fall	IND	WEP	N/A	WEP	\$1,500.00	N/A	0	\$1,500.00
1	Dinwiddie	7	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
5	Eastern Shore	100	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
7	Fairfax	136	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
3	Farmville	63	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
2	Fauquier	31	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
3	Fluvanna	64	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
6	Franklin County	123	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
2	Frederick	33	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
2	Fredericksburg	35	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
5	Hampton	103	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
1	Hanover	8	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$3,774.00	0	\$2,000.00
2	Harrisonburg-Rockingham	36	WEP - Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
1	Henrico	10	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
5	Isle of Wight	104	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
5	James City	105	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
1	King William	12	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
4	Lee	79	WEP-Fall	IND	WEP	N/A	WEP	\$1,500.00	N/A	0	\$1,500.00
1	Louisa	17	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
3	Lunenburg	68	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
3	Lynchburg	69	WEP - GIS, Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
2	Madison	38	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
6	Martinsville-Henry	125	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
3	Nelson	72	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
1	New Kent	20	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
5	Newport News	107	WEP - APCO National	IND	WEP	N/A	WEP	\$2,000.00	\$2,555.00	0	\$2,000.00
5	Norfolk	108	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
2	Orange	42	WEP - Fall, Spring, VA OEMS in Norfolk, VA 11/2016	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
2	Page	43	WEP - GIS, Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	\$2,000.00	0	\$2,000.00
6	Patrick	128	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
1	Petersburg	21	WEP - Fall, GIS	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
6	Pittsylvania	129	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00
1	Powhatan	23	WEP - Fall, Spring	IND	WEP	N/A	WEP	\$2,000.00	N/A	0	\$2,000.00

# FREDERICK COUNTY SHERIFF'S OFFICE

ROBERT T. WILLIAMSON  
Sheriff



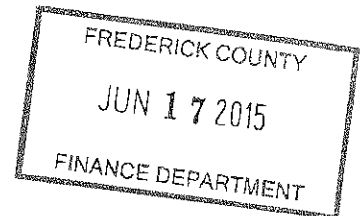
MAJOR C.L. VANMETER  
Chief Deputy

1080 COVERSTONE DRIVE  
WINCHESTER, VIRGINIA 22602

540/662-6168  
FAX 540/504-6400

**COPY**

TO : Angela Whitacre, Treasurer's Office  
FROM : Robert T. Williamson, Sheriff *RTW*  
SUBJECT : Reimbursements / Donation Received  
DATE : June 16, 2015



Attached please find:

- ☒ 1) A check from the Commonwealth of Virginia – Circuit Courts, in the amount of \$37.00. This amount represents reimbursement for a prisoner extradition. We are requesting this amount be posted to Revenue line 3-010-019110-0058 (10FL).
- ☒ 2) Five checks from the elementary schools' PTO totaling \$2,866.04. This amount represents the schools reimbursement for DARE t-shirts. We are requesting this amount be posted to Revenue line 3-010-018990-0015 (100J).
- 3) A check from Evandale Elementary School in the amount of \$100.00. This amount represents a donation to the DARE Program. We are requesting this amount be posted to Revenue line 3-010-018990-0015 (100J).

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

Thank you.

RTW/asw

Attachments

Cc: Finance - \$2,903.04 (items 1 & 2) can be appropriated into the General Fund  
\$100.00 (item 3) please appropriate into 3102-5413-000-001

*C.S. 6/18/15*

# FREDERICK COUNTY SHERIFF'S OFFICE

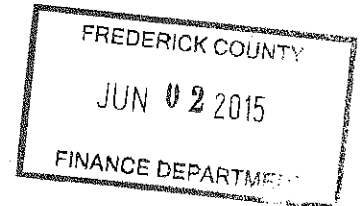


ROBERT T. WILLIAMSON  
Sheriff

MAJOR C.L. VANMETER  
Chief Deputy

1080 COVERSTONE DRIVE  
WINCHESTER, VIRGINIA 22602

540/662-6168  
FAX 540/504-6400



TO : Angela Whitacre – Treasurer's Office  
FROM : Sheriff R. T. Williamson *RTW*  
SUBJECT : Donation – DARE Program  
DATE : June 1, 2015

Attached please find a check in the amount of \$300.00 made payable to the DARE Program from a local civic club. We are requesting this amount be posted to revenue 3010-018990-0015.

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

Thank you.

RTW/asw

Cc: Finance – appropriate into 3102-5413-000-001

*C.S. 6/3/15*

WINCHESTER-SHAWNEE LIONS CLUB

PO BOX 106  
WINCHESTER, VA 22604

09-07

983

68-258/514  
12

DATE *1 May 15*

PAY TO THE ORDER OF *D.A.R.E*

\$ 300.00

*Three Hundred and NO 100*

DOLLARS



**FirstBank**  
Strasburg, VA 540.465.9121

FOR

*[Signature]*



# FREDERICK COUNTY SHERIFF'S OFFICE

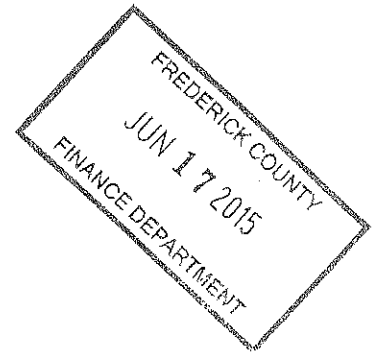


ROBERT T. WILLIAMSON  
Sheriff

MAJOR C.L. VANMETER  
Chief Deputy

1080 COVERSTONE DRIVE  
WINCHESTER, VIRGINIA 22602

540/662-6168  
FAX 540/504-6400



TO : Cheryl Shiffler, Director of Finance  
FROM : Robert T. Williamson, Sheriff *RTW*  
SUBJECT : Carry Forward of Funds  
DATE : June 16, 2015

---

We are requesting a carry forward of funds for budget line: 3102-5413-000-012 into our FY 2016 budget. This money is a grant the Sheriff's Office was awarded from the Attorney General's Office. This grant does not expire until 2017.

We are requesting the remaining balance in 5413-000-012, after FY15 expenditures have been deducted, to be carried forward to FY16.

Thank you.

RTW/asw

*balance 7/7/15: \$41,480.72*

## MEMORANDUM

<b>TO:</b>	Finance Committee
<b>FROM:</b>	Brenda G. Garton, County Administrator
<b>SUBJECT:</b>	Engagement of a Financial Consultant
<b>DATE:</b>	July 9, 2015

While I had intended to propose to the Finance Committee that the county consider engaging a financial consultant later in the year, since the issue was brought up at the July 8 joint meeting between the Board of Supervisors, the School Board, and the Finance Committee, I would like to request consideration at this time.

Frederick County would benefit from an analysis by a financial consulting firm with experience in Virginia. We can draft an RFP and go through an extensive process to procure a firm, or we may find a locality with an RFP written in such a way that we can piggyback on that locality's procurement. There are several well respected firms in Virginia, and I have some experience with and knowledge of a couple of them.

I would recommend that a financial consulting firm be engaged to, among other things:

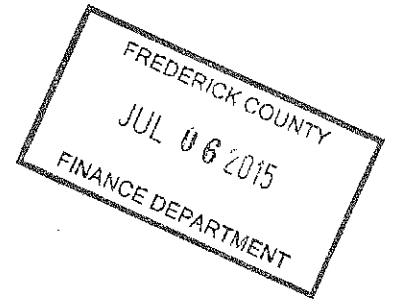
- Review Frederick County's financial policies and make recommendations for changes which would improve the county's financial position and its standing with rating agencies.
- Perform revenue projections to help the county weigh requests for funding against projected future revenue streams.
- Perform debt analysis in order to advise the Board of Supervisors on debt service consequences of capital funding decisions.
- Analyze various funding options to meet future needs and make recommendations to the Board of Supervisors based on the Board's goals.
- Conduct special analysis and other projects needed from time to time by the county.

I am requesting the Finance Committee's recommendation to the Board that the county engage a financial consulting firm to perform at least the tasks noted above and others staff may consider advisable and that staff be given latitude to engage a firm by either an RFP process or by piggybacking on another locality's procurement, within those constraints imposed by state law and local policy.

I will be prepared to discuss this request at the Finance Committee Meeting. Meanwhile, if you have any questions or wish to discuss this request, please do not hesitate to give me a call.



Government Finance Officers Association  
203 North LaSalle Street, Suite 2700  
Chicago, Illinois 60601-1210  
312.977.9700 fax: 312.977.4806



June 30, 2015

Cheryl B. Shiffler  
Finance Director  
County of Frederick  
107 N. Kent Street  
Winchester, VA 22601

Dear Ms. Shiffler:

A panel of independent reviewers has completed its examination of your Popular Annual Financial Report (PAFR). We are pleased to notify you that your PAFR for the fiscal year ended June 30, 2014, has substantially met the requirements of the PAFR Program. In the absence of authoritative standards governing the presentation, these requirements are based on an evaluation of information presented, reader appeal, understandability, distribution, and other elements (such as whether the PAFR is a notable achievement for the government given the government's type and size, and the PAFR's creativity and usefulness). The report received a weighted average score of 75.00 percent or above from three of the four highest individual reviews.

Each entity submitting a report to the PAFR Program is provided with confidential comments and suggestions for possible improvements in the subsequent year's presentation. Your comments and suggestions, as well as the summary of grading sheet, are enclosed. We urge you to carefully consider the suggestions offered by our reviewers as you prepare your next PAFR.

Continuing participants will find a certificate and brass medallion enclosed with these results. The brass medallion may be mounted on your ten-year plaque. First-time recipients will find a certificate enclosed with these results to be followed by a plaque in approximately six weeks. The award certificate commemorates your achievement and may be used for formal presentations.

A current holder of a PAFR award may include a reproduction of the award in its immediately subsequent PAFR. A camera ready copy of your award is enclosed for that purpose. If you reproduce your award in your next report, please refer to the enclosed instructions.



Cheryl B. Shiffler  
June 30, 2015  
Page 2

The PAFR award is valid for one year. To continue your participation in the program, it will be necessary for you to submit your next PAFR to the Government Finance Officers Association within 6 months of the end of your entity's fiscal year. Enclosed is an application form to facilitate a timely submission. If submitting electronically, the completed application can be scanned and emailed along with a link to the electronic version of the PAFR. If hard copies are submitted, four copies of the completed application should be enclosed with four copies of the PAFR. The appropriate fee may be paid by credit card or check.

We appreciate your participation in this program, and we sincerely hope that your example will encourage others in their efforts to achieve and maintain a well presented PAFR. If we can be of further assistance, please contact Jim Phillips in the Technical Services Center.

Sincerely,

A handwritten signature in black ink, reading "Stephen J. Gauthier". The signature is fluid and cursive, with the first name "Stephen" and last name "Gauthier" clearly legible.

Stephen J. Gauthier, Director  
Technical Services Center

DATE	DEPARTMENT/GENERAL FUND	REASON FOR TRANSFER	FROM	TO	ACCT	CODE	AMOUNT
6/1/2015	CIRCUIT COURT	CIRCUIT COURT JURORS	2101	3010	000	002	5,000.00
	TRANSFERS		9201	5880	000	015	(5,000.00)
6/1/2015	FIRE AND RESUCE	PROMOTION 6/15	3505	1001	000	005	391.84
	FIRE AND RESUCE		3505	1007	000	001	(391.84)
6/10/2015	REFUSE COLLECTION	PURCHASE OUTREACH MATERIAL	4203	5413	000	000	(500.00)
			4203	5412	000	000	500.00
6/10/2015	COUNTY ADMINISTRATION	SHORTAGE IN OFFICE SUPPLIES	1201	4003	000	002	(113.00)
	COUNTY ADMINISTRATION		1201	5401	000	000	113.00
	COUNTY ADMINISTRATION		1201	5506	000	000	(800.00)
	COUNTY ADMINISTRATION		1201	5401	000	000	800.00
6/10/2015	OTHER	SHORTAGE IN PROFESSIONAL SERVICES	1224	3002	000	000	7,000.00
	OTHER		1224	3002	000	000	2,000.00
	OTHER		1224	3002	000	000	1,000.00
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	3010	000	000	(7,000.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5407	000	000	(2,000.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5400	000	000	(1,000.00)
6/16/2015	INSPECTIONS	COST OF MEMBERSHIP	3401	5410	000	000	(75.00)
	INSPECTIONS		3401	5801	000	000	75.00
6/16/2015	COUNTY ATTORNEY	FEDERAL COURT BAR RENEWAL	1202	3002	000	000	(25.00)
	COUNTY ATTORNEY		1202	5801	000	000	25.00
6/16/2015	LITTER CONTROL GRANT	LITTER CREW EXPENSES	4205	5204	000	000	(200.00)
	LITTER CONTROL GRANT		4205	5413	000	000	200.00
6/16/2015	COUNTY ATTORNEY	PORTION OF INTERN PAYROLL	1202	3002	000	000	(600.00)
	COUNTY ATTORNEY		1202	1003	000	000	600.00
6/16/2015	BOARD OF SUPERVISORS	TO COVER DEFICIT	1101	5801	000	000	(650.00)
	BOARD OF SUPERVISORS		1101	5411	000	000	650.00
	BOARD OF SUPERVISORS		1101	5801	000	000	(1,200.00)
	BOARD OF SUPERVISORS		1101	3002	000	000	1,200.00
	BOARD OF SUPERVISORS		1101	5506	000	000	(900.00)
	BOARD OF SUPERVISORS		1101	3002	000	000	900.00
6/16/2015	CLEARBROOK PARK	PURCHASE PICKUP TRUCK FOR SHERANDO PARK	7109	8005	000	000	(24,375.00)
	SHERANDO PARK		7110	8005	000	000	24,375.00
6/16/2015	COMMISSIONER OF THE REVENUE	USED VEHICLE FOR ASSESSMENT & FIELDWORK	1209	3005	000	000	(1,600.00)
	COMMISSIONER OF THE REVENUE		1209	3010	000	000	(4,900.00)
	COMMISSIONER OF THE REVENUE		1209	5204	000	000	(2,000.00)
	COMMISSIONER OF THE REVENUE		1209	5506	000	000	(700.00)
	COMMISSIONER OF THE REVENUE		1209	5506	000	000	(1,000.00)
	REASSESSMENT/BOARD OF ASSESSORS		1210	8005	000	000	1,600.00
	REASSESSMENT/BOARD OF ASSESSORS		1210	8005	000	000	4,900.00
	REASSESSMENT/BOARD OF ASSESSORS		1210	8005	000	000	2,000.00
	REASSESSMENT/BOARD OF ASSESSORS		1210	8005	000	000	700.00
	REASSESSMENT/BOARD OF ASSESSORS		1210	5204	000	000	(10,000.00)
	REASSESSMENT/BOARD OF ASSESSORS		1210	8005	000	000	10,000.00
	REASSESSMENT/BOARD OF ASSESSORS		1210	8005	000	000	1,000.00
6/16/2015	COUNTY ATTORNEY	RECORDING FEE BOS RESOLUTION FOR VRA FINANCING	1202	3002	000	000	(21.00)
	COUNTY ATTORNEY		1202	5413	000	000	21.00
6/16/2015	FIRE AND RESCUE	TO COVER YEAR END	3505	4003	000	002	(2,500.00)
	FIRE AND RESCUE		3505	5407	000	000	2,500.00
6/16/2015	LITTER CONTROL GRANT	VAN REGISTRATION AND TAG FEES	4205	5407	000	000	(350.00)
	LITTER CONTROL GRANT		4205	5413	000	000	350.00
6/16/2015	SHERIFF	UNIFORMS FOR NEW POSITIONS	3102	5408	000	000	(10,000.00)
	SHERIFF		3102	5410	000	000	10,000.00
6/16/2015	FIRE AND RESCUE	COVER YEAR END	3505	3010	000	000	(2,500.00)
	FIRE AND RESCUE		3505	5407	000	000	2,500.00
6/18/2015	SHERIFF	NEW AND REPLACEMENT DUTY WEAPONS	3102	5506	000	001	(15,000.00)
	SHERIFF		3102	5409	000	000	15,000.00
6/18/2015	JUVENILE AND DOMESTIC COURT	OFFICE FURNITURE	2105	5506	000	000	(600.00)
	JUVENILE AND DOMESTIC COURT		2105	5401	000	000	600.00
6/18/2015	SHERIFF	TACTICAL VESTS	3102	5506	000	000	(6,100.00)
	SHERIFF		3102	5410	000	001	6,100.00
6/19/2015	COMMISSIONER OF THE REVENUE	CORRECT ACCOUNT NUMBER ON TRANSFER	1209	5506	000	000	1,000.00
	REASSESSMENT/BOARD OF ASSESSORS		1210	5506	000	000	(1,000.00)
6/19/2015	AGRICULTURE	FUNDS NEEDED FOR PROGRAMMING SUPPLIES	8301	5204	000	000	(440.00)
	AGRICULTURE		8301	5401	000	000	440.00
	AGRICULTURE		8301	5506	000	000	(79.05)
	AGRICULTURE		8301	5401	000	000	79.05
6/22/2015	COUNTY OFFICE BUILDINGS/COURTHOUSE	DEFICIT IN ELECTRICAL COUNTY ADMINISTRATION BLDG.	4304	5400	000	000	(5,200.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5101	000	000	5,200.00
6/22/2015	COUNTY OFFICE BUILDINGS/COURTHOUSE	DEFICIT IN WATER/SEWER BUILDINGS CAB	4304	5407	000	000	(3,000.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5103	000	000	3,000.00
6/22/2015	COUNTY OFFICE BUILDINGS/COURTHOUSE	DEFICIT IN WATER/SEWER COUNTY ADM. BLDG.	4304	5407	000	000	(118.66)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5101	000	000	118.66
6/22/2015	COUNTY OFFICE BUILDINGS/COURTHOUSE	ROOF TOP UNIT REPAIR AT PUBLIC SAFETY BUILDING	4304	5103	000	005	(900.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	3004	000	006	900.00
6/23/2015	COUNTY ATTORNEY	SUMMER INTERN SALARY FY15	1202	5401	000	000	(200.00)
	COUNTY ATTORNEY		1202	1003	000	000	200.00
	COUNTY ATTORNEY		1202	3007	000	000	(200.00)
	COUNTY ATTORNEY		1202	1003	000	000	200.00
	COUNTY ATTORNEY		1202	5204	000	000	(320.00)
	COUNTY ATTORNEY		1202	1003	000	000	320.00

DATE	DEPARTMENT/GENERAL FUND	REASON FOR TRANSFER	FROM	TO	ACCT	CODE	AMOUNT
6/23/2015	PARKS MAINTENANCE	Z-TURN MOWERE FOR SHERANDO	7103	3002	000	000	(3,132.14)
	SHERANDO PARK		7110	8001	000	000	3,132.14
	CLEARBROOK PARK		7109	8001	000	000	(3,890.95)
	CLEARBROOK PARK		7109	5102	000	000	(1,255.21)
	SHERANDO PARK		7110	8001	000	000	3,890.95
	SHERANDO PARK		7110	8001	000	000	1,255.21
	SHERANDO PARK		7110	5408	000	000	(4,080.75)
	SHERANDO PARK		7110	8001	000	000	4,080.75
6/23/2015	COMMISSIONER OF THE REVENUE	ADDITIONAL OFFICE SUPPLIES	1209	3004	000	002	(800.00)
	COMMISSIONER OF THE REVENUE		1209	5401	000	000	800.00
	COMMISSIONER OF THE REVENUE		1209	5204	000	000	(1,000.00)
	COMMISSIONER OF THE REVENUE		1209	5401	000	000	1,000.00
	COMMISSIONER OF THE REVENUE		1209	5801	000	000	(400.00)
	COMMISSIONER OF THE REVENUE		1209	5401	000	000	400.00
6/23/2015	COUNTY OFFICE BUILDINGS/COURTHOUSE	TOPOGRAPHIC SURVEY CAB	4304	3005	000	000	(1,000.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	3002	000	000	1,000.00
6/24/2015	AGRICULTURE	BOOK USED FOR FCS PROGRAM	8301	5401	000	000	(22.57)
	AGRICULTURE		8301	5411	000	000	22.57
6/24/2015	COUNTY OFFICE BUILDINGS/COURTHOUSE	PARKING LOT RESTORATION	4304	3005	000	005	(6,233.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	3004	000	006	6,233.00
6/24/2015	MAINTENEANCE ADMINISTRATION	REPAIR ON 2007 FORD F150	4301	5408	000	000	(100.59)
	MAINTENEANCE ADMINISTRATION		4301	3004	000	002	100.59
	MAINTENEANCE ADMINISTRATION		4301	5401	000	005	(450.00)
	MAINTENEANCE ADMINISTRATION		4301	3004	000	002	450.00
	MAINTENEANCE ADMINISTRATION		4301	5305	000	000	(91.32)
	MAINTENEANCE ADMINISTRATION		4301	3004	000	002	91.32
6/24/2015	FIRE AND RESCUE	TO COVER LINE ITEM EXPENSE	3505	3010	000	000	(500.00)
	FIRE AND RESCUE		3505	9001	000	000	500.00
6/24/2015	FIRE AND RESCUE	3RD VEHICLE PURCHASE	3505	5408	000	000	(20,000.00)
	FIRE AND RESCUE		3505	8005	000	000	20,000.00
6/25/2015	COMMONWEALTH'S ATTORNEY	PRINTER/COPIER FOR COURTHOUSE USE	2201	5413	000	007	(7,800.00)
	COMMONWEALTH'S ATTORNEY		2201	8007	000	000	7,800.00
6/25/2015	COMMONWEALTH'S ATTORNEY	TRANSCRIPTS FOR COURT REPORTER	2201	5411	000	000	(1,000.00)
	COMMONWEALTH'S ATTORNEY		2201	3002	000	000	1,000.00
6/29/2015	REFUSE COLLECTION	END OF YEAR INVOICES	4203	5405	000	000	(1,000.00)
	REFUSE COLLECTION		4203	5413	000	000	1,000.00
6/30/2015	COMMISSIONER OF THE REVENUE	REPAIR TO PLOTTER	1209	3004	000	001	220.00
	REASSESSMENT/BOARD OF ASSESSORS		1210	4003	000	002	(220.00)
6/30/2015	PUBLIC ASSISTANCE	ALIGN BUDGET WITH STATE APPROPRIATION	5317	5812	000	000	900.00
	PUBLIC ASSISTANCE		5317	5817	000	000	(900.00)
	PUBLIC ASSISTANCE		5317	5820	000	000	1,933.00
	PUBLIC ASSISTANCE		5317	5872	000	000	(1,933.00)
	PUBLIC ASSISTANCE		5317	5811	000	000	24,000.00
	PUBLIC ASSISTANCE		5317	5813	000	000	(5,000.00)
	PUBLIC ASSISTANCE		5317	5833	000	000	(11,000.00)
	PUBLIC ASSISTANCE		5317	5873	000	000	(8,000.00)
	PUBLIC ASSISTANCE		5317	5812	000	000	4,100.00
	PUBLIC ASSISTANCE		5317	5817	000	000	(4,100.00)
	PUBLIC ASSISTANCE		5317	5866	000	000	2,100.00
	PUBLIC ASSISTANCE		5317	5872	000	000	(2,100.00)
7/1/2015	OTHER	PROFESSIONAL SERVICES	1224	3002	000	000	19,500.00
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5605	000	000	(19,500.00)
7/1/2015	OTHER	SHORTFALL IN PROFESSIONAL SERVICES	1224	3002	000	000	3,000.00
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5101	000	006	(3,000.00)
7/1/2015	CLEARBROOK PARK	STONE FOR CLEARBROOK PARK	7109	3004	000	001	(318.21)
	CLEARBROOK PARK		7109	3004	000	003	318.21
7/1/2015	OTHER	SHORTFALL IN PROFESSIONAL SERVICES	1224	3002	000	000	1,650.00
	OTHER		1224	3002	000	000	200.00
	OTHER		1224	3002	000	000	1,000.00
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5302	000	006	(1,650.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5400	000	006	(200.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	5403	000	005	(1,000.00)

**County of Frederick, VA**  
**Report on Unreserved Fund Balance**  
**June 30, 2015 \*PRELIMINARY\***

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

**Prior Year Funding & Carryforward Amounts**

C/F Dare	(2,065)
C/F sign materials	(4,500)
C/F Shelter van accessories	(1,330)
C/F K9 unit accessories	(3,000)
C/F Fire Company Capital	(167,180)
C/F Designated School Operating funds	(108,939)
C/F School Operating to School Capital	(542,594)
C/F forfeited assets	(53,015)
C/F EDA incentives	(375,000)
	(1,257,622)

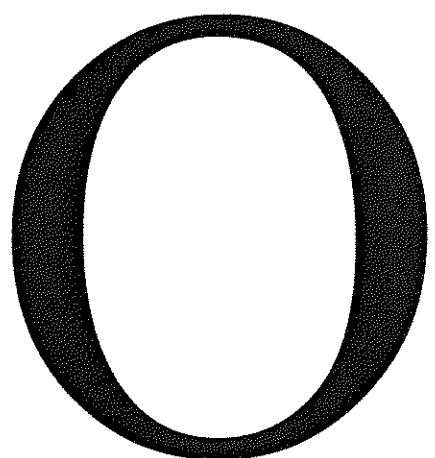
**Other Funding / Adjustments**

HP Hood incentive	(500,000)
Airport capital	(80,282)
COR refund - Disabled Veteran	(2,793)
(7) DSS positions	(221,648)
COR refund - Disabled Veteran	(3,817)
OSSI licenses - Sheriff	(53,693)
COR refund - New World Pasta	(44,457)
Recycling cans	(14,850)
Sheriff PT - court bailiffs	(175,000)
Sheriff - 10 vehicles & equipment	(284,781)
Inspections PT to FT position	(11,843)
COR PT to FT position	(14,393)
Litigation settlement	(118,972)
COR refund - St Beach Spa	(2,670)
COR refund - Autotrademark of Winchester	(4,960)
COR refund - Michael Webber	(3,542)
Parks pools sand filters	(48,000)
COR refund - VFS Leasing Co	(17,575)
COR refund - Ryder Truck Rental Inc	(4,007)
COR refund - ARI Fleet LT	(6,589)
Litigation settlement	(33,321)
COR refund - Chemstone	(33,241)
COR refund - Disabled Veteran	(6,014)
Parks FT Rech Tech position	(18,770)
VJCCA funds returned	(20,488)
COR refund - Quantum	(2,565)
COR refund - Ryder Truck Rental Inc	(3,420)
EDA incentive - Chemstone	(150,000)
Bariatric Equipment - F&R	(16,406)
COR refund - Sonoco	(2,933)
COR refund - United Rentals	(5,523)
COR refund - BMW Financial Services	(2,796)
COR refund - mortgage company	(60,113)
F&R overtime	(160,000)
June 2015 primary election	(24,495)
EDA incentive reserve correction	550,000
COR refund - Dominion Self Storage	(4,012)
COR refund - RDM Hospitatlity LLC	(15,342)
DSS local share reduction	10,000
Airport operating	(37,550)
	(1,650,860)

**Year End Adjustments**

Remove FY15 Budget	8,592,513
	8,592,513

**Fund Balance, June 30, 2015 \*PRELIMINARY\*** **44,976,381**







**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** John A. Bishop, AICP, Deputy Director - Transportation *JAB*  
**RE:** Transportation Committee Report for Meeting of July 27, 2015  
**DATE:** July 29, 2015

The Transportation Committee met on July 27, 2015 at 8:30 a.m.

Members Present

Chuck DeHaven (voting)  
James Racey (voting)  
Barry Schnoor (voting)  
Jason Ransom (Voting)  
Gary Oates (liaison PC)  
Lewis Boyer (liaison Stephens City)

Members Absent

Mark Davis (liaison Middletown)  
Gene Fisher (voting)

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

**3. Russell 150 Revenue Sharing Funds**

At the request of the Board of Supervisors, staff has been investigating ways to preserve funding procured for the Russell 150 Road projects but now in danger of being deallocated. See attached summary of those funds.

Staff advised the committee of the following:

1. Renaissance Drive would benefit from a transfer of \$400,000.00.
2. Route 11 North would benefit from a transfer of \$500,000.00.
3. Additionally, staff noted that the Board could submit a revenue sharing application with the intent of funding it via a transfer. Possible projects follow:
  - a. Coverstone Drive
  - b. Justice Drive

Based upon a motion by Mr. Ransom and seconded by Mr. Racey the committee recommended that the Board proceed with the transfers for items one and two and consider additional information which they have directed staff to gather for item 3 for possible action as well. Staff will be prepared to present at the meeting these items and potential additional projects.

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

**1. Hollow Road Concerns**

A number of citizens from the Hollow Road area attended the meeting to voice concerns over the condition of the roadway. Some of the items discussed included:

- A. Majority of culverts stopped up
- B. Runoff into the lake to the point where dredging is needed
- C. Safety concerns (1 travel lane)
- D. 3 school buses daily with no room to pass
- E. Inaccurate traffic count due to poor counter placement

The committee and VDOT staff heard and discussed the concerns with the citizens. It was noted that the roadway would be on the scheduled paving list if it had not been for a traffic count criteria they did not meet at the last update of the plan, which has since been relaxed by the state. VDOT staff indicated they will be looking into the situation as well as procuring updated traffic counts. Investigating alternative funding sources such as environmental funds was also discussed.

**2. Kernstown Area Plan**

Staff presented an update on the Kernstown Area Plan and mapping of the land uses and transportation in this area. The committee had few questions but noted the need for a definition of the Development Sensitive Area (DSA) area.

**4. House Bill 2 Update**

Staff updated the committee on the House Bill 2 process and will be doing the same for the Board of Supervisors under a separate agenda item.

**5. Other**

Mr. Oates requested that staff request an update on VDOT Route 37 work.

## I-81 Bridge and Surrounding Road for Revenue Sharing Summary

Below, please find a summary of the revenue sharing awards the County currently has for the 'Russell 150' road system. Included is an outline of what the funds are applicable toward and potential deallocation dates. Provided sufficient evidence of progress to satisfy Mr. Whitworth, our CTB member, there is a possibility of a 1 year extension on the funds in most imminent danger, specifically the \$4.5 M in bullet 2.

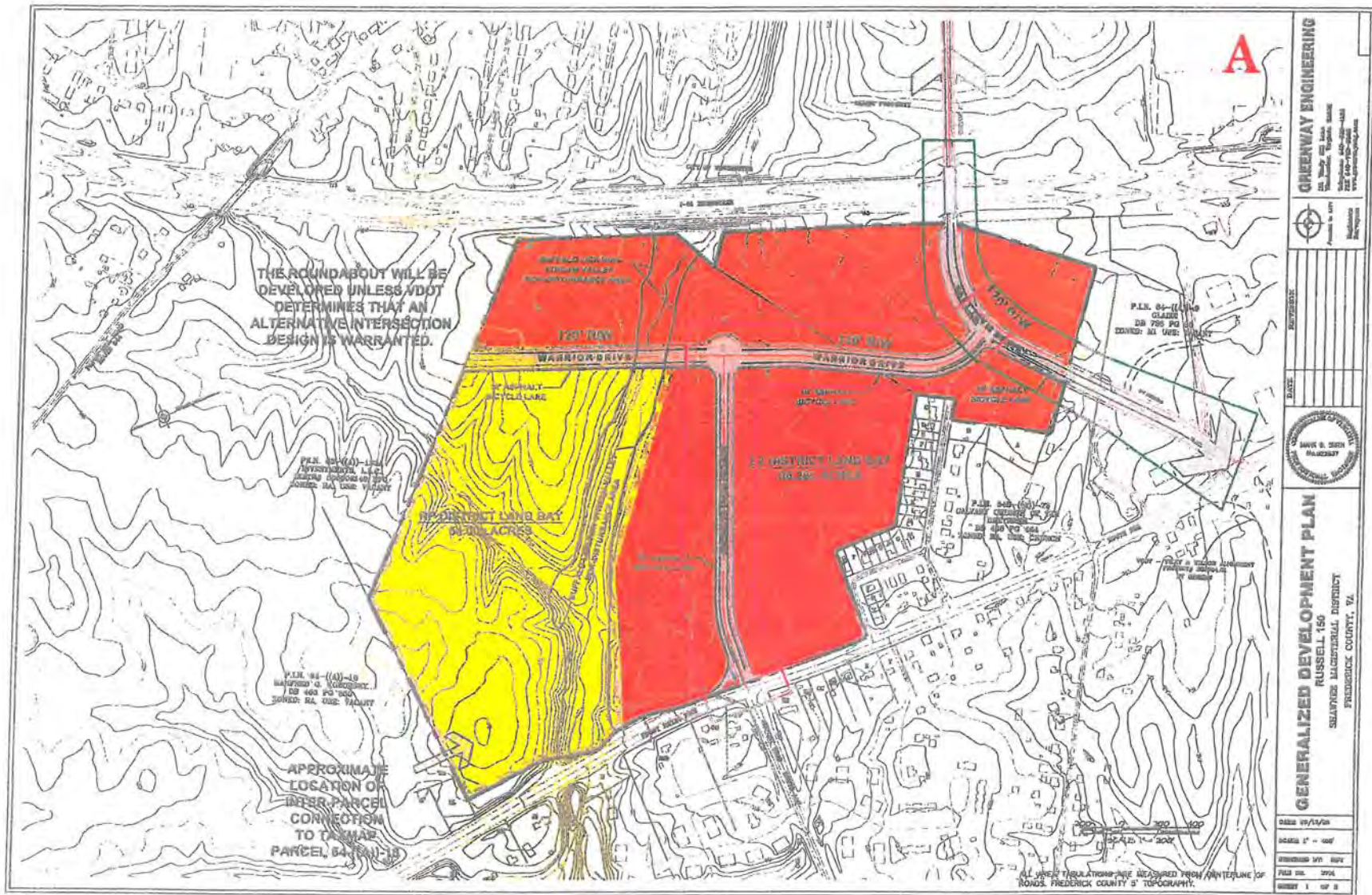
1. \$1.4 M applicable to bridge and Tevis across Glaize. This is what we have been billing design to. It is in no imminent danger of being deallocated due to the fact we have been spending from it.
2. \$4.5 M applicable to bridge and abutments as well as landing the bridge. Without project activity VDOT tells us this would be on the CTB's preliminary deallocation list in January '16. The key is keeping it off of that list so we really need to make progress by about October-November of this year.
3. \$2.8 M applicable to Airport, roundabout, Warrior stub out. Without project activity VDOT tells us this would be on the CTB's preliminary deallocation list in January '17.

It should be noted that specific awards are tied to sections of roadway and not potential partners. Glaize is the partner for Tevis Extension across their property and its intersection with Route 522. Whoever controls the R150 property is the target partner for their proffered improvements.

Attached, please find two maps labeled A and B. These two maps represent the variations in the road system that has been considered to date. Map A is the Generalized Development Plan from the approved Russell 150 rezoning and Map B represents the road system that has been discussed more recently. On each map there are highlighted road segments. The roadway segments highlighted in green are those upon which revenue sharing funds noted in bullets 1 and 2 could be spent. The roadway segments highlighted in pink are those upon which the revenue sharing funds noted in bullet 3 could be spent.

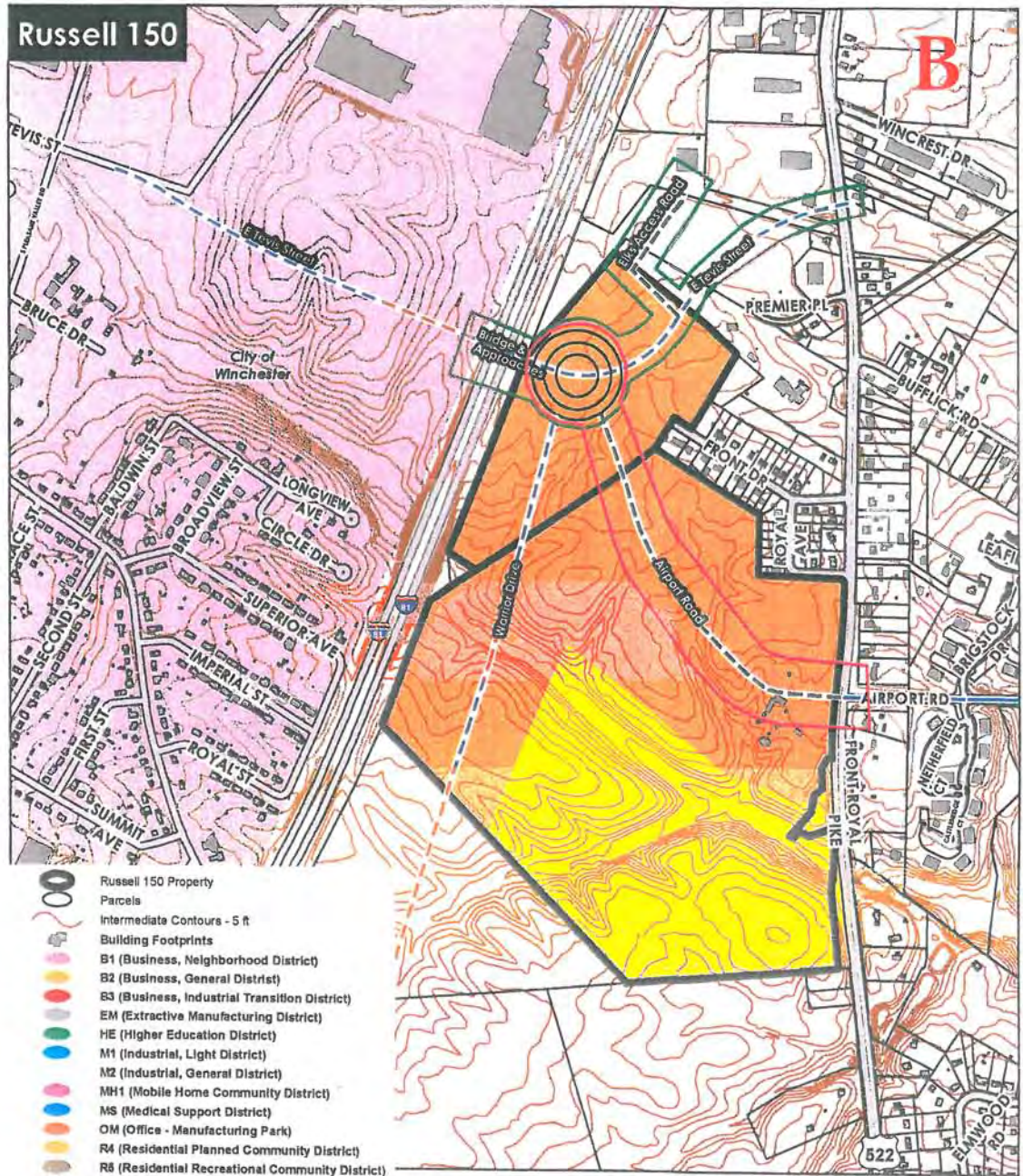
To date, County design work has been limited to the areas outlined in green on Map B. The most recent cost estimate for construction of this segment is nearly \$12 million which does not include purchase of the house next to the current Elks entrance that would be needed for right of way. This translates to approximately \$8 million on Russell 150 and \$4 million on Glaize. There has not yet been design work on the airport extension from the roundabout to route 522. This is the portion that would be aided by revenue sharing in bullet 3 and would require further match from whoever controls Russell 150.







# Russell 150



- Russell 150 Property
- Parcels
- Intermediate Contours - 5 ft
- 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)

## Eastern Road Plan

- New Major Collector
- Improved Major Collector
- New Minor Collector
- Roundabout

Note:  
Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651  
Map Created: June 15, 2015



0 0.075 0.15 0.3 Miles



P



APPLICATION FOR OUTDOOR FESTIVAL PERMIT  
COUNTY OF FREDERICK, VIRGINIA

(Please Print Clearly)



APPLICANT INFORMATION

Name of Applicant: Concern Hotline, Inc. / Russell Holland E. Director  
Telephone Number(s): 540-536-1630 ☐ home ☒ office ☐ cell 540-323-3770 ☐ home ☐ office ☒ cell  
Address: 301 N. Cameron St. Suite 201 Winchester Va 22601  
Contact Email: rholland@concernhotline.com

FESTIVAL EVENT ORGANIZATIONAL INFORMATION

<b>Festival Event</b>	Name of Festival: <u>16<sup>th</sup> ANNUAL FRIDAY FISH FRY CELEBRATION</u>			
Cost of Admission to Festival: <u>\$15 ADV / \$20 door</u>		Business License Obtained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>Date(s)</b>	<b>Start Time</b>	<b>End Time</b>	<b>Maximum No. of Tickets Offered For Sale Per Day</b>	<b>Estimated No. of Attendees Per Day</b>
<u>Friday Sept 4, 2015</u>	<u>4 pm</u>	<u>9 pm</u>	<u>\$2,000</u>	<u>\$1,800</u>
<b>Location</b>				
Address: <u>Grove's Harley Davidson</u> <u>140 Independence Dr. Winchester</u>				
<b>Owner of Property</b>				
Name(s): <u>Barbara Grove</u>				
Address: <u>Same</u>				
(*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)				
<b>Promoter</b>				
Name(s): <u>Concern Hotline</u>				
Address: <u>Box 2032 Winchester Va 22604</u>				
(*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)				
<b>Financial Backer</b>				
Name(s): <u>Concern Hotline</u>				
Address: _____				
<b>Performer</b>				
Name of Person(s) or Group(s): <u>New City Entertainment, Cathy Kerns</u> <u>Phil Zuckerman's Rock Room Band</u>				
(*NOTE: Applicant may need to update information as performers are booked for festival event.)				



# FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

1. Attach a copy of the printed ticket or badge of admission to the festival, containing the date(s) and time(s) of such festival (may be marked as "sample"). ☒ copy attached OR ☐ copy to be provided as soon as available  
2014 - SAME

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

6 portabls toilets (4 + 2 handicap) 2 indoor restrooms / 10 toilets 2 handwashing stations Gray Water Tank Dumpster and pre-cep Alien Waste individual trash receptacles

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

Health Dept app. filed. Refrigeration truck provided, prep area on site and at local restaurants. Beverages: containers and ice; ice by Valley ice, ice machines

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

Millwood Station first Responders on site. Fire extinguishers.

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

Cooking Stations have fire extinguishers; more extinguishers in business

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

Graves lots, Valley Cycle lot, Winchester Parking lot

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

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

- 3 generator run lamp poles with no glow past property boundaries.  
- on site lighting  
- stage lighting

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

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

ABC license obtained (BLW on) id and wrist identification provided.  
Security on site. Shuttle service to / from Downtown Winchester

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

### **FESTIVAL PROVISIONS**

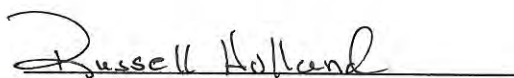
Applicant makes the following statements:

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

### **CERTIFICATION**

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

  
Signature of Applicant

  
Printed Name of Applicant

Date: 7/9/15

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

Q





APPLICATION FOR OUTDOOR FESTIVAL PERMIT  
COUNTY OF FREDERICK, VIRGINIA

(Please Print Clearly)

APPLICANT INFORMATION				
Name of Applicant: <u>Rotary Club of Winchester</u>				
Telephone Number(s): <u>540.336.9114</u> <input type="checkbox"/> home <input type="checkbox"/> office <input checked="" type="checkbox"/> cell <input type="checkbox"/> home <input type="checkbox"/> office <input type="checkbox"/> cell				
Address: <u>P.O. Box 412, Winchester, VA. 22604</u>				
Contact Email: <u>darla.mccrary1@gmail.com</u>				
FESTIVAL EVENT ORGANIZATIONAL INFORMATION				
Festival Event	Name of Festival: <u>Shenandoah Valley Apple Harvest Festival</u>			
Cost of Admission to Festival: <u>\$5. or Less</u>	Business License Obtained: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>in process</u>			
Date(s)	Start Time	End Time	Maximum No. of Tickets Offered For Sale Per Day	Estimated No. of Attendees Per Day
<u>9/19/15</u>	<u>10 AM</u>	<u>5 PM</u>	<u>N/A</u>	<u>2,500</u>
<u>9/20/15</u>	<u>10 AM</u>	<u>5 PM</u>	<u>N/A</u>	<u>2,000</u>
Location	Address: <u>Frederick County Fairgrounds</u>			
Owner of Property	Name(s): <u>Fairgrounds Assoc.</u> Address: <u>155 Fairgrounds Rd, Clearbrook, VA.</u> <small>(*NOTE: Applicant may be required to provide a statement or other documentation indicating consent by the owner(s) for use of the property and related parking for the festival.)</small>			
Promoter	Name(s): <u>Rotary Club of Winchester</u> Address: <u>P.O. Box 412, Winchester, VA. 22604</u> <small>(*NOTE: For festivals other than not-for-profit, promoter may need to check with the Frederick County Commissioner of Revenue to determine compliance with County business license requirements; in addition, promoters who have repeat or ongoing business in Virginia may be required to register with the VA State Corporation Commission for legal authority to conduct business in Virginia.)</small>			
Financial Backer	Name(s): <u>Rotary Club</u> Address: <u>P.O. Box 412, Winchester, VA. 22604</u>			
Performer	Name of Person(s) or Group(s): <u>Mike Hoffman Ragtime Piano, Fleming, Fleming &amp; Peterson Trio, Clay Arthur, The Judy Chops, Thom Sheppard</u> <small>(*NOTE: Applicant may need to update information as performers are booked for festival event.)</small>			

# FESTIVAL EVENT LOGISTICS INFORMATION AND DOCUMENTATION

**HAND STAMP**

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

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

Existing "fixed" restrooms as provided during F.C. Fair and additional port-a-johns (8) plus hand washing station and wastewater tank

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

Attached Rules + Regulations provided to each Concessionaire  
Rotary Club does not provide Lodging.

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

Clearbrook F.D. Command Post and EMS.

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

Fairgrounds have existing fire extinguishers in place  
in each Bldg throughout fairgrounds.

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

Parking will be in grassy field on south side of fairgrounds  
(same as during fair) with parking attendants to assist.

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

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

Festival ends at 5pm.

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

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

Seperate ticketed activity in Whitacre Bldg with outdoor seating  
using orange temp fencing between Bldgs. (See map)  
Attendants will be stationed at entrance & exit.

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



### **FESTIVAL PROVISIONS**

Applicant makes the following statements:

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

### **CERTIFICATION**

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

  
Signature of Applicant

DARLA McCRARY  
Printed Name of Applicant

Date: 7/21/15

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



# Frederick Co. Fairgrounds

Legend

Main Gate

Craft Beers  
Hard Ciders

Indoor Crafters

Apple Theme Booth

ENTRANCE

EXIT

Bingo

Concessions

Corn Hole Game

White House Booth

White House  
Wagon

Apple Butter Making

Vendors/Crafters  
10x10 Booths

Stage

Office

EMS

Antique Cars

Frederick County VA Fairgrounds

Vendors/Crafters 10x10 Booths  
(facing stage & road)

Kids Zone Inflatables Area

Route 11

All parking located in field on south side of fairgrounds

Google earth

© 2015 Google

200 ft





**Shenandoah Valley Apple Harvest Festival**  
**Hosted by the Rotary Club of Winchester**  
Saturday, Sept. 19 and Sunday Sept. 20, 2015 10am to 5pm  
Frederick County Fairgrounds on Rt. 11 Just North of Winchester, Virginia

**CONCESSION APPLICATION**

Name \_\_\_\_\_

Contact Person \_\_\_\_\_

Address \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

Products to Sell \_\_\_\_\_

Size of Space Requested \_\_\_\_\_ *will be on a first come, first serve basis*

Request additional space if needed. Fees may apply.

Type of Stand: \_\_\_ Tent \_\_\_ Trailer \_\_\_ Other **Photo is required with Application**

Cost: 15% of Gross    Proof of Non-Profit Status: 15% of Net

Deposit: \$100.00 Deposit will be applied to commissions

Commission: Payable at Registration Desk at close of festival

Electrical Needs:

\_\_\_ Self-Contained—No Electricity Needed

\_\_\_ Have Own Generator

\_\_\_ Need 110V Electrical Hook-Up (Maximum 20 AMPS)

\_\_\_ Need 220V Electrical Hook-Up (Max 60 AMPS)

***PLEASE INDICATE ANY SPECIAL REQUESTS OR COMMENTS ON THE REVERSE SIDE***

Make Check Payable To: WINCHESTER ROTARY CLUB

Mail to: PO Box 412, Winchester, VA 22604

Include: \_\_\_ Completed Application \_\_\_ Deposit \_\_\_ Insurance Certificate \_\_\_ Photos

By signing I/we understand that the Shenandoah Valley Apple Harvest Festival and it's sponsors are not liable for injury to persons participating in the festival, spectators or damage to vehicles and personal property. Further, we have reviewed the rules, regulations and policies of the Shenandoah Valley Apple Harvest Festival and agree, if we participate, to comply with them as prescribed, and to indemnify and agree to hold the Shenandoah Valley Apple Harvest Festival and the Frederick County Fairgrounds harmless from any and all liability arising from our participation in the Festival. The Shenandoah Valley Apple Harvest Festival is not responsible or liable for the quality or performance of products sold by the festival participants. I understand that I must post an approved Health Permit at my booth before serving to the public.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Shenandoah Valley Apple Harvest Festival**  
**Hosted by the Rotary Club of Winchester**  
Saturday, Sept. 19 and Sunday Sept. 20, 2015 10am to 5pm  
Frederick County Fairgrounds on Rt. 11 Just North of Winchester, Virginia

**CONCESSION RULES AND REGULATIONS**

***APPLICATION PROCEDURE***

1. Complete the application and return it with electrical fees (if any) and photograph of each unit to: Shenandoah Valley Apple Harvest Festival, PO Box 412, Winchester, VA 22604.
2. Separate fees for each electrical location must be in the form of a check or money order payable to: Winchester Rotary Club
3. Photo of each unit must be submitted with the application.
4. Only completed applications with deposit and Certificate of Insurance will be considered.
5. Decisions will be based on appearance of unit, variety of product/service to overall event and past participation. ***Remember this is an Apple Harvest event...products and services with an apple theme are required!***

***GENERAL RULES AND REGULATIONS***

1. State and local taxes will be submitted to the Registration Desk at time of festival close.
2. The Festival is not responsible for loss of power or other acts of God.
3. Concessionaires who are accepted to participate must have a Health Permit on file or apply for a Temporary Health Permit by calling 540.722.3480 or pickup an application packet at 107 N. Kent St. Suite #201, Winchester. Cost is \$40.00. It is important that you complete and return the form immediately upon receipt to the Winchester-Frederick County Health Dept. Allow 10 to 14 days before event to allow time to receive the certificate that must be posted at your booth.
4. Several water connections to frost-proof hydrants are available on a first come, first serve basis. Any hoses needed are the responsibility of the concessionaire. Otherwise, you must supply your own reservoir of potable water.
5. Each stand must furnish trash containers at their locations, both outside for customers and inside for your use. All trash, waste, etc. must be put in garbage bags and placed at the receptacles for pickup by fairground crews.
6. All vendors must carry General Public Liability with a minimum of \$300,000. Food vendors Liability policy must include Products Liability Insurance. When returning completed application, vendor must furnish current Certificate of Insurance as evidence of insurance.
7. NO walking vendors are permitted.
8. NO public address systems are permitted.

### ***SAFETY***

1. Any unit with electrical power is required to have a fire extinguisher within its assigned area.
2. Any unit utilizing any type of combustible or open flame is required to have a fire extinguisher within its assigned area. By order of the Fire Marshal.
3. NO vehicle traffic allowed in the display area's after 9:30 am day of the event. There will be NO EXCEPTIONS! If needed, please inquire at the Registration Desk for a golf cart driver. (Limited availability).

### ***ELECTRICAL***

1. If you have electrical needs you must be there for setup on **Friday, Sept. 18, 2015**. Hookups will be between 3 and 4 p.m.
2. Self contained units and units with generators are given first priority.
3. A minimal number of electrical connections are available in a few centralized locations. These will be granted on a case by case evaluation and preference given to past participants.
4. In the event you are granted an electrical connection, your unit will be placed as near as possible to the panel. However, we cannot guarantee that your unit will be closer than 150 feet from the connection. You will be responsible to have the proper hardware to interface with our panel and to span the distance to your setup area.
5. An electrician will be available to assist you. NO vendor is to change any electrical outlets.

### ***SET UP/TEAR DOWN PROCEDURES***

1. **Setup is Friday, Sept. 18, 2015 between 9am and 5pm.** Go to the Registration Desk located on the fairgrounds. **Vendors needing electricity must be available for setup on Friday between 3 and 4pm.**
2. Registration will continue on **Saturday, Sept. 19** beginning at 8am and continue until 9:30am. No registration after that time.
3. **ALL SETUP MUST BE COMPLETED NLT 9:30AM, SAT., SEPT., 19, 2015.**
4. Festival ends at 5pm on Sunday, Sept. 20, 2015. Tear Down is AFTER 5pm, Sunday, Sept. 20, 2015. **Do not attempt to tear down earlier than 5pm.**

### ***PROCEEDS FROM THE EVENT***

THANKS TO YOU, and through your participation at this event, along with proceeds from gate admissions, each annual Shenandoah Valley Apple Harvest Festival benefits area charities and local organizations in need. ***We appreciate your participation!***

R





**ORDINANCE**  
**August 12, 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 ~~strikethrough~~ 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

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Brenda G. Garton  
County Administrator  
County of Frederick, Virginia



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.

S



## COUNTY of FREDERICK

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

### MEMORANDUM

**TO:** Frederick County Board of Supervisors

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

**SUBJECT:** **Public Hearing** - Site Plan Revisions and Additions

**DATE:** July 24, 2015

---

Staff has prepared a revision to Part 802 of the Zoning Ordinance to update the text to include provisions for minor site plans as well as inclusion of a new illustrative sketch plan. Minor site plans have commonly been submitted and approved; however the term and requirements for these plans has never been codified. Illustrative sketch plans are also proposed for inclusion; these would be applicable to agricultural businesses such as farm wineries, distilleries and breweries, as well as conditional use permits that may not need an engineered site plan.

A minor site plan would constitute a revision that increases an existing structure area by 20% or less and does not exceed 5,000 square feet of disturbed area. Minor site plans include reduced submission guidelines and have a reduced review fee. Illustrative sketch plans would not need to be sealed by a licensed professional, the property owner would be able to complete this exercise on their own. There would be no fee associated with this exercise.

The DRRC discussed this amendment at their April 2015 meeting. The DRRC had minor revisions and sent the proposed changes to the Planning Commission for discussion. The Planning Commission discussed this item on May 20, 2015; the Planning Commission agreed with the changes and sent the item forward for review by the Board of Supervisors. The Board of Supervisors discussed this item on June 10, 2015; ultimately the Board of Supervisors sent the amendment forward for public hearing as drafted. The Planning Commission held a public hearing for this item on July 15, 2015; there were no citizen comments and the Planning Commission recommended approval of the amendment.

The attached document shows the existing ordinance with the proposed changes supported by the Planning Commission (with strikethroughs for text eliminated and bold italic for text added). ***This proposed amendment is being presented to the Board of Supervisors as a public hearing item. A decision by the Board of Supervisors on this proposed Zoning Ordinance text amendment is sought.*** Please contact me if you have any questions.

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**Attachments:** 1. Revised ordinance with additions shown in bold underlined italics

2. Resolution

CEP/pd



**ARTICLE VIII  
DEVELOPMENT PLANS AND APPROVALS**

**Part 802 – Site Plans**

**§ 165-802.01 Activities requiring site plans or illustrative sketch plans.**

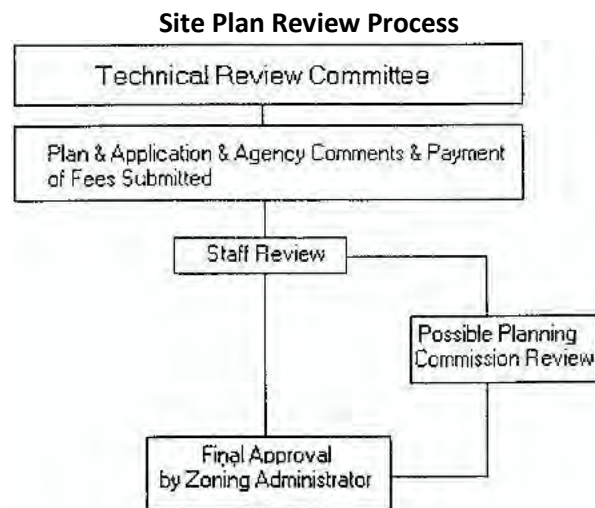
- A. In order to ensure that the requirements of this chapter have been met, a site plan shall be required to be submitted to the County for the following uses:
- (1) Any use in the business or industrial zoning districts, the EM Extractive Manufacturing District, the MS Medical Support District, or the HE Higher Education District.
  - (2) Any nonresidential uses ~~in which~~ **with** automobile parking spaces ~~is to be used by more than one establishment.~~
  - (3) Any of the following residential uses not required to submit a subdivision design plan for approval:
    - (a) Multiplexes;
    - (b) Townhouses, Back-to-Back Townhouses;
    - (c) Garden apartments;
    - (d) Multifamily residential buildings;
    - (e) Age-restricted multifamily housing;
    - (f) Other allowed multifamily residential uses;
    - (g) Mobile home parks.**
  - (4) Convalescent and nursing homes. ~~and allowed nonresidential uses in the RP, R4 and R5 Zoning Districts.~~
  - (5) Public and semipublic uses and buildings.
  - (6) Required landscaped buffers and landscaped screens.
  - (7) Required recreational facilities.
  - (8) Any parcel of land proposed to contain more than one dwelling unit, except those **residential units** allowed as agricultural accessory uses.
  - (9) ~~Mobile home parks.~~ **Non-residential uses permitted in the RP, R4 and R5 Zoning Districts.**
  - (10) The use, change of use or construction of any improvement or facility that is to be reviewed by the Planning Commission to determine conformance with the Comprehensive Plan under § 15.2-2232 of the Code of Virginia.
- B. The Zoning Administrator may require a site plan or illustrative sketch plan to be submitted with an application for a conditional use permit **or any use specified under 165-204.**

- C. No permit shall be issued for the construction of any building or improvement on the site of any of the above uses until the site plan or illustrative sketch plan is approved.
- D. All nonbusiness or nonindustrial uses in a residential subdivision shall submit a subdivision design plan, as required in the Frederick County Subdivision Ordinance, instead of a site plan.
- E. **Illustrative sketch plan shall be required for the following uses:**
  - (a) Farm Wineries;**
  - (b) Farm Breweries;**
  - (c) Farm Distilleries.**

**§ 165-802.02 Site plan applications; review.**

- A. Applicants shall submit two copies of the site plan to the Zoning Administrator for review, along with applicable fees and completed application materials required by the Zoning Administrator. Final approval of the site plan shall be given by the Zoning Administrator. At least five copies of the site plan are required to be submitted to the Zoning Administrator for final approval.
- B. Applicants shall prepare and submit a Traffic Impact Analysis with all site plan applications, in accordance with the adopted Traffic Impact Analysis Standards.
- C. Applicants shall provide comments on the site plan from various agencies as required by the Department of Planning and Development.
- D. The Zoning Administrator may require the applicant to present the site plan to the Technical Review Committee for review. The Committee shall make recommendations to the Zoning Administrator concerning whether the plan meets the requirements of the Frederick County Code.
- E. A site plan submission shall be considered to be complete when the fees, plans, application materials and comments have been received and when the Technical Review Committee has reviewed the plan, if required.
- F. When the site plan submission is complete, the Zoning Administrator may submit the site plan to the Planning Commission for its review.
  - (1) The Zoning Administrator shall determine whether to submit the site plan to the Planning Commission based on the following considerations:
    - (a) The scale or intensity of the proposed use.
    - (b) Potential impacts on surrounding properties.
    - (c) Potential traffic hazards or congestion.
  - (2) In addition, the Planning Commission may request that the site plan be presented to the Commission for its review.
- G. The Planning Commission may make recommendations to the Zoning Administrator concerning the site plan. The Zoning Administrator shall incorporate such recommendations into the review of the site plan. The site plan shall be finally approved or denied by the Zoning Administrator.

- H. Approval of the site plan shall expire within five years of the approval date unless building permits have been obtained for construction.
- I. The Zoning Administrator or his designated representative shall periodically inspect the site during construction to ensure that the site plan requirements are met.
- J. No certificate of occupancy shall be issued for any use or site requiring a site plan until all requirements shown on the approved site plan have been met and all improvements shown on the site plan have been provided. If structures and improvements have been provided sufficient to guarantee public health and safety but if all site plan improvements have not been completed, a certificate of occupancy shall only be issued if a bond with surety or other acceptable guaranties have been provided to insure that all approved improvements will be provided. Such guaranties shall be for a limited time period acceptable to the Zoning Administrator, during which time said improvement shall be completed.



- K. The Board of Supervisors, by resolution, may establish a schedule of fees for the review of site plans.

**§ 165-802.03 Site plan and illustrative sketch plan contents.**

The site plan or illustrative sketch plan shall be clearly legible and shall be drawn at a scale acceptable to the Zoning Administrator. The site plan shall include three general sections, the project information section, the calculations section, and the site plan and details section. The information required for each section is listed below:

A. Project information section.

- (1) A title that includes the name of the proposed or existing business and a subtitle which describes the proposed development.
- (2) The name, address, and phone number of the landowner, developer, and designer.
- (3) The Frederick County Property Identification Number (PIN) of all lots included on the site plan.

- (4) The number and type of dwelling units included on the site plan for residential uses.
- (5) The total land area and total developed land area of all lots included on the site plan.
- (6) A detailed description of the proposed use or uses of the development, as well as a description of the existing use or uses.
- (7) A reference to any other site plan or master development plan approved by the County for the site.
- (8) The date the site plan was prepared and a list of all revisions made, including the date and a description of why the site plan was revised.
- (9) A table of contents including all pages of the site plan.
- (10) A list of all proposed utility providers, with their address, name and phone number.
- (11) An inset map showing the location of the site, along with the location of streets, roads and land uses within 500 feet of the property.
- (12) A statement listing all requirements and conditions placed on the land included in the site plan resulting from approval of conditional zoning or a conditional use permit.
- (13) A description of setbacks or conditions placed on the site as a result of an approved variance.
- (14) The name of the Magisterial District within which property is located.

#### B. Calculations section.

- (1) Calculations showing the floor area ratio (FAR) of the site, including the maximum allowed FAR, total ground floor area, total floor area, and total lot area.
- (2) Calculations showing the total number of required and proposed parking spaces, including the total number of existing and proposed spaces.
- (3) Calculations showing the total number of required handicap spaces, including the total number of existing and proposed spaces.
- (4) Calculations showing the total number of required loading spaces, including the total number of existing and proposed spaces.
- (5) Calculations showing the total number of required perimeter and interior trees required, including the number of provided trees.
- (6) Calculations showing the percentage of the property that will be landscaped and the percentage of woodlands disturbed.

#### C. Site plan and details section.

- (1) The location of all adjoining lots with the owner's name, specific use, zoning, and zoning boundaries shown.
- (2) The location of all existing or planned rights-of-way and easements that adjoin the property, with street names, widths, and speed limits shown.
- (3) All nearby entrances that are within 200 feet of any existing or proposed entrances to the site.
- (4) All existing and proposed driveways, parking and loading spaces, parking lots and a description of surfacing material and construction details to be used. The size and angle of parking spaces, aisles, maneuvering areas, and loading spaces shall be shown.
- (5) A North arrow.
- (6) A graphic scale and statement of scale.
- (7) A legend describing all symbols and other features that need description.
- (8) A boundary survey of the entire parcel and all lots included with distances described at least to the nearest hundredth of a foot.
- (9) The present zoning of all portions of the site, with the location of zoning boundaries.



- (10) The location of all existing and proposed structures, with the height, specific use, ground floor area, and total floor area labeled.
- (11) The location of all existing and proposed outdoor uses, with the height, specific use, and land area labeled.
- (12) Existing topographic contour lines at intervals acceptable to the Zoning Administrator. Proposed finished grades shall be shown by contour.
- (13) The location of the front, side, and rear yard setback lines required by the applicable zoning district.
- (14) The location and boundaries of existing environmental features, including streams, floodplains, lakes and ponds, wetlands, natural stormwater retention areas, steep slopes, and woodlands.
- (15) The location of outdoor trash receptacles.
- (16) The location of all outdoor lighting fixtures.
- (17) The location, dimensions, and height of all signs.
- (18) The location of required buffers, landscaping buffers, and landscaped screens, including examples, typical cross sections or diagrams of screening to be used. The location and dimensions of required fencing, berms, and similar features shall be specified.
- (19) The location of recreational areas and common open space.
- (20) The location of all proposed landscaping with a legend; the caliper, scientific name, and common name of all deciduous trees; the height at planting, scientific name, and common name of all evergreen trees and shrubs.
- (21) The height at planting, caliper, scientific name, and common name shall be provided for all proposed trees. The height at planting, scientific name and common name shall be provided for all shrubs.
- (22) The location of sidewalks and walkways.
- (23) The location and width of proposed easements and dedications.
- (24) A stormwater management plan describing the location of all stormwater management facilities with design calculations and details.
- (25) A soil erosion and sedimentation plan describing methods to be used.
- (26) The location and size of sewer and water mains and laterals serving the site.
- (27) Facilities necessary to meet the requirements of the Fire Code.
- (28) A signed seal of the certified Virginia land surveyor, architect, or engineer who prepared the plan.
- (29) A space labeled "Approved by the Frederick County Zoning Administrator" for the signature of the Zoning Administrator, approval date, and a statement that reads "site plan valid for five years from approval date."

**D. Minor Site Plans. A minor site plan may be submitted in lieu of a full site plan for additions to existing sites. A minor site plan shall constitute a revision that increases an existing structure area by 20% or less and does not exceed 5,000 square feet of disturbed area. Minor site plans, at a minimum shall include the following information:**

- (1) A title that includes the name of the proposed or existing business and a subtitle which describes the proposed development.**
- (2) The name, address, and phone number of the landowner, developer, and designer.**
- (3) The Frederick County Property Identification Number (PIN) of all lots included on the site plan.**
- (4) The total land area and total developed land area of all lots included on the site plan.**
- (5) A detailed description of the proposed use or uses of the development, as well as a description of the existing use or uses.**

- (6) A reference to any other site plan or master development plan approved by the County for the site.
- (7) The date the site plan was prepared and a list of all revisions made, including the date and a description of why the site plan was revised.
- (8) A table of contents including all pages of the site plan.
- (9) An inset map showing the location of the site, along with the location of streets, roads and land uses within 500 feet of the property.
- (10) A statement listing all requirements and conditions placed on the land included in the site plan resulting from approval of conditional zoning or a conditional use permit.
- (11) A description of setbacks or conditions placed on the site as a result of an approved variance.
- (12) The name of the Magisterial District within which property is located.
- (13) Calculations showing the total number of required and proposed parking and loading spaces, including the total number of existing and proposed spaces.
- (14) Calculations showing the total number of required perimeter and interior trees required, including the number of provided trees. The Zoning Administrator shall determine the number of landscaping plants required, proportional to the additions shown on the minor site plan.
- (15) A signed seal of the certified Virginia land surveyor, architect, or engineer who prepared the plan.
- (16) Any other information determined by the Zoning Administrator necessary for the review of the minor site plan.
- (17) The Zoning Administrator may eliminate any of the above requirements on a minor site plan, if it is determined not to be warranted.

E. Illustrative sketch plan. An illustrative sketch plan may be submitted in lieu of a site plan for farm wineries, farm breweries and farm distilleries, or if required as part of a Conditional Use Permit. Illustrative sketch plans, at a minimum shall include the following information:

- (1) A title that includes the name of the proposed or existing business and a subtitle which describes the proposed development.
- (2) The name, address, and phone number of the landowner, developer, and designer.
- (3) The Frederick County Property Identification Number (PIN) of all lots included on the sketch plan.
- (4) The total land area and total developed land area of all lots included on the sketch plan.
- (5) Illustrative Sketch plan shall include a drawing of all aspects of the business operations on the site.
- (6) Size and dimensions of parking areas and signs if any, location of any floodplains or other environmental features.
- (7) For cottage occupations, the sketch plan shall show the residence and all improvements associated with the cottage occupation.
- (8) Distances between on site structures and adjacent residential structures and other buildings, the location and width of adjacent right-of-way, adjoining properties, and easements.
- (9) A statement listing all requirements and conditions placed on the land included in the sketch plan resulting from approval of a conditional use permit.
- (10) The name of the Magisterial District within which property is located.
- (11) The illustrative sketch plan need not be drawn to scale, nor does it have to be prepared by a licensed professional. However, distances from structure to adjacent lot lines must be accurately depicted.

- F. ~~D.~~—Other information or statements may be required on the site plan by the Zoning Administrator to ensure that all requirements of the Frederick County Code are met.
- G. ~~E.~~ All site plans shall conform with master development plans that have been approved for the land in question.
- H. ~~F.~~—When required, deed restrictions, deeds of dedication, agreements, contracts, guaranties or other materials shall be submitted with the site plan.

**§ 165-802.04 Required improvements.**

- A. All improvements and construction on the site shall conform with the approved site plan **or illustrative sketch plan** and the requirements of the Frederick County Code.
- B. The Zoning Administrator may require a bond with surety or other acceptable guaranties to insure the completion of required improvements. Such guaranties shall be in the estimated amount of the required improvements. Such guaranties shall be for a period of completion set by the Zoning Administrator with consultation with the applicant. Such guaranties shall be released when the required improvements have been completed.
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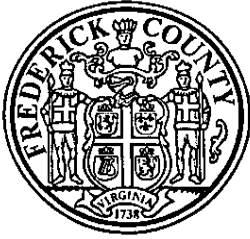
**ARTICLE I  
GENERAL PROVISIONS; AMENDMENTS; AND CONDITIONAL USE PERMITS**

**Part 101 – General Provisions**

**§ 165-101.02 Definitions & word usage.**

SITE PLAN - A ~~specific and detailed~~ plan of development **which contains detailed engineering drawings of the proposed uses and improvements required in the development of a given parcel or use of development** meeting the requirements of this chapter. **In all Articles of this Chapter, where the term 'site plan' is used, it shall also include the term 'minor site plan'.**

**ILLUSTRATIVE SKETCH PLAN** – An illustrative plan that accurately depicts the development of a parcel or use meeting the requirements of this chapter. Illustrative site plans may be required for agricultural uses or as part of a conditional use permit.



# ORDINANCE AMENDMENT

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**Action:**

PLANNING COMMISSION: July 15, 2015      Recommended Approval

BOARD OF SUPERVISORS: August 12, 2015    ☐ APPROVED    ☐ DENIED

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**AN ORDINANCE AMENDING  
THE FREDERICK COUNTY CODE  
CHAPTER 165 ZONING**

**ARTICLE VIII DEVELOPMENT PLANS AND APPROVALS**

**PART 802 – SITE PLANS**

**§ 165-802.01 ACTIVITIES REQUIRING SITE PLANS**

**§ 165-802.03 SITE PLAN CONTENTS**

**§ 165-802.04 REQUIRED IMPROVEMENTS.**

**ARTICLE I GENERAL PROVISIONS; AMENDMENTS;**

**AND CONDITIONAL USE PERMITS**

**PART 101 – GENERAL PROVISIONS**

**§ 165-101.02 DEFINITIONS & WORD USAGE**

**WHEREAS**, an ordinance to amend Chapter 165, Zoning to revise the site plan requirements to include provisions for minor site plans and illustrative sketch plans, and an update to the site plan definition to include minor site plans and a new definition for illustrative sketch plan was considered; and

**WHEREAS**, the Planning Commission held a public hearing on this ordinance on July 15, 2015; and

**WHEREAS**, the Board of Supervisors held a public hearing on this ordinance on August 12, 2015; and

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



**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that **Chapter 165 Zoning, Article VIII Development Plans and Approvals, Part 802 – Site Plans, §165-802.01 Activities Requiring Site Plans, § 165-802.01 Activities Requiring Site Plans, § 165-802.03 Site Plan Contents, § 165-802.04 Required Improvements; Article I – General Provisions, §165-101.02 Definitions & Word Usage** is amended to include provisions for minor site plans and illustrative sketch plans, the site plan definition revised to include minor site plans and the inclusion of a new definition for illustrative sketch plans.

Passed this 12th day of August, 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**

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Brenda G. Garton  
Frederick County Administrator

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## MEMORANDUM

**TO:** Frederick County Board of Supervisors

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

**SUBJECT:** Farm Breweries and Distilleries in the RA (Rural Areas) Zoning District

**DATE:** July 24, 2015

In 2009 Frederick County adopted standards for farm wineries pursuant to the requirements of the Code of Virginia. The standards allowed for the wineries along with permissible accessory uses such as special events and onsite tasting and sales. In 2014, additional standards were introduced in the Code of Virginia to allow for farm breweries. Additionally, this year allowances were introduced for farm distilleries. Staff has drafted revisions to the farm winery text to include allowances for farm breweries and farm distilleries. Other changes include removing provisions already regulated by the Code of Virginia for these uses.

The changes included with this revision are as follows:

- Addition of Farm Breweries and Distilleries, with updated and new definitions;
- Removal of provisions currently regulated by the Code of Virginia;
- Addition of tours, kitchen and catering activities;
- Addition of an allowance for providing light refreshments and appetizers (food preparation beyond this, excluding catering for special events, shall require a Conditional Use Permit for a restaurant);
- Removal of the site plan requirement and addition of an illustrative sketch plan requirement;
- Revision to the 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).

For clarification, the Code of Virginia permits farm wineries, breweries and distilleries to conduct the following (exempt from local regulation):

- The production and harvesting of agricultural products for the manufacturing of alcoholic beverages;
- On-premises sale, tasting, or consumption of wine, beer, alcoholic beverages during regular business hours within the normal course of business;
- The direct sale and shipment of wine, beer, alcoholic beverages to licensed wholesalers and out-of-state purchasers;
- The storage and warehousing of wine, beer and alcoholic beverages;

- The sale of product-related items that are incidental to the sale of wine, beer or alcoholic beverages.

The DRRC discussed this amendment at their April 2015 meeting and sent the proposed changes to the Planning Commission for discussion. The Planning Commission discussed this item on May 20, 2015; the Planning Commission agreed with the changes and sent the item forward for review by the Board of Supervisors. The Board of Supervisors discussed this item at their June 10, 2015 meeting; the Board agreed with the proposed uses however it was requested that staff remove the provisions currently regulated by the state. Attachment #1 reflects the changes requested by the Board of Supervisors. The Planning Commission held a public hearing for this item on July 15, 2015; there were no citizen comments and the Planning Commission recommended approval of the amendment.

The attached document shows the existing ordinance with the proposed changes supported by the Planning Commission (with strikethroughs for text eliminated and bold italic for text added). ***This proposed amendment is being presented to the Board of Supervisors as a public hearing item. A decision by the Board of Supervisors on this proposed Zoning Ordinance text amendment is sought.*** Please contact me if you have any questions.

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**Attachments:**

- 1. Revised ordinance with additions shown in bold underlined italics**
- 2. Code of Virginia – Farm Wineries, Breweries and Distilleries**
- 3. Resolution**

CEP/pd



ARTICLE IV  
AGRICULTURAL AND RESIDENTIAL DISTRICTS

Part 401 – RA Rural Areas District

§ 165-401.02 Permitted uses.

Structures and land shall be used for one of the following uses:

**EE. Farm Breweries.**

**FF. Farm Distilleries.**

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Article II  
SUPPLEMENTARY USE REGULATIONS, PARKING, BUFFERS, AND REGULATIONS FOR SPECIFIC USES

Part 204 – Additional Regulations for Specific Uses

§ 165-204.22. Farm Wineries, **Farm Breweries and Farm Distilleries.**

Farm Wineries, **Farm Breweries and Farm Distilleries** in the RA (Rural Areas) District, shall meet the following requirements:

**A. Farm Wineries. A farm winery shall be licensed as a Class A or Class B farm winery in accordance with Section 4.1-207 of the Code of Virginia, as amended, and shall be located in the RA (Rural Areas) District. No farm winery shall be established until an illustrative sketch plan has been approved. All activities specified under 15.2-2288.3E of the Code of Virginia shall be permitted.**

**B. Farm Breweries (limited brewery). A farm brewery shall be licensed as a Limited Brewery in accordance with Section 4.1-208 of the Code of Virginia, as amended, and shall be located in the RA (Rural Areas) District. No Limited Brewery shall be established until an illustrative sketch plan has been approved. All activities specified under 15.2-2288.3:1 of the Code of Virginia shall be permitted.**

**C. Farm Distillery (limited distiller's). A farm distillery shall be licensed as a Limited distiller in accordance with Section 4.1-206 of the Code of Virginia, as amended, and shall be located in the RA (Rural Areas) District. No Limited Distillery shall be established until an illustrative sketch plan has been approved. All activities specified under 15.2-2288.3:2 of the Code of Virginia shall be permitted.**

**D. The following activities are permitted accessory uses at farm wineries, breweries and distilleries:**  
**(1) On site tours;**  
**(2) Kitchen and catering activities;**  
**(3) Providing light refreshments and appetizers (food preparation beyond this, excluding catering for events, shall require a Conditional Use Permit for a restaurant).**

**E. Special Events shall be permitted only on farm wineries, **farm breweries and farm distilleries** of ten acres or larger. Special Events for the purposes of this section shall include but are not limited to**

meetings, conferences, dinners, **festivals**, and wedding receptions. Any event at which more than ~~150~~ **100** people are anticipated **and will include music and entertainment will** require a festival permit.

F. An **illustrative sketch** site plan in accordance with the requirements of Article VIII shall be submitted to and approved by Frederick County **for all farm wineries, distilleries and breweries**.

**G. Farm wineries, breweries and distilleries that share a private access easement with another property owner/s, must show the easement allows a use of this type or written permission must be obtained by the sharing parties.**

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## ARTICLE I

### GENERAL PROVISIONS, AMENDMENTS, AND CONDITIONAL USE PERMITS

#### Part 101 – General Provisions

##### § 165-101.02. Definitions and word usage.

**FARM BREWERY - A brewery licensed as a limited brewery under subdivision 2 of Section 4.1-208 of the Code of Virginia (1950, as amended).**

**FARM DISTILLERY - A distillery licensed as a limited distillery under subdivision 2 of Section 4.1-206 of the Code of Virginia (1950, as amended).**

**FARM WINERY – A winery licensed as a farm winery under subdivision 5 of Section 4.1-207 and defined under 4.1-100 of the Code of Virginia (1950, as amended).**

~~**FARM WINERY**~~—An establishment (i) located on a farm in the commonwealth with a producing vineyard, orchard, or similar growing area and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine that contains not more than 18% alcohol by volume or (ii) located in the commonwealth with a producing vineyard, orchard, or similar growing area or agreements for purchasing grapes or other fruits from agricultural growers within the commonwealth, and with facilities for fermenting and bottling wine on the premises where the owner or lessee manufactures wine that contains not more than 18% alcohol by volume. A minimum of 51% of the fresh fruits or agricultural products used at the winery for the production of wine shall be grown or produced on the farm, and no more than 25% of the fruits, fruit juices or other agricultural products may be grown outside of the commonwealth. Accessory uses shall include wine tasting rooms, accessory food sales related to wine tasting, and the sale of wines produced on site.

§ 15.2-2288.3. Licensed farm wineries; local regulation of certain activities.

A. It is the policy of the Commonwealth to preserve the economic vitality of the Virginia wine industry while maintaining appropriate land use authority to protect the health, safety, and welfare of the citizens of the Commonwealth, and to permit the reasonable expectation of uses in specific zoning categories. Local restriction upon such activities and events of farm wineries licensed in accordance with Title 4.1 to market and sell their products shall be reasonable and shall take into account the economic impact on the farm winery of such restriction, the agricultural nature of such activities and events, and whether such activities and events are usual and customary for farm wineries throughout the Commonwealth. Usual and customary activities and events at farm wineries shall be permitted without local regulation unless there is a substantial impact on the health, safety, or welfare of the public. No local ordinance regulating noise, other than outdoor amplified music, arising from activities and events at farm wineries shall be more restrictive than that in the general noise ordinance. In authorizing outdoor amplified music at a farm winery, the locality shall consider the effect on adjacent property owners and nearby residents.

B, C. [Expired.]

D. No locality may treat private personal gatherings held by the owner of a licensed farm winery who resides at the farm winery or on property adjacent thereto that is owned or controlled by such owner at which gatherings wine is not sold or marketed and for which no consideration is received by the farm winery or its agents differently from private personal gatherings by other citizens.

E. No locality shall regulate any of the following activities of a farm winery licensed in accordance with subdivision 5 of § [4.1-207](#):

1. The production and harvesting of fruit and other agricultural products and the manufacturing of wine;
2. The on-premises sale, tasting, or consumption of wine during regular business hours within the normal course of business of the licensed farm winery;
3. The direct sale and shipment of wine by common carrier to consumers in accordance with Title 4.1 and regulations of the Alcoholic Beverage Control Board;
4. The sale and shipment of wine to the Alcoholic Beverage Control Board, licensed wholesalers, and out-of-state purchasers in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law;
5. The storage, warehousing, and wholesaling of wine in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law; or
6. The sale of wine-related items that are incidental to the sale of wine.

§ 15.2-2288.3:1. **Limited brewery** license; local regulation of certain activities.

A. It is the policy of the Commonwealth to preserve the economic vitality of the Virginia beer industry while maintaining appropriate land use authority to protect the health, safety, and welfare of the citizens of the Commonwealth and to permit the reasonable expectation of uses in specific zoning categories. Local restriction upon such activities and public events of breweries licensed pursuant to subdivision 2 of § 4.1-208 to market and sell their products shall be reasonable and shall take into account the economic impact on such licensed brewery of such restriction, the agricultural nature of such activities and events, and whether such activities and events are usual and customary for such licensed breweries. Usual and customary activities and events at such licensed breweries shall be permitted unless there is a substantial impact on the health, safety, or welfare of the public. No local ordinance regulating noise, other than outdoor amplified music, arising from activities and events at such licensed breweries shall be more restrictive than that in the general noise ordinance. In authorizing outdoor amplified music at such licensed brewery, the locality shall consider the effect on adjacent property owners and nearby residents.

B. No locality shall regulate any of the following activities of a brewery licensed under subdivision 2 of § 4.1-208:

1. The production and harvesting of barley, other grains, hops, fruit, or other agricultural products and the manufacturing of beer;
2. The on-premises sale, tasting, or consumption of beer during regular business hours within the normal course of business of such licensed brewery;
3. The direct sale and shipment of beer in accordance with Title 4.1 and regulations of the Alcoholic Beverage Control Board;
4. The sale and shipment of beer to licensed wholesalers and out-of-state purchasers in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law;
5. The storage and warehousing of beer in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law; or
6. The sale of beer-related items that are incidental to the sale of beer.

C. Any locality may exempt any brewery licensed in accordance with subdivision 2 of § 4.1-208 on land zoned agricultural from any local regulation of minimum parking, road access, or road upgrade requirements.

(2014, c. 365.)



# VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

## CHAPTER 695

*An Act to amend and reenact §§ 4.1-206, 4.1-231, and 4.1-233 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-2288.3:2, relating to alcoholic beverage control; limited distiller's license.*

[S 1272]

Approved March 27, 2015

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

**1. That §§ 4.1-206, 4.1-231, and 4.1-233 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 15.2-2288.3:2 as follows:**

**§ 4.1-206. Alcoholic beverage licenses.**

The Board may grant the following licenses relating to alcoholic beverages generally:

1. Distillers' licenses, which shall authorize the licensee to manufacture alcoholic beverages other than wine and beer, and to sell and deliver or ship the same, in accordance with Board regulations, in closed containers, to the Board and to persons outside the Commonwealth for resale outside the Commonwealth. When the Board has established a government store on the distiller's licensed premises pursuant to subsection D of § 4.1-119, such license shall also authorize the licensee to make a charge to consumers to participate in an organized tasting event conducted in accordance with subsection G of § 4.1-119 and Board regulations.

2. *Limited distillers' licenses, to distilleries that manufacture not more than 36,000 gallons of alcoholic beverages other than wine or beer per calendar year, provided (i) the distillery is located on a farm in the Commonwealth on land zoned agricultural and owned or leased by such distillery or its owner and (ii) agricultural products used by such distillery in the manufacture of its alcoholic beverages are grown on the farm. Limited distillers' licensees shall be treated as distillers for all purposes of this title except as otherwise provided in this subdivision.*

3. Fruit distillers' licenses, which shall authorize the licensee to manufacture any alcoholic beverages made from fruit or fruit juices, and to sell and deliver or ship the same, in accordance with Board regulations, in closed containers, to the Board and to persons outside the Commonwealth for resale outside the Commonwealth.

~~3-~~ 4. Banquet facility licenses to volunteer fire departments and volunteer rescue squads, which shall authorize the licensee to permit the consumption of lawfully acquired alcoholic beverages on the premises of the licensee by any person, and bona fide members and guests thereof, otherwise eligible for a banquet license. However, lawfully acquired alcoholic beverages shall not be purchased or sold by the licensee or sold or charged for in any way by the person permitted to use the premises. Such premises shall be a fire or rescue squad station or both, regularly occupied as such and recognized by the governing body of the county, city or town in which it is located. Under conditions as specified by Board regulation, such premises may be other than a fire or rescue squad station, provided such other premises are occupied and under the control of the fire department or rescue squad while the privileges of its license are being exercised.

~~4-~~ 5. Bed and breakfast licenses, which shall authorize the licensee to serve alcoholic beverages in dining areas, private guest rooms and other designated areas to persons to whom overnight lodging is being provided, with or without meals, for on-premises consumption only in such rooms and areas, and without regard to the amount of gross receipts from the sale of food prepared and consumed on the premises.

~~5-~~ 6. Tasting licenses, which shall authorize the licensee to sell or give samples of alcoholic beverages of the type specified in the license in designated areas at events held by the licensee. A tasting license shall be issued for the purpose of featuring and educating the consuming public about the alcoholic beverages being tasted. A separate license shall be required for each day of each tasting event. No tasting license shall be required for conduct authorized by § 4.1-201.1.

~~6-~~ 7. Museum licenses, which may be issued to nonprofit museums exempt from taxation under § 501(c)(3) of the Internal Revenue Code, which shall authorize the licensee to (i) permit the consumption of lawfully acquired alcoholic beverages on the premises of the licensee by any bona fide member and guests thereof and (ii) serve alcoholic beverages on the premises of the licensee to any bona fide member and guests thereof. However, alcoholic beverages shall not be sold or charged for in any way by the licensee. The privileges of this license shall be limited to the premises of the museum, regularly occupied and utilized as such.

~~7-~~ 8. Equine sporting event licenses, which may be issued to organizations holding equestrian, hunt and steeplechase events, which shall authorize the licensee to permit the consumption of lawfully acquired alcoholic beverages on the premises of the licensee by patrons thereof during such event.

However, alcoholic beverages shall not be sold or charged for in any way by the licensee. The privileges of this license shall be (i) limited to the premises of the licensee, regularly occupied and utilized for equestrian, hunt and steeplechase events and (ii) exercised on no more than four calendar days per year.

~~8-~~ 9. Day spa licenses, which shall authorize the licensee to (i) permit the consumption of lawfully acquired wine or beer on the premises of the licensee by any bona fide customer of the day spa and (ii) serve wine or beer on the premises of the licensee to any such bona fide customer; however, the licensee shall not give more than two five-ounce glasses of wine or one 12-ounce glass of beer to any such customer, nor shall it sell or otherwise charge a fee to such customer for the wine or beer served or consumed. The privileges of this license shall be limited to the premises of the day spa regularly occupied and utilized as such.

~~9-~~ 10. Motor car sporting event facility licenses, which shall authorize the licensee to permit the consumption of lawfully acquired alcoholic beverages on the premises of the licensee by patrons thereof during such events. However, alcoholic beverages shall not be sold or charged for in any way, directly or indirectly, by the licensee. The privileges of this license shall be limited to those areas of the licensee's premises designated by the Board that are regularly occupied and utilized for motor car sporting events.

~~10-~~ 11. Meal-assembly kitchen license, which shall authorize the licensee to serve wine or beer on the premises of the licensee to any such bona fide customer attending either a private gathering or a special event; however, the licensee shall not give more than two five-ounce glasses of wine or two 12-ounce glasses of beer to any such customer, nor shall it sell or otherwise charge a fee to such customer for the wine or beer served or consumed. The privileges of this license shall be limited to the premises of the meal-assembly kitchen regularly occupied and utilized as such.

~~11-~~ 12. Canal boat operator license, which shall authorize the licensee to permit the consumption of lawfully acquired alcoholic beverages on the premises of the licensee by any bona fide customer attending either a private gathering or a special event; however, the licensee shall not sell or otherwise charge a fee to such customer for the alcoholic beverages so consumed. The privileges of this license shall be limited to the premises of the licensee, including the canal, the canal boats while in operation, and any pathways adjacent thereto. Upon authorization of the licensee, any person may keep and consume his own lawfully acquired alcoholic beverages on the premises in all areas and locations covered by the license.

~~12-~~ 13. Annual arts venue event licenses, to persons operating an arts venue, which shall authorize the licensee participating in a community art walk that is open to the public to serve lawfully acquired wine or beer on the premises of the licensee to adult patrons thereof during such events. However, alcoholic beverages shall not be sold or charged for in any way, directly or indirectly, by the licensee, and the licensee shall not give more than two five-ounce glasses of wine or one 12-ounce glass of beer to any one adult patron. The privileges of this license shall be (i) limited to the premises of the arts venue regularly occupied and used as such and (ii) exercised on no more than 12 calendar days per year.

#### **§ 4.1-231. Taxes on state licenses.**

A. The annual fees on state licenses shall be as follows:

1. Alcoholic beverage licenses. For each:

a. Distiller's license, if not more than 5,000 gallons of alcohol or spirits, or both, manufactured during the year in which the license is granted, \$450; *if more than 5,000 gallons but not more than 36,000 gallons manufactured during such year*, \$2,500; and if more than ~~5,000~~ 36,000 gallons manufactured during such year, \$3,725;

b. Fruit distiller's license, \$3,725;

c. Banquet facility license or museum license, \$190;

d. Bed and breakfast establishment license, \$35;

e. Tasting license, \$40 per license granted;

f. Equine sporting event license, \$130;

g. Motor car sporting event facility license, \$130;

h. Day spa license, \$100;

i. Delivery permit, \$120 if the permittee holds no other license under this title;

j. Meal-assembly kitchen license, \$100;

k. Canal boat operator license, \$100; and

l. Annual arts venue event license, \$100.

2. Wine licenses. For each:

a. Winery license, if not more than 5,000 gallons of wine manufactured during the year in which the license is granted, \$189, and if more than 5,000 gallons manufactured during such year, \$3,725;

b. (1) Wholesale wine license, \$185 for any wholesaler who sells 30,000 gallons of wine or less per year, \$930 for any wholesaler who sells more than 30,000 gallons per year but not more than 150,000 gallons of wine per year, \$1,430 for any wholesaler who sells more than 150,000 but not more than 300,000 gallons of wine per year, and, \$1,860 for any wholesaler who sells more than 300,000 gallons

of wine per year;

(2) Wholesale wine license, including that granted pursuant to § 4.1-207.1, applicable to two or more premises, the annual state license tax shall be the amount set forth in subdivision b (1), multiplied by the number of separate locations covered by the license;

- c. Wine importer's license, \$370;
- d. Retail off-premises winery license, \$145, which shall include a delivery permit;
- e. Farm winery license, \$190 for any Class A license and \$3,725 for any Class B license, each of which shall include a delivery permit;
- f. Wine shipper's license, \$95; and
- g. Internet wine retailer license, \$150.

3. Beer licenses. For each:

a. Brewery license, if not more than 500 barrels of beer manufactured during the year in which the license is granted, \$350; if not more than 10,000 barrels of beer manufactured during the year in which the license is granted, \$2,150; and if more than 10,000 barrels manufactured during such year, \$4,300;

b. Bottler's license, \$1,430;

c. (1) Wholesale beer license, \$930 for any wholesaler who sells 300,000 cases of beer a year or less, and \$1,430 for any wholesaler who sells more than 300,000 but not more than 600,000 cases of beer a year, and \$1,860 for any wholesaler who sells more than 600,000 cases of beer a year;

(2) Wholesale beer license applicable to two or more premises, the annual state license tax shall be the amount set forth in subdivision c (1), multiplied by the number of separate locations covered by the license;

d. Beer importer's license, \$370;

e. Retail on-premises beer license to a hotel, restaurant, club or other person, except a common carrier of passengers by train or boat, \$145; for each such license to a common carrier of passengers by train or boat, \$145 per annum for each of the average number of boats, dining cars, buffet cars or club cars operated daily in the Commonwealth;

f. Retail off-premises beer license, \$120, which shall include a delivery permit;

g. Retail on-and-off premises beer license to a hotel, restaurant, club or grocery store located in a town or in a rural area outside the corporate limits of any city or town, \$300, which shall include a delivery permit;

h. Beer shipper's license, \$95; and

i. Retail off-premises brewery license, \$120, which shall include a delivery permit.

4. Wine and beer licenses. For each:

a. Retail on-premises wine and beer license to a hotel, restaurant, club or other person, except a common carrier of passengers by train, boat or airplane, \$300; for each such license to a common carrier of passengers by train or boat, \$300 per annum for each of the average number of boats, dining cars, buffet cars or club cars operated daily in the Commonwealth, and for each such license granted to a common carrier of passengers by airplane, \$750;

b. Retail on-premises wine and beer license to a hospital, \$145;

c. Retail off-premises wine and beer license, including each gift shop, gourmet shop and convenience grocery store license, \$230, which shall include a delivery permit;

d. Retail on-and-off premises wine and beer license to a hotel, restaurant or club, \$600, which shall include a delivery permit;

e. Banquet license, \$40 per license granted by the Board, except for banquet licenses granted by the Board pursuant to subsection A of § 4.1-215 for events occurring on more than one day, which shall be \$100 per license;

f. Gourmet brewing shop license, \$230;

g. Wine and beer shipper's license, \$95;

h. Annual banquet license, \$150;

i. Fulfillment warehouse license, \$120;

j. Marketing portal license, \$150; and

k. Gourmet oyster house license, \$230.

5. Mixed beverage licenses. For each:

a. Mixed beverage restaurant license granted to persons operating restaurants, including restaurants located on premises of and operated by hotels or motels, or other persons:

(i) With a seating capacity at tables for up to 100 persons, \$560;

(ii) With a seating capacity at tables for more than 100 but not more than 150 persons, \$975; and

(iii) With a seating capacity at tables for more than 150 persons, \$1,430.

b. Mixed beverage restaurant license for restaurants located on the premises of and operated by private, nonprofit clubs:

(i) With an average yearly membership of not more than 200 resident members, \$750;

(ii) With an average yearly membership of more than 200 but not more than 500 resident members, \$1,860; and

(iii) With an average yearly membership of more than 500 resident members, \$2,765.

- c. Mixed beverage caterer's license, \$1,860;
- d. Mixed beverage limited caterer's license, \$500;
- e. Mixed beverage special events license, \$45 for each day of each event;
- f. Mixed beverage club events licenses, \$35 for each day of each event;
- g. Annual mixed beverage special events license, \$560;
- h. Mixed beverage carrier license:
  - (i) \$190 for each of the average number of dining cars, buffet cars or club cars operated daily in the Commonwealth by a common carrier of passengers by train;
  - (ii) \$560 for each common carrier of passengers by boat;
  - (iii) \$1,475 for each license granted to a common carrier of passengers by airplane.
- i. Annual mixed beverage amphitheater license, \$560;
- j. Annual mixed beverage motor sports race track license, \$560;
- k. Annual mixed beverage banquet license, \$500;
- l. Limited mixed beverage restaurant license:
  - (i) With a seating capacity at tables for up to 100 persons, \$460;
  - (ii) With a seating capacity at tables for more than 100 but not more than 150 persons, \$875;
  - (iii) With a seating capacity at tables for more than 150 persons, \$1,330;
- m. Annual mixed beverage motor sports facility license, \$560; and
- n. Annual mixed beverage performing arts facility license, \$560.
- 6. Temporary licenses. For each temporary license authorized by § 4.1-211, one-half of the tax imposed by this section on the license for which the applicant applied.

B. The tax on each such license, except banquet and mixed beverage special events licenses, shall be subject to proration to the following extent: If the license is granted in the second quarter of any year, the tax shall be decreased by one-fourth; if granted in the third quarter of any year, the tax shall be decreased by one-half; and if granted in the fourth quarter of any year, the tax shall be decreased by three-fourths.

If the license on which the tax is prorated is a distiller's license to manufacture not more than 5,000 gallons of alcohol or spirits, or both, during the year in which the license is granted, or a winery license to manufacture not more than 5,000 gallons of wine during the year in which the license is granted, the number of gallons permitted to be manufactured shall be prorated in the same manner.

Should the holder of a distiller's license or a winery license to manufacture not more than 5,000 gallons of alcohol or spirits, or both, or wine, apply during the license year for an unlimited distiller's or winery license, such person shall pay for such unlimited license a license tax equal to the amount that would have been charged had such license been applied for at the time that the license to manufacture less than 5,000 gallons of alcohol or spirits or wine, as the case may be, was granted, and such person shall be entitled to a refund of the amount of license tax previously paid on the limited license.

Notwithstanding the foregoing, the tax on each license granted or reissued for a period of less than 12 months shall be equal to one-twelfth of the taxes required by subsection A computed to the nearest cent, multiplied by the number of months in the license period.

C. Nothing in this chapter shall exempt any licensee from any state merchants' license or state restaurant license or any other state tax. Every licensee, in addition to the taxes imposed by this chapter, shall be liable to state merchants' license taxation and state restaurant license taxation and other state taxation the same as if the alcoholic beverages were nonalcoholic. In ascertaining the liability of a beer wholesaler to merchants' license taxation, however, and in computing the wholesale merchants' license tax on a beer wholesaler, the first \$163,800 of beer purchases shall be disregarded; and in ascertaining the liability of a wholesale wine distributor to merchants' license taxation, and in computing the wholesale merchants' license tax on a wholesale wine distributor, the first \$163,800 of wine purchases shall be disregarded.

#### **§ 4.1-233. Taxes on local licenses.**

A. In addition to the state license taxes, the annual local license taxes which may be collected shall not exceed the following sums:

- 1. Alcoholic beverages. - For each:
  - a. Distiller's license, *if more than 5,000 gallons but not more than 36,000 gallons manufactured during such year, \$750; if more than 36,000 gallons manufactured during such year, \$1,000; and no local license shall be required for any person who manufactures not more than 5,000 gallons of alcohol or spirits, or both, during such license year;*
  - b. Fruit distiller's license, \$1,500;
  - c. Bed and breakfast establishment license, \$40;
  - d. Museum license, \$10;
  - e. Tasting license, \$5 per license granted;
  - f. Equine sporting event license, \$10;
  - g. Day spa license, \$20;
  - h. Motor car sporting event facility license, \$10;
  - i. Meal-assembly kitchen license, \$20;

- j. Canal boat operator license, \$20; and
- k. Annual arts venue event license, \$20.
- 2. Beer. - For each:
  - a. Brewery license, if not more than 500 barrels of beer manufactured during the year in which the license is granted, \$250, and if more than 500 barrels of beer manufactured during the year in which the license is granted, \$1,000;
  - b. Bottler's license, \$500;
  - c. Wholesale beer license, in a city, \$250, and in a county or town, \$75;
  - d. Retail on-premises beer license for a hotel, restaurant or club and for each retail off-premises beer license in a city, \$100, and in a county or town, \$25; and
  - e. Beer shipper's license, \$10.
- 3. Wine. - For each:
  - a. Winery license, \$50;
  - b. Wholesale wine license, \$50;
  - c. Farm winery license, \$50; and
  - d. Wine shipper's license, \$10.
- 4. Wine and beer. - For each:
  - a. Retail on-premises wine and beer license for a hotel, restaurant or club; and for each retail off-premises wine and beer license, including each gift shop, gourmet shop and convenience grocery store license, in a city, \$150, and in a county or town, \$37.50;
  - b. Hospital license, \$10;
  - c. Banquet license, \$5 for each license granted, except for banquet licenses granted by the Board pursuant to subsection A of § 4.1-215 for events occurring on more than one day, which shall be \$20 per license;
  - d. Gourmet brewing shop license, \$150;
  - e. Wine and beer shipper's license, \$10;
  - f. Annual banquet license, \$15; and
  - g. Gourmet oyster house license, in a city, \$150, and in a county or town, \$37.50.
- 5. Mixed beverages. - For each:
  - a. Mixed beverage restaurant license, including restaurants located on the premises of and operated by hotels or motels, or other persons:
    - (i) With a seating capacity at tables for up to 100 persons, \$200;
    - (ii) With a seating capacity at tables for more than 100 but not more than 150 persons, \$350; and
    - (iii) With a seating capacity at tables for more than 150 persons, \$500.
  - b. Private, nonprofit club operating a restaurant located on the premises of such club, \$350;
  - c. Mixed beverage caterer's license, \$500;
  - d. Mixed beverage limited caterer's license, \$100;
  - e. Mixed beverage special events licenses, \$10 for each day of each event;
  - f. Mixed beverage club events licenses, \$10 for each day of each event;
  - g. Annual mixed beverage amphitheater license, \$300;
  - h. Annual mixed beverage motor sports race track license, \$300;
  - i. Annual mixed beverage banquet license, \$75;
  - j. Limited mixed beverage restaurant license:
    - (i) With a seating capacity at tables for up to 100 persons, \$100;
    - (ii) With a seating capacity at tables for more than 100 but not more than 150 persons, \$250;
    - (iii) With a seating capacity at tables for more than 150 persons, \$400;
  - k. Annual mixed beverage motor sports facility license, \$300; and
  - l. Annual mixed beverage performing arts facility license, \$300.
- B. Common carriers. - No local license tax shall be either charged or collected for the privilege of selling alcoholic beverages in (i) passenger trains, boats or airplanes and (ii) rooms designated by the Board of establishments of air carriers of passengers at airports in the Commonwealth for on-premises consumption only.
- C. Merchants' and restaurants' license taxes. - The governing body of each county, city or town in the Commonwealth, in imposing local wholesale merchants' license taxes measured by purchases, local retail merchants' license taxes measured by sales, and local restaurant license taxes measured by sales, may include alcoholic beverages in the base for measuring such local license taxes the same as if the alcoholic beverages were nonalcoholic. No local alcoholic beverage license authorized by this chapter shall exempt any licensee from any local merchants' or local restaurant license tax, but such local merchants' and local restaurant license taxes may be in addition to the local alcoholic beverage license taxes authorized by this chapter.
- The governing body of any county, city or town, in adopting an ordinance under this section, shall provide that in ascertaining the liability of (i) a beer wholesaler to local merchants' license taxation under the ordinance, and in computing the local wholesale merchants' license tax on such beer wholesaler, purchases of beer up to a stated amount shall be disregarded, which stated amount shall be



the amount of beer purchases which would be necessary to produce a local wholesale merchants' license tax equal to the local wholesale beer license tax paid by such wholesaler and (ii) a wholesale wine licensee to local merchants' license taxation under the ordinance, and in computing the local wholesale merchants' license tax on such wholesale wine licensee, purchases of wine up to a stated amount shall be disregarded, which stated amount shall be the amount of wine purchases which would be necessary to produce a local wholesale merchants' license tax equal to the local wholesale wine licensee license tax paid by such wholesale wine licensee.

D. Delivery. - No county, city or town shall impose any local alcoholic beverages license tax on any wholesaler for the privilege of delivering alcoholic beverages in the county, city or town when such wholesaler maintains no place of business in such county, city or town.

E. Application of county tax within town. - Any county license tax imposed under this section shall not apply within the limits of any town located in such county, where such town now, or hereafter, imposes a town license tax on the same privilege.

**§ 15.2-2288.3:2. Limited distiller's license; local regulation of certain activities.**

A. *Local restriction upon activities of distilleries licensed pursuant to subdivision 2 of § 4.1-206 to market and sell their products shall be reasonable and shall take into account the economic impact on such licensed distillery of such restriction, the agricultural nature of such activities and events, and whether such activities and events are usual and customary for such licensed distilleries. Usual and customary activities and events at such licensed distilleries shall be permitted unless there is a substantial impact on the health, safety, or welfare of the public.*

B. *No locality shall regulate any of the following activities of a distillery licensed under subdivision 2 of § 4.1-206:*

1. *The production and harvesting of agricultural products and the manufacturing of alcoholic beverages other than wine or beer;*

2. *The on-premises sale, tasting, or consumption of alcoholic beverages other than wine or beer during regular business hours in accordance with a contract between a distillery and the Alcoholic Beverage Control Board pursuant to the provisions of subsection D of § 4.1-119;*

3. *The sale and shipment of alcoholic beverages other than wine or beer to licensed wholesalers and out-of-state purchasers in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law;*

4. *The storage and warehousing of alcoholic beverages other than wine or beer in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law; or*

5. *The sale of items related to alcoholic beverages other than wine or beer that are incidental to the sale of such alcoholic beverages.*

C. *Any locality may exempt any distillery licensed in accordance with subdivision 2 of § 4.1-206 on land zoned agricultural from any local regulation of minimum parking, road access, or road upgrade requirements.*



## ORDINANCE AMENDMENT

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**Action:**

PLANNING COMMISSION: July 15, 2015

Recommended Approval

BOARD OF SUPERVISORS: August 12, 2015   ☐ APPROVED   ☐ DENIED

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### **AN ORDINANCE AMENDING THE FREDERICK COUNTY CODE CHAPTER 165 ZONING**

#### **ARTICLE IV - AGRICULTURAL AND RESIDENTIAL DISTRICTS PART 401 – RA RURAL AREAS DISTRICT §165-401.02 – PERMITTED USES**

#### **ARTICLE II – SUPPLEMENTARY USE REGULATIONS, PARKING, BUFFERS, AND REGULATIONS FOR SPECIFIC USES PART 204 – ADDITIONAL REGULATIONS FOR SPECIFIC USES §165-204.22 – FARM WINERIES**

#### **ARTICLE I – GENERAL PROVISIONS, AMENDMENTS, AND CONDITIONAL USE PERMITS PART 101 – GENERAL PROVISIONS §165-101.02 – DEFINITIONS AND WORD USAGE**

**WHEREAS**, an ordinance to amend Chapter 165, Zoning to the farm winery text to include allowances for farm breweries and farm distilleries, new and updated definitions, and revised regulations for wineries, breweries and distilleries was considered; and

**WHEREAS**, the Planning Commission held a public hearing on this ordinance on July 15, 2015; and

**WHEREAS**, the Board of Supervisors held a public hearing on this ordinance on August 12, 2015; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that **Chapter 165 Zoning, is amended to modify Article IV – Agricultural and Residential Districts, Part 401 – RA Rural Areas District; §165-401.02 – Permitted Uses; Article II, Part 204 – Supplementary Use Regulations, Parking, Buffers, and Regulations for Specific Uses, §165-204.22 - Farm Wineries; Part 101 – General Provisions, Article I – General Provisions, Amendments, and Conditional Use Permits, §165-101.02 – Definitions and Word Usage;** to include allowances for farm breweries and farm distilleries, new and updated definitions, and revised regulations for wineries, breweries and distilleries.

Passed this 12th day of August, 2015 by the following recorded vote:

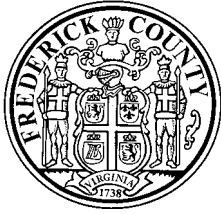
Richard C. Shickle, Chairman	_____	Gary A. Lofton	_____
Robert A. Hess	_____	Charles S. DeHaven, Jr.	_____
Gene E. Fisher	_____	Jason E. Ransom	_____
Robert W. Wells	_____		

**A COPY ATTEST**

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Brenda G. Garton  
Frederick County Administrator

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## AGRICULTURAL & FORESTAL DISTRICT UPDATE SOUTH FREDERICK ADDITION

Staff Report for the Planning Commission

Prepared: July 27, 2015

Staff Contact: Mark Cheran, Zoning Administrator

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	<u>Reviewed</u>	<u>Action</u>
Agricultural District Advisory Committee:	06/24/15	Recommended Approval
Planning Commission:	07/15/15	Public Hearing Held; Recommended Approval
Board of Supervisors:	08/12/15	Pending

**PROPOSAL:** Addition of a 175.00+/- acre parcel to the South Frederick Agricultural and Forestal District.

**LOCATION:** This addition located along Conestoga Lane.

**MAGISTERIAL DISTRICT:** Back Creek Magisterial District.

### **EXECUTIVE SUMMARY FOR THE 08/12/15 BOARD OF SUPERVISORS MEETING:**

This is a request to the Frederick County Board of Supervisors to add a 175.00+/- acre parcel to the South Frederick Agricultural and Forestal District. The District currently has a total of 5,845.90+/- acres. This District addition meets the intent of Chapter 43, Section 15.2-4300 of the Code of Virginia, 1950, as amended, and has been evaluated in conjunction with the 2030 Comprehensive Plan. If approved with the additional 175.00+/- acre parcel, the District would now have a total of 6,020.90+/- acres. The 2015-2020 South Frederick Agricultural and Forestal District is a valid Agricultural and Forestal District through May 27, 2020. **The Agricultural District Advisory Committee (ADAC) unanimously recommended approval of the 175.00+/- acre 2015-2020 South Frederick Agricultural and Forestal District at their meeting on June 24, 2015. The Planning Commission unanimously recommended approval of the 175.00+/- acre 2015-2020 South Frederick Agricultural and Forestal District at their meeting on July 15, 2015.**

*Following a public hearing, Board action of this 175+/- acre addition to South Frederick Agricultural District would be appropriate.*



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*This report is prepared by the Frederick County Planning Staff to provide information to the Agricultural District Advisory Committee, 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 matter. Unresolved issues concerning this application are noted by staff where relevant throughout this staff report.*

	<u>Reviewed</u>	<u>Action</u>
<b>Agricultural District Advisory Committee:</b>	06/24/15	Recommended Approval
<b>Planning Commission:</b>	07/15/15	Public Hearing Held; Recommended Approval
<b>Board of Supervisors:</b>	08/12/15	Pending

This is a request to the Frederick County Board of Supervisors to enlarge the South Frederick Agricultural and Forestal District. This request is to add one parcel of 175.00+/- acres.

Chapter 43, Section 15.2-4300 of the Code of Virginia, 1950, as amended, enables local governments to establish Agricultural and Forestal Districts to conserve and protect agricultural and forestal lands for the production of food and other agricultural products and to provide natural and ecological resources. The Code of Virginia requires the local governing body to establish an ADAC for the purpose of reviewing proposals that establish or renew Districts to ensure conformity with the provisions of Section 15.2-4300. This District has update on May 27, 2015. Ultimately, the Board of Supervisors approves, approves with modifications, or denies the proposal to add to an Agricultural and Forestal District.

#### **LOCATION AND SIZE:**

This 175 +/- acre parcel is located in the Back Creek Magisterial District along Conestoga Lane. The South Frederick Agricultural and Forestal District currently contains 5,845.90+/- acres. The proposed addition of this parcel (Tax Map Number: 85-A-3) of 175.00+/- acres will increase the District to a total acreage 6,020.90+/- acres.

#### **AGRICULTURAL & FORESTAL SIGNIFICANCE:**

The agricultural operations in the District are 90 percent agriculture (orchard, and crop harvesting) and 10 percent open-space/woodlands. This parcel is agriculture in nature. The area within the District is rural in nature.

#### **LAND USE:**

The parcel is agricultural and residential use.

#### **COMPREHENSIVE PLAN:**

The 2030 Comprehensive Policy Plan of Frederick County (Comp Plan) provides guidance when considering land use actions. The District is outside the Urban Development Area (UDA) and Sewer and Water Service Area (SWSA), and is not part of any land use plan or study by the County. The current land use should remain in its present land use of pristine condition with orchards, agricultural, and residential.

The intent of the Rural Areas is to maintain agriculture as a significant portion of the County's economy and to maintain the rural character of areas outside of the Urban Development Area. The Comprehensive Plan can accomplish this by promoting the inclusion of additional land in Agricultural and Forestal Districts. The Comprehensive Plan supports the addition of this parcel, for it provides an opportunity for the agribusiness community to conduct long range planning efforts for the management of their operations, while providing a reserve of agricultural land through the year 2020.

**LAKES/PONDS/STREAMS:**

The parcel lies primarily within the Opequon Creek and Stephens Run drainage area. The parcel will assist with managing the quality of the County's water resources.

**SOILS:**

The general relief of the parcel varies from rolling hills to flat land to the north, west, south and east. This parcel lies within the Opequon Creek watershed and water is available from ponds, wells and springs.

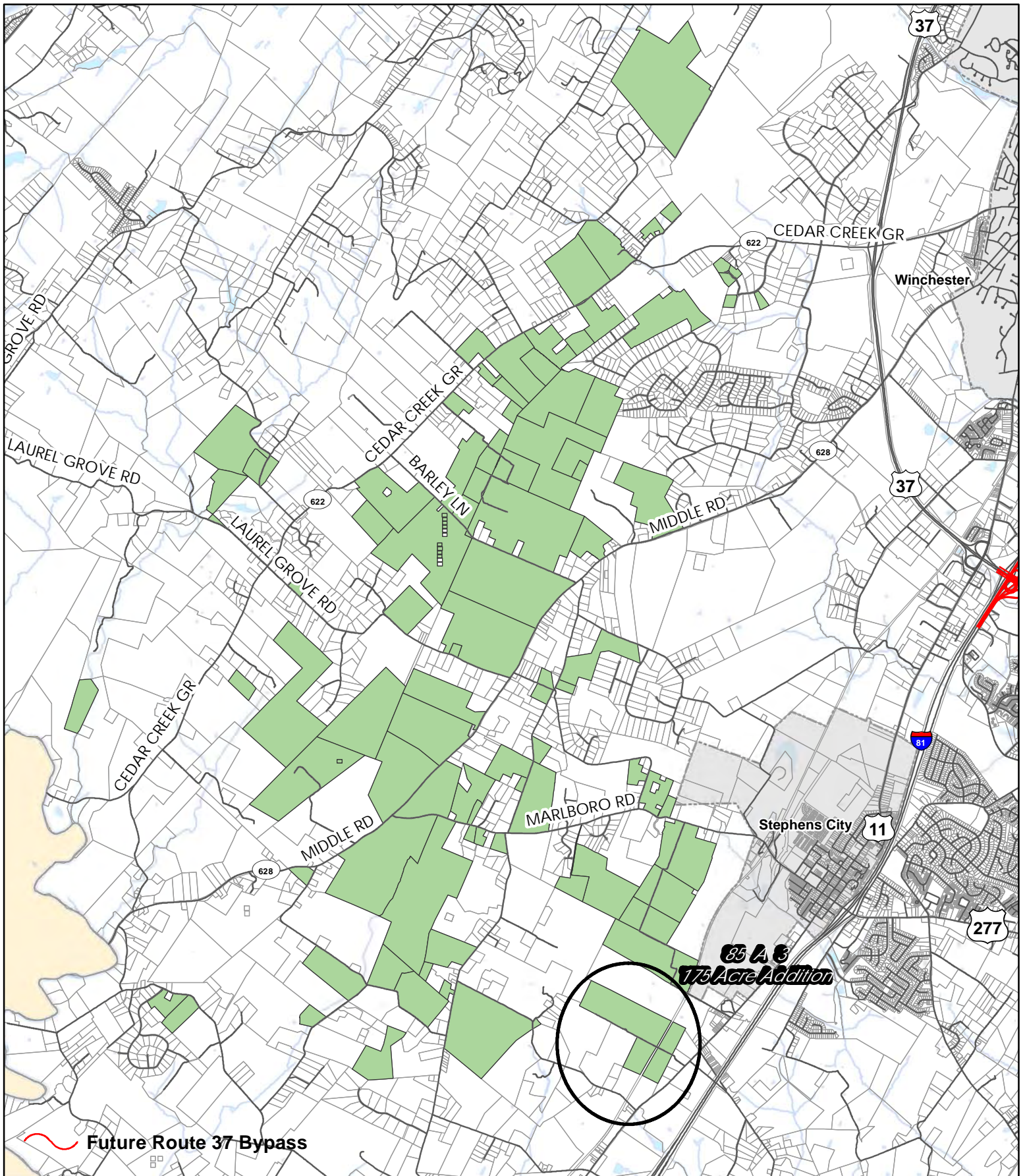
**PRIME AGRICULTURE SOIL:**

The largest amount of prime agricultural soils located on the parcel is Frederick-Poplimento.

**STAFF CONCLUSIONS FOR THE 08/12/15 FREDERICK COUNTY BOARD OF SUPERVISORS MEETING:**

Based on this information, staff feels that this addition is agriculturally significant as outlined in the Agricultural and Forestal Districts Act. Furthermore, this addition would conform to the County's Comprehensive Policy Plan which labels the area as rural. This is a request to the Frederick County Planning Commission to enlarge the South Frederick Agricultural and Forestal District. The South Frederick Agricultural and Forestal District, has a total of 5,845.90+/- acres. This addition meets the intent of Chapter 43, Section 15.2-4300 of the Code of Virginia, 1950, as amended, and has been evaluated in conjunction with the 2030 Comprehensive Plan. This addition to the District provides an opportunity for the agribusiness community to conduct long range planning efforts for the management of their operations, while providing a reserve of agricultural land through the year 2020. Should this additional 175.00 +/- acre parcel be approved, the 6,020.90+/- acres District will be referred to as the 2015-2020 South Frederick Agricultural and Forestal District and will be a valid Agricultural and Forestal District through May 27, 2020. **The Agricultural District Advisory Committee (ADAC) unanimously recommended approval of the 175+/- acre 2015-2020 South Frederick Agricultural and Forestal District at their meeting on June 24, 2015. The Planning Commission unanimously recommended approval of the 175+/- acre 2015-2020 South Frederick Agricultural and Forestal District at their meeting on July 15, 2015.**

*Following a public hearing, Board action of this 175+/- acre addition to South Frederick Agricultural District would be appropriate.*



District Acreage: 6,020.90 Ac.



## 2015-2020 South Frederick Addition Agricultural & Forestal District

Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: May 28, 2015

0 0.425 0.85 1.7 Miles

Post Office Box 582  
Stephens City, Va. 22655

May 6, 2015

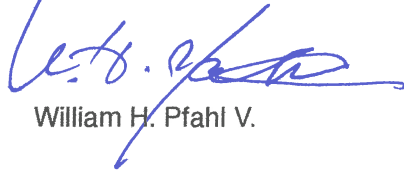
Zoning Admin.  
Mark Cheran  
107 N. Kent St.  
Winchester, Va. 22601

Sir;

Request that you please enter my property in Agricultural District here in Frederick County.

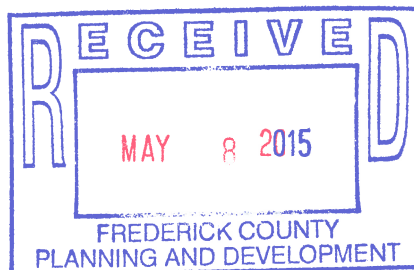
The property location is Tax Map reference 85-A-3, owner listed as; Pfahl, Margaret B. Et Als, or more recently as William H. Pfahl V. at the above address.

Thank you.



William H. Pfahl V.

175 AC





## ADDITION

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**Action:**

PLANNING COMMISSION: July 15, 2015 - Recommended Approval

BOARD OF SUPERVISORS: August 12, 2015 ☐APPROVED☐ DENIED

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### ADDITION TO THE SOUTH FREDERICK AGRICULTURAL & FORESTAL DISTRICT

**WHEREAS**, a proposal to increase the South Frederick Agricultural & Forestal District by 175 acres, was considered. The property is located in the Back Creek Magisterial District along Conestoga Lane and is identified by Property Identification Number 85-A-3.

**WHEREAS**, The Agricultural District Advisory Committee (ADAC) recommended approval of this proposal on June 24, 2015; and

**WHEREAS**, the Planning Commission held a public hearing and recommended approval on this proposal to increase the South Frederick Agricultural & Forestal District on July 15, 2015; and

**WHEREAS**, the Board of Supervisors held a public hearing on this proposal to increase the South Frederick Agricultural & Forestal District on August 12, 2015; and

**WHEREAS**, the Frederick County Board of Supervisors finds the addition to the South Frederick Agricultural & Forestal District contributes to the conservation and preservation of agricultural and forestal land in Frederick County;

**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors as follows:

The Frederick County Board of Supervisors hereby increases the 2015-2020 South Frederick Agricultural & Forestal District by 175 acres, to a total of 6,020.90 acres in the Back Creek Magisterial District, with an expiration and renewal date of May 27, 2020. This Agricultural & Forestal District is as described on the attached map.



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

Passed this 12th day of August, 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

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## MEMORANDUM

TO: Frederick County Board of Supervisors

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

SUBJECT: **Public Hearing - Consideration for Inclusion of Parcels of Less Than 5 Acres Into the 2015-2020 Agricultural and Forestal Districts**

DATE: July 27, 2015

On May 27, 2015, the Board of Supervisors adopted the updated 2015-2020 Agricultural and Forestal Districts. The Board also requested that staff prepare proper legal advertisements and property owner notifications to enable the Board to consider including 46 parcels, each less than five (5) acres in size, into the 2015-2020 Agricultural and Forestal Districts. Staff has now properly advertised the 46 parcels for consideration for inclusion in the Districts. The owners of the 46 parcels have been notified about their potential inclusion (and exclusion) in the Districts, as have the adjoining property owners. The Agricultural District Advisory Committee (ADAC) and the Planning Commission (PC) have each held meetings, accepted public comment, and have forwarded a recommendation regarding the inclusion of the 46 parcels into the Districts. The ADAC recommended that all 46 parcels be included in the 2015-2020 Agricultural Districts. The PC recommended that 24 of the parcels be included. Please see the attached Table (Attachment 3) which identifies those specific properties the ADAC and PC recommended for inclusion.

*Following a public hearing scheduled for August 12, 2015, the Board of Supervisors will be positioned to act on the request of the 46 property owners for inclusion in the 2015-2020 Agricultural Districts.*

Attached to this memorandum for your review are:

1. Minutes of June 24, 2015 ADAC meeting.
2. Minutes of July 15, 2015 Planning Commission.
3. **List of forty-six (46) properties less than five (5) acres proposed for inclusion in the Agricultural and Forestal District, and recommendations of disposition.**
4. Location maps of the forty-six (46) parcels demonstrating the influence of the 200 foot Agricultural District setback on adjoining properties.
5. Letter sent to property owners requesting their participation in the ADAC's June 24, 2015.

## **Background:**

The County's Agricultural and Forestal District Program is intended to recognize, promote, embrace, and protect our agricultural economy. One strategy utilized to protect agricultural operations is an ordinance requirement that establishes a 200-foot building setback against the agricultural district; essentially working to minimize impacts on agricultural activities from non-agricultural structures. The 200-foot building setback (i.e. 'buffer') from Agricultural Districts was adopted into the Zoning Ordinance on May 28, 2007.

In February 2015, the Agricultural District Advisory Committee (ADAC) found that parcels less than five (5) acres, not in the Land Use Assessment Program, and in an Agricultural District, could be placing unintended restrictions on adjacent properties. The concern was that placement of these parcels of less than five (5) acres in size into the Agricultural District did not clearly further agriculture pursuits and interests, yet the resulting 200-foot setback placed greater restrictions on their adjacent neighbors. Essentially, someone with a two (2) acre parcel could control development activity on their two (2) acres as well as their neighbor's two (2) acres (when the 200-ft setback was applied). At their April 20, 2015 meeting, the ADAC recommended that such properties not be included in the Agricultural District. On May 20, 2015, the Planning Commission endorsed the ADAC's April 20, 2015 recommendation.

On May 27, 2015, the Frederick County Board of Supervisors adopted the eight (8) 2015-2020 Agricultural and Forestal Districts totaling 11,425 acres. Forty-six (46) parcels totaling eighty-seven (87) acres were not included in the adopted 2015-2020 Agricultural and Forestal Districts. These forty-six (46) parcels were each less than five (5) acres in size and were not participants in the County's Land Use Assessment Program. During the Board's public hearing, a number of property owner's voiced concern that they wanted their smaller parcels included in the Agricultural Districts, and more importantly, were not aware that their parcels were not included in the Planning Commission's recommendation, nor had their parcels been advertised for inclusion. ***On May 27, 2015, the Board of Supervisors requested that each of these parcels be given further consideration, and that the property owners be given an opportunity to participate in the evaluation.***

In response to the Board of Supervisors' May 27, 2015 request, the ADAC held a meeting on June 24, 2015, to reconsider including the forty-six (46) parcels of less than five (5) acres into the County's Agricultural and Forestal Districts. Staff presented for review each of the forty-six (46) parcels previously not included in the District. The property owners were offered an opportunity to voice their position regarding placement of their less than 5 acre parcels into the Agricultural and Forestal District. A number of property owners attended the meeting and voiced their preference that their parcels be included in the Agricultural and Forestal Districts. The ADAC discussion did include a review of how placement of a parcel into an Agricultural and

Forestal District would place additional setback restrictions of 200 feet on adjoining properties. Ultimately, the ADAC supported the interests of property owners wanting participation and inclusion in the Agricultural and Forestal Districts. ***The ADAC recommended that all forty-six (46) parcels be included in their respective Districts.***

The Planning Commission held a public hearing on July 15, 2015, to review the forty-six (46) parcels. Several property owners spoke to request that their property remain in the Agricultural and Forestal Districts. One adjacent property owner expressed his concern that a 200-foot setback would render his property unbuildable – devaluing the property from approximately \$70-80,000 to less than \$20,000.

The Planning Commission noted that the County's Agricultural and Forestal District Program is intended to recognize, promote, and protect our agricultural economy. The strategy utilized to protect agricultural operations is an ordinance requirement that establishes a 200-foot building setback against the agricultural district; essentially working to minimize impacts on agricultural activities from non-agricultural structures. The Planning Commissioners questioned if it was appropriate that parcels less than five (5) acres be included within an Agricultural and Forestal District, as these parcels would be placing unintended restrictions on adjacent properties not in an Agricultural and Forestal District.

At the request of numerous Planning Commission members, and prior to its July 15, 2015 meeting, staff broke down the forty-six (46) affected properties into three groups for evaluation and review. The first group was properties encapsulated/surrounded by existing Agricultural and Forestal Districts. The second group was properties that were neither adjacent nor encapsulated by existing Agricultural and Forestal Districts. The third group was properties adjacent to an existing Agricultural and Forestal District. A table of the three groups has been included with this memorandum for your review. (Attachment 3)

The Planning Commission in reviewing the forty-six (46) parcels of less than five (5) acres believed that the increased setback to adjoining properties not in the Agricultural and Forestal District did place unintended restrictions on adjacent properties. Furthermore, the Planning Commission felt the undue burden placed on the effected property owner was not the intent of the Agricultural and Forestal Districts; the effected property owner would require relief from the greater setback and this relief could only be accomplished by a variance via the Board of Zoning Appeals at a cost of \$400.00.



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Memorandum to Board of Supervisors

Public Hearing – Consideration for Inclusion of Parcels of Less than 5 Acres into the 2015-2020

Agricultural and Forestal Districts

July 27, 2015

**The Planning Commission, using the 3 part table, recommended the following actions (See Attachment 3):**

- **22 Parcels with a total of 61.95 +/- acres not be added to the districts.**
- **24 Parcels with a total of 46.35 +/- acres to be added to the districts.**

The total acreage of the County's eight (8) Agricultural and Forestal Districts as a result of the Planning Commission recommendation would be 11,646.35 +/- acres.

**MEETING SUMMARY**  
**OF THE**  
**AGRICULTURAL DISTRICT ADVISORY COMMITTEE**

Held in the Board of Supervisors Room of the Frederick County Administration Building at 107 North Kent Street in Winchester, Virginia on June 24, 2015.

**PRESENT:** Carly C. Ay, Stonewall District; Dudley H. Rinker, Back Creek District; John Stelzl, Opequon District; John D. Cline, Stonewall District; and Cordell L. Watt, Gainesboro District

**ABSENT:** Harman Brumback, Back Creek District; Jason McDonald, Shawnee District; and John R. Marker, Back Creek District Alternate

**Staff:** Eric Lawrence, Director of Planning & Development; Mark R. Cheran, Zoning Administrator; and Pam Deeter, Secretary

**OTHER:** Ellen Murphy, Commissioner of Revenue; Seth Thatcher, Assessor; and eight property owners and/or representatives.

The meeting was called to order by Mr. Cheran. Items one and two on the agenda are two new properties that want to come into the Agricultural and Forestal District. Item three on the agenda is 46 properties that were not included in the renewal of the 2015-2020 Agricultural and Forestal District, for which the Board of Supervisors requests a re-evaluation.

Mr. Cheran stated that people continue to express a desire to be included in the Agricultural District; the agenda this evening is an opportunity to consider their addition to the District.

**Item 1: Addition of 5 acres, PIN 43-A-159A, to 2015-2020 Red Bud Agricultural and Forestal District**

This is a request to the Frederick County Agricultural District Advisory Committee (ADAC) to add a 5.0+/- acre parcel, PIN 43-A-159A, to the 2015-2020 Red Bud Agricultural and Forestal District. The parcel is located along Red Bud Road and the District currently has 985.59 acres. If approved this would increase the 2015-2020 Red Bud Agricultural and Forestal District to 990.5+/- acres. This addition meets the intent of Chapter 43, Section 15.2-4300 of the Code of Virginia, and has been evaluated in conjunction with the 2030 Comprehensive Plan which keeps this area rural in nature.

On a motion made by Mr. Rinker and seconded by Mr. Watt, the ADAC recommended approval of the addition of the 5.0+/- acres, PIN 43-A-159A, to the 2015-2020 Red Bud Agricultural and Forestal District.

**Item 2: Addition of 175 acres, PIN 85-A-3, to 2015-2020 South Frederick Agricultural and Forestal District**

This is a request to the Frederick County Agricultural District Advisory Committee (ADAC) to add a 175-acre parcel, PIN 85-A-3, to the 2015-2020 South Frederick Agricultural and Forestal District. The parcel is located along Conestoga Lane. If approved this would increase the 2015-2020 South Frederick Agricultural and Forestal District to 6,020.90+/- acres. This addition meets the intent of Chapter 43, Section 15.2-4300 of the Code of Virginia, and has been evaluated in conjunction with the 2030 Comprehensive Plan which keeps this area rural in nature.

On a motion made by Mr. Watt and seconded by Mr. Rinker, the ADAC recommended approval of the addition of the 175 acres, PIN 85-A-3, to the 2015-2020 South Frederick Agricultural and Forestal District.

**Item 3: Re-Evaluation of the addition of 46 parcels, totaling 87 acres, to various Agricultural and Forestal Districts.**

Mr. Cheran gave background information that at the ADAC meeting in February 2015, ADAC discussed whether properties that were less than 5 acres in size and not in the County Land Use Assessment Program should be included in an agricultural and forestal district. These properties' placement in the District could impact adjacent property owners by requiring a building setback of 200 foot from agricultural district boundaries. The ADAC recommended that such properties not be included in the Agricultural and Forestal District.

The Board of Supervisors met on May 27, 2015, and adopted the eight 2015-2020 Agricultural and Forestal Districts totaling 11,425 acres which did not include 46 parcels (total 87 acres) that were less than 5 acres in size, and not in the County's Land Use Assessment Program. The Board of Supervisors requested that the ADAC review the 46 parcels, and permit the 46 property owners the opportunity to participate in the evaluation.

Before the presentation started, an ADAC member spoke about the importance of small parcels which helped create the individual Agricultural and Forestal Districts, which these landowners support agricultural in the County, and therefore should be included in the agricultural district program.

Mr. Cheran stated that as the ADAC reviews the 46 parcels, staff will present an illustrative map of each parcel, and include the 200 foot buffer area on adjacent properties to depict the potential setback restriction on an adjacent property's use.

**PIN 42-A-61** Mr. Cheran started his presentation with the Albin District. This parcel is owned by DTS LC and the size of the parcel is 2.50 acres. A committee member spoke and said that it is the right of landowner if he wants to be in the Agricultural District to protect them. It was noted that the parcel is surrounded by the Agricultural District, and there are no adjacent houses. On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN 42-A-61 into the 2015-2020 Albin Agricultural and Forestal District.

**PIN(s) 31-A-170 and 31-A-171** Located in the Apple Pie Ridge District, these two parcels are owned by Fruit Hill Orchard Inc. One parcel has 0.34 acres and the other 1.07 acres. Again the map is showing a 200 foot setback of how it would affect adjoining property owners. A committee member confirmed that these properties already adjoin an orchard.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN(s) 31-A-170 and 31-A-171 into the 2015-2020 Apple Pie Ridge Agricultural and Forestal District.

**PIN 85-A-25** The next 10 properties are located in the Double Church Agricultural and Forestal District. The first to consider is PIN 85-A-25, a 0.50 acre parcel owned by Roger Siever. This is a small property with limited expansion opportunity. Placement of the property into the Agricultural District will place additional setback burdens on its adjacent properties. A committee member asked if this restriction affects the parcel that is in Agricultural District from building. Mr. Cheran replied, no. A committee member stated then why do we want to restrict an adjacent parcel from building.

A committee member said if a landowner wants to be back in the District than we should allow him back in. A question was posed is this a new addition or was this property already in District. Mr. Cheran replied this landowner was already in the District.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC recommended approval of including PIN 85-A-25 into the 2015-2020 Double Church Agricultural and Forestal District. One committee member opposed the motion.

**PIN 85-A-33** PIN 85-A-33 is owned by Jessie Judd and the parcel size is 0.37 acres. Mr. Cheran showed the buffers on the map which could affect the properties to the west and east. It was noted that placement of this property in the District is impacting the neighboring property. A member asked if the fields were in the Agricultural District and Mr. Cheran said no. A committee member said this property wants back in District but yet he hasn't done anything to support or hurt it the Agricultural District. Another member spoke up and said he helped to form the District.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC recommended approval of including PIN 85-A-33 into the 2015-2020 Double Church Agricultural and Forestal District. Two committee members opposed the motion.

**PIN 85-A-132** PIN 85-A-132 is owned by Sandra Ritenour, and is 3.67 acres. The property owner came forward to speak. This piece of land was cut from the original farm and a house was placed on the property and surrounding this property is Agricultural and Forestal family owners. In the past, the property owners stated she has raised corn, steers, goats, and sheep on this property. Ms. Ritenour would like to stay in the District.

On a motion made by Mr. Stetzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 85-A-132 into the 2015-2020 Double Church Agricultural and Forestal District.

**PIN 85-A-139A** PIN 85-A-139A is owned by Gary and Linda Scothorn, and contains 1.29 acres. Mr. Scothorn came forward to speak. Mr. Scothorn confirmed the area where he could build. He expressed that he would obtain a building permit if he decided to build. His house is setting in the middle of his property and he owns several other smaller parcels with separate deeds around his larger tract of land.

On a motion made by Mr. Ay and seconded by Mr. Stelzel, the ADAC unanimously recommended approval of including PIN 85-A-132 into the 2015-2020 Double Church Agricultural and Forestal District.

**PIN 86-A-33** PIN 86-A-33 is owned by Betty Stetzl, and contains .12 acres. Mr. Stelz spoke for his mother, and stated that the buffer does come onto his farm which is in the Agricultural District and also across the road and this property is surround by farmland. This property was part of the main farm but when Grim Road went in this piece of property was separated from the main farm.

On a motion made by Mr. Rinker and seconded by Mr. Ay, the ADAC unanimously recommended approval of including PIN 86-A-33 into the 2015-2020 Double Church Agricultural and Forestal District. Mr. Stetzl abstained from voting and the vote was unanimously passed.

**PIN 86-A-230A** PIN 86-A-230A is owned by Jeffery and Joseph Gore, and the parcel has 0.97 acres. Mr. Cheran said the 200 foot buffer has been placed on the map and this buffer could impact the adjoining property owners

On a motion made by Mr. Stetzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 86-A-230A into the 2015-2020 Double Church Agricultural and Forestal District.

**PIN 86-A-231** PIN 86-A-231 is owned by Fred Gore, and the parcel has 2.50 acres. The property appears to be less than 100 feet wide, possibly an old right-of-way. The properties on both side of this parcel are in the Agricultural and Forestal District.

On a motion made by Mr. Stetzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 86-A-231 into the 2015-2020 Double Church Agricultural and Forestal District.

**PIN 86-A-245** PIN 86-A-245 is owned by John and Virginia Booth and the parcel has 0.50 acres. A committee member spoke up and said that Ms. Booth contacted him that she was interested in staying in the Agricultural and Forestal District.



On a motion made by Mr. Rinker and seconded by Mr. Cline, the ADAC unanimously recommended approval of including PIN 86-A-245 into the 2015-2020 Double Church Agricultural and Forestal District.

**PIN(s) 86-A-264 and 86-A-264A** PIN(s) 86-A-264 and 86-A-264A are owned by Shirley Ritenour, one parcel is 0.50 and the other is 0.53 acres in size. A committee member spoke up that the field in the back is Clevenger Property and to the best of his knowledge this property is in Agricultural District.

On a motion made by Mr. Stelzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 86-A-264 and 86-A-264A into the 2015-2020 Double Church Agricultural and Forestal District.

**PIN 43-A-159** The next 11 properties are located in the Red Bud Agricultural and Forestal District. The first to consider is PIN 43-A-159, a 2 acre property owner by R & J Land Development, LLC.

Mr. Oates came forward to speak on behalf of the property owner. The property to the North and East of the R & J Land Development land was just recommended for approval tonight (earlier on agenda) to go into the Agricultural District. Mr. Oates stated that property buffers don't go across the road because that is a front setback and on other side of this property is a commercial site which would have no impact on this property. The landowner wants to stay in the Agricultural District. Mr. Oates stated that all buffer stops at the state maintained road or right-of-way and they don't continue past the road.

On a motion made by Mr. Stelzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 43-A-159 into the 2015-2020 Red Bud Agricultural and Forestal District.

**PIN 44-A-28C** PIN 44-A-28C is owned by Robert and Marsha Boden and the parcel has 4.30 acres. Mr. Oates came forward to speak on behalf of the landowners. The property to the North, East and South are in the Agricultural District. When the District was formed ten years ago Mr. Oates stated he needed a lot of these little parcels to meet the criteria to form a District and also to tie together the larger farm parcels.

A committee member gave his opinion that putting on an addition to a house in the 200 foot buffer is different from someone trying to put in 20 lots. Maybe there needs to be a change in an amendment. Mr. Cheran said if you are adding onto the principal structure that is where the 200 foot comes into play. Now, if you were putting up an accessory dwelling, the 200 foot buffer wouldn't come into play.

On a motion made by Mr. Rinker and seconded by Mr. Ay, the ADAC unanimously recommended approval of including PIN 44-A-28C into the 2015-2020 Red Bud Agricultural and Forestal District.

**PIN 44D-2-6** PIN 44D-2-6 is owned by Charles Willis and the parcel is 2.00 acres in size. Ms. Willis contacted staff and wants to be in the Agricultural and Forestal District. Mr. Oates stood up and stated when this District was formed he needed this piece to connect to Huntzberry Farm so they could be in the Agricultural District. Mr. Oates said when the District was formed there was no lot size. We need to

have 200 acres to form the Districts and the properties could be one mile in apart from another and still be in the Agricultural District.

On a motion made by Mr. Stelzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 44D-2-6 into the 2015-2020 Red Bud Agricultural and Forestal District.

**PIN 55-A-5B** PIN 55-A-5B is owned by Vera Herring and the parcel size is 1.00 acre. Mr. Oates spoke again this is another property that helped form the District. The property to the East and the South belongs to her son; to the West is the Battlefield. Ms. Herring property buffer won't affect anyone since surrounding property is in Agricultural District.

On a motion made by Mr. Rinker and seconded by Mr. Cline, the ADAC unanimously recommended approval of including PIN 55-A-5B into the 2015-2020 Red Bud Agricultural and Forestal District.

**PIN 55-A-5D** PIN 55-A-5D is owned by Kevin Herring and the parcel size is 1.21 acres. Mr. Oates said this is Vera Herring's son and he is surrounded by Agricultural District land.

On a motion made by Mr. Stelzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 55-A-5D into the 2015-2020 Red Bud Agricultural and Forestal District.

**PIN 55-A-14** PIN 55-A-14 is owned by Ernest Lam and the parcel size is 2.00 acres. The buffers were shown on the map for viewing to the Committee. Mr. Oates spoke again that this property owner helped form the District and would like to remain in the District.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN 55-A-14 into the 2015-2020 Red Bud Agricultural and Forestal District.

**PIN(s) 55-A-115 and 55-A-117** PIN(s) 55-A-115 and 55-A-117 are owned by Mr. Jeff Jenkins through two different holding companies: Jeffrey Jenkins and R & J Land Development. The Jeffrey Jenkins parcel has 1.75 acres and the R & J Land Development has 4.33 acres in size. Mr. Oates said these parcels are both surrounded by Church and a subdivision

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN(s) 55-A-115 and 55-A-117 into the 2015-2020 Red Bud Agricultural and Forestal District.

**PIN 55-A-118** PIN 55-A-118 is owned by Dawn Stultz and her parcel contains 1.13 acres.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN 55-A-118 into the 2015-2020 Red Bud Agricultural and Forestal District.

**PIN(s) 55-A-177 and 55-A-178A** PIN(s) 55-A-177 and 55-A-178A are owned by William Schuller Jr., and William and Genevieve Schuller. One parcel contains 0.38 acres and the other parcel contains 1.28 acres in size. Mr. Oates said Mr. Schuller has purchased these properties one at a time and never consolidated the land. Each of the properties might have an old house on it and he uses that as a shed. Mr. Schuller has cattle on the land and also uses the fields for hay.

On a motion made by Mr. Stelzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 55-A-177 and 55-A-178A into the 2015-2020 Red Bud Agricultural and Forestal District.

**PIN 77-A-83** The next 21 properties are located in the South Frederick Agricultural and Forestal District. The first to consider is PIN 77-A-83, a 0.5 acre property owned by Constance Meagher.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN 77-A-83 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN(s) 73-A-27 and 73-A-28** PIN(s) 73-A-27 and 73-A-28 are owned by Martha Cooley and Vernon Riding Trust. Ms. Cooley's property has 4.00 acres in size and the Trust property has 4.00 acres as well. These properties are along Germany Road.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN(s) 73-A-27 and 73-A-28 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN(s) 73-A-30, 73-A-30A, and 73-A-30E** PIN(s) 73-A-30, 73-A-30A, and 73-A-30E are owned by Dudley Rinker, Kenton and Kathy Noffke and Dudley Rinker. Mr. Rinker's one property is 4.83 acres and the other property is 1.01 acres in size. Mr. and Mrs. Noffke's property has 1.71 acres. Mr. Rinker has abstained from the vote.

On a motion made by Mr. Cline and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PINs 73-A-30, 73-A-30A, and 73-A-30E into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN 73-A-34** PIN 73-A-34 is owned by Charles Hamilton and consists of 4.80 acres.

On a motion made by Mr. Cline and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 73-A-34 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN 73-A-38** PIN 73-A-38 is owned by Mark and Roxanna Orndorff and consists of 3.57 acres. This property is along Middle Road.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN 73-A-38 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN 73-12-11** PIN 73-12-11 is owned by Charles and Vicky Murphy and consists of 2.86 acres.

On a motion made by Mr. Stelzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 73-12-11 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN(s) 73-12-23 and 73-12-26** PIN(s) 73-12-23 and 73-12-26 are owned by David and Patricia Hlavinka and David and Julie Menefee. The Hlavinka property consists of 2.98 acres and the Menefee property consists of 2.29 acres in size. The Menefee sent in a letter wanting to stay in the Agricultural District. It was noted that these lots are in a Rural Preservation Subdivision, with recorded setbacks; therefore the 200 foot Agricultural District buffer will not affect the lots within the rural preservation subdivision.

On a motion made by Mr. Stelzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN(s) 73-12-23 and 73-12-26 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN 74-A-10F** PIN 74-A-10F is owned by Larry and Joyce Earhart and consists of 1.46 acres. Mr. and Mrs. Earhart came forward to speak. Mrs. Earhart expressed their concerns that your property doesn't have to be in land use to be in the Agricultural District and they feel they are being penalized because they have a small parcel which is not in the land use program. They support the Agricultural District and have been in the district for many years. The surrounding properties are in the Agricultural District. A committee member asked the property owner if their larger property is in the Land Use Program and Agricultural and Forestal District Program. Mrs. Earhart said yes for many years. The Earhart's stated that they did not want their neighbor to construct a house, and that the additional 200 foot Agricultural District buffer placed on the adjacent property would prohibit the construction of a house on the adjacent property, further preserving their farming operation.

On a motion made by Mr. Stelzl and seconded by Mr. Rinker, the ADAC unanimously recommended approval of including PIN 74-A-10F into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN(s) 74-A-14, 74-A-15A, and 74-A-15** PIN(s) 74-A-14, 74-A-15A, and 74-A-15 are owned by Cheryl Humphries and Pamela Lewis. Two of the properties owned by Ms. Humphries consist of 2.0 acres and 1.23 acres. The joint property with Pamela Lewis is 3.00 acres in size.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN(s) 74-A-14, 74-A-15A, and 74-A-15 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN 61-A-23A** PIN 61-A-23A is owned by BHS, LC and the parcel is 1.00 acre in size.

On a motion made by Mr. Rinker and seconded by Mr. Watt, the ADAC unanimously recommended approval of including PIN 61-A-23A into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN 62-A-27** PIN 62-A-27 is owned by William Copenhaver and the parcel is 1.30 acres.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN 62-A-27 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN 61-A-29** PIN 61-A-29 is owned by BHS, LC and the parcel is 1.25 acres in size.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN 61-A-29 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN(s) 61-A-43E and 61-A-44** PIN(s) 61-A-43E and 61-A-44 are owned by Carol Melby and Joseph Snapp. Ms. Melba's is property is 1.00 acre in size and Mr. Snapp's is 2.20 acres.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN(s) 61-A-43E and 61-A-44 into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN 73-A-64A** PIN 73-A-64A is owned by Holly and Samuel Dillender and the parcel size is 2.32 acres.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN 73-A-64A into the 2015-2020 South Frederick Agricultural and Forestal District.

**PIN 26-A-61A** The next parcel is located in the South Timber Ridge Agricultural and Forestal District. PIN 26-A-61A, is a 2 acre property owned by CLW Holdings. The surrounding is all Agricultural and Forestal District.

On a motion made by Mr. Rinker and seconded by Mr. Stelzl, the ADAC unanimously recommended approval of including PIN 26-A-61A into the 2015-2020 South Timber Ridge Agricultural and Forestal District. Mr. Watt abstained from the vote.

Mr. Cheran will take the recommendation to the Planning Commission on July 15, 2015 and to the Board of Supervisors on August 12, 2015.

Mr. Watt wanted to get the opinion of the committee members about building an addition onto a home. Mr. Watt stated that he does not believe the intent of an Agricultural and Forestal District is to restrict an adjoining property owner's ability to construct a building addition to his or her house. But, unfortunately, today's recommendations to include parcels into the agricultural district did subject adjacent property owner's to additional setback restrictions.

A committee member noticed on the map that the future Route 37 extension is against the Agricultural and Forestal District. The committee member wanted to know how this would affect the District. Staff noted that when an Agricultural District is either created or renewed by the Board of Supervisors it is noted that a major road or subdivision is in the Comprehensive Policy Plan for that area, and that the establishment of the Agricultural District will hinder the ability to implement the planned infrastructure. But it was also noted that the Board could elect not to include a parcel into the agricultural district if the planned infrastructure was envisioned to be constructed within the next 5 years and that the Board felt



the planned infrastructure should supersede the agricultural protections offered by participation in an Agricultural District.

A committee member had a question about PATH (Power Lines). If a landowner in the Agricultural and Forestal District, is approached by a utility company for a right-of-way through his property is this allowed. Mr. Cheran replied the way state code is written it should recognize the Agricultural Forestal District and should be taken into consideration but not sure if it would stop them or not. If the landowner opposed this action it would certainly strengthen the landowner's legal position being in the District.

The meeting adjourned at 7:25 p.m.

## **PUBLIC HEARING**

**Addition to the South Frederick Agricultural and Forestal District – The proposed addition is a 175.00+/- acre tract within one parcel and is located in the Back Creek District along Conestoga Lane.**

### **Action – Recommend Approval**

Zoning and Subdivision Administrator, Mark R. Cheran, reported this is a request to add a 175.00+/- acre parcel to the South Frederick Agricultural and Forestal District. Mr. Cheran explained the District currently has a total of 5,845.90+/- acres and if approved with the additional 175.00+/- acre parcel, the District would now have a total of 6,020.90+/- acres. Mr. Cheran noted the Agricultural District Advisory Committee (ADAC) unanimously recommended approval of this item at their June 24, 2015 meeting.

Chairman Wilmot opened the public hearing to citizen comments. No one came forward to speak and Chairman Wilmot closed the public comment portion of the hearing.

There were no questions or comments from Commission members at this time.

Upon motion made by Commissioner Marston and seconded by Commissioner Thomas,

BE IT RESOLVED, that the Frederick County Planning Commission does hereby unanimously recommend approval of the Addition to the South Frederick Agricultural and Forestal District – The proposed addition is a 175.00+/- acre tract within one parcel and is located in the Back Creek District along Conestoga Lane.

(Note: Commissioners Oates and Unger were absent from the meeting)

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**2015-2020 Agricultural and Forestal District Addition of Parcels Less than 5 Acres – This Public Hearing is to consider the addition of 46 parcels, each less than 5 acres in size to the following Districts: Albin, Apple Pie Ridge, Double Church, Red Bud, South Frederick, and South Timber Ridge Districts. This could add up to an additional 87 acres to the established 11,425.93 acres within the Agricultural and Forestal District Program for the ensuing five year period. Properties that are incorporated into and Agricultural and Forestal District are guaranteed certain protection as specified in Section 15.2-4300 of the Code of Virginia.**

### **Action- Listed separately below**

Zoning and Subdivision Administrator, Mark R. Cheran, reported in February 2015 the Frederick County Agricultural District Advisory Committee (ADAC) met to consider the eight Agricultural and Forestal Districts the County currently has. He explained during the review process, the ADAC found there were parcels less than 5 acres, not in the Land Use Assessment Program, and in an Agricultural District. Mr. Cheran noted that the ADAC felt this could be placing unintended restrictions on adjacent properties that would include excessive building setbacks and eliminating opportunity for placement of buildings on a property. Therefore, the ADAC recommended such properties not be included in the Agricultural and Forestal Districts.

Mr. Cheran referenced the May 27, 2015 Frederick County Board of Supervisors meeting at which time the eight 2015-2020 Agricultural and Forestal Districts totaling 11,425 acres were adopted. He noted forty-six (46) parcels totaling 87 acres were not included in the adopted Agricultural and Forestal Districts. These 46 parcels were each less than 5 acres and were not participants in the County's Land Use Assessment Program. Mr. Cheran reported, as a result the Board of Supervisors requested each of these parcels be given further consideration and the property owners be given an opportunity to participate in the evaluation.

Mr. Cheran reported, on June 24, 2015 the ADAC held a meeting to consider the inclusion of the 46 parcels of less than 5 acres into the County's Agricultural and Forestal Districts. He noted, the 46 property owners were invited to participate and 10 properties were represented at the meeting.

Mr. Cheran shared the comments from the Agricultural District Advisory Committee (ADAC) and the comments are as follows:

- Importance of Agricultural Districts and to welcome all who wish to be included
- Important to recognize those properties that were part of the original creation of the Districts, without which the District may not have qualified
- Important to recognize that inclusion in the Agricultural District creates impacts (greater setbacks) on adjacent properties, therefore it must be deemed appropriate to include a parcel if it is not directly contributing to farm use

Mr. Cheran noted, the ADAC recommended approval for inclusion of all 46 parcels into the Agricultural District program.

Mr. Cheran reported, Staff notified the 46 property owners as well as the adjoining property owners. At the recommendation of the Planning Commission, the 46 parcels were organized into three groups and are as follows:

- Group 1 – Parcels not adjacent nor encapsulated by existing Agricultural Districts
- Group 2 – Parcels adjacent to existing Agricultural Districts
- Group 3 – Parcels encapsulated by existing Agricultural Districts

Commissioner Thomas inquired what the impact to the 46 parcels is if they would not be included back in the Agricultural and Forestal Districts. Mr. Cheran noted, there would not be any impacts. He continued, if the parcels were in the Land Use Assessment Program there may be tax impacts; however, these 46 parcels are not in the Land Use Assessment Program. Commissioner Thomas asked for clarification on the Agricultural and Forestal District definition. Mr. Cheran reiterated, the Agricultural and Forestal Districts are established to protect Agricultural and Forestal operations, recognizes and promotes our agricultural economy, preserves open space, utilizes a tool in land use actions, and once adopted the Districts become part of the County's Comprehensive Policy Plan.

Commissioner Dunlap noted, in the event we recommend approval of the 46 parcels to be included, his concern is the 200 ft. building setback and would there be any form of relief for these property owners should they want to construct an additional structure and the 200 ft. setback be a factor. Mr. Cheran explained, the relief that would apply is an application for a Variance to the Board of Zoning Appeals (BZA).

Commissioner Marston inquired what the minimal amount of acres is for an Agricultural District to exist. Mr. Cheran responded the creation of an Agricultural and Forestal District starts out with a core of 200 acres and within a mile radius of that other property owners may choose to join in. Commissioner Marston asked if taking any of the 46 parcels out would jeopardize the existence of any of the Districts. Mr. Cheran noted, without the 46 parcels in question today, it would leave a total of 11,513 acres in the eight Agricultural and Forestal Districts and all could remain intact.

Commissioner Thomas commented, it appears none of these parcels could meet the intent of the Agricultural and Forestal District. He noted, you're not going to farm on a tenth of an acre, you're not going to farm on a half-acre that has a house on it, and therefore it would not be preserving farm or forest land. Mr. Cheran explained, when assembling the Agricultural and Forestal Districts that is when all of the 46 parcels in question were included. He noted, knowing the setbacks were changed to Rural Area (RA) study; it did appear it would be a hindrance on adjoining property owners. Commissioner Thomas stated, it appears for those half-acre or even up to 2 acre parcels this would be giving them control of land two and three times the size of the property they own; for example, they may own 1 acre but control 3 or 4 acres of someone else's property. Mr. Cheran noted, given the setbacks that statement would be correct.

Commissioner Crockett commented, looking at the aerial photos provided, most of the 46 parcels appear to be residences. Mr. Cheran concurred; they are mostly single family dwellings. Commissioner Crockett stated, he is in support of preserving agricultural land but also the rights of the adjacent property owners cannot be ignored.

Commissioner Marston commented, his concern is the County may be headed down a wrong path should all of the 46 parcels be put back into the Agricultural and Forestal Districts. He stated the clean-up down the road may be lengthy.

Chairman Wilmot opened the public hearing to citizen comments. The following citizens came forward to speak.

Mr. John Toney of the Back Creek Magisterial District came forward to speak. Mr. Toney presented a photo of the Carter Hall property that has an adjacent property which is part of the 46 parcels being discussed. He commented he does not believe a residence and work shop should qualify to be put in an Agricultural and Forestal District. Chairman Wilmot requested Mr. Cheran identify this parcel (79-A-10F) via the onscreen map.

Mrs. Joyce Earhart of the Back Creek Magisterial District came forward to speak. Mrs. Earhart owns the property being referenced by Mr. John Toney. She explained, at the last ADAC meeting it was noted they were not required to be in the Land Use Assessment Program to be a part of an Agricultural District, therefore they do not understand why their parcel was removed. She stated, as an owner of a small parcel and a larger adjoining parcel they feel they should be grand fathered in due to the fact they have been part of the Agricultural and Forestal District for years. She concluded, they respectfully request their property remain in the Agricultural and Forestal District.

Ms. Sandra Ritenour of the Opequon Magisterial District and the Double Church Agricultural and Forestal District came forward to speak. Ms. Ritenour explained her property is one of the 46 parcels in question. She noted, she is grateful this decision is being revisited by the County. Ms. Ritenour explained her property was part of the family farm which still surrounds her property. She concluded her request is that the Planning Commission take each parcel individually and reconsider their placement.

Mr. Larry Earhart of the Back Creek Magisterial District came forward to comment. He stated his property has been in the district for years and should remain there. He noted the adjacent neighbors had the opportunity to complain or dispute years ago and no one did so; therefore, he feels no one should complain now.

Mr. William Schuller of the Shawnee Magisterial District came forward and stated he would like his property to be put back into the Agricultural and Forestal District.

Chairman Wilmot asked if there were any other citizens who wished to speak. No one came forward and Chairman Wilmot closed the public comment portion of the hearing.

Commissioner Mohn commented he sees the need to look at a lot of these parcels individually. He is concerned with the groupings and wants to be sure what is being viewed graphically is accurate. Mr. Cheran elaborated on the photos noting, they are just an overview and if the parcels are viewed individually the graphics will be accurate.

Chairman Wilmot explained the 3 grouping to ensure everyone is clear and asked if there were any questions. There were not questions at that time.

Commissioner Thomas commented, Group 1 (not adjacent to or encapsulated by Agricultural District) should *not* be included in the Agricultural and Forestal District. He elaborated, Group 2 (adjacent to existing Agricultural District) should be evaluated individually and Group 3 (encapsulated by existing Agricultural District) should be included.

Supervisor Hess provided a background of what transpired at the recent Board of Supervisors meeting. He explained, the night of the meeting it was already a couple days past the expiration date for the Agricultural and Forestal Districts. The proposal that was presented and was advertised for the public hearing did not include the 46 parcels. He noted there was no option left for the Board of Supervisors to add any of the 46 parcels back in to the Districts. The Board of Supervisors approved the Agricultural and Forestal Districts with these removed and noted the property owners of the removed 46 parcels had not been notified.

Planning Director, Eric R. Lawrence commented, Mr. Hess explained it well. He noted in order to get to tonight all advertisement was complete in all legal aspects, invites were sent to the 46 property owners as well as legal notifications sent to adjacent property owners. Mr. Lawrence noted every effort has been made to make sure the public is properly notified and aware of what is going on.

Chairman Wilmot reiterated the Groupings to ensure all Commission Members are clear and able to proceed.

Commissioner Marston inquired if a parcel is removed can that parcel be put back in the Agricultural and Forestal District after 5 years. Mr. Cheran responded yes, by going through the process again.

Commissioner Thomas made a motion which was seconded by Commissioner Triplett to *exclude* Group 1(not adjacent or encapsulated by existing Agricultural District) and *include* Group 3 (encapsulated by existing Agricultural District) in the 2015-2020 Agricultural and Forestal District.

BE IT RESOLVED, that the Frederick County Planning Commission does hereby unanimously recommend approval to *exclude* Group 1(not adjacent or encapsulated by existing Agricultural District)



and *include* Group 3 (encapsulated by existing Agricultural District) in the 2015-2020 Agricultural and Forestal District.

(Note: Commissioners Oates and Unger were absent from the meeting)

**The remaining 19 parcels, Group 2 (adjacent to existing Agricultural District) were voted on individually and the results are as follows:**

**PIN(s) 31-A-170 and 31-A-171** A motion was made by Commissioner Mohn, seconded by Commissioner Dunlap and unanimously approved to *include* these parcels in the Apple Pie Ridge Agricultural and Forestal District.

**PIN 85-A-132** A motion was made by Commissioner Mohn, seconded by Commissioner Dunlap and unanimously approved to *include* this parcel in the Double Church Agricultural and Forestal District.

**PIN 44-A-28C** Commissioner Thomas clarified the buffer does not extend across the road. Commissioner Kenney noted that not much agriculture activity can take place on this property. Commissioner Mohn commented to leave the property in and the impacts are not severe. A motion was made by Commissioner Mohn, seconded by Commissioner Manuel and passed by majority vote to *include* this parcel in the Red Bud Agricultural and Forestal District.

**PIN 55-A-115** A motion was made by Commissioner Thomas, seconded by Commissioner Kenney and unanimously approved to *exclude* this parcel from the Red Bud Agricultural and Forestal District.

**PIN 55-A-117** A motion was made by Commissioner Thomas, seconded by Commissioner Kenney and unanimously approved to *exclude* this parcel from the Red Bud Agricultural and Forestal District.

**PIN 55-A-14** A motion was made by Commissioner Thomas, seconded by Commissioner Mohn and unanimously approved to *exclude* this parcel from the Red Bud Agricultural and Forestal District.

**PIN(s) 55-A-177 and 55-A-178A** Commissioner Thomas clarified the buffer does not extend across Valley Mill Road. Commissioner Mohn commented these parcels are contiguous to the Agricultural District and it would be appropriate to keep them in. A motion was made by Commissioner Mohn, seconded by Commissioner Marston and unanimously approved to *include* these parcels in the Red Bud Agricultural and Forestal District.

**PIN 44D-2-6** A motion was made by Commissioner Mohn, seconded by Commissioner Manuel and approved by majority vote to *include* this parcel in the Red Bud Agricultural and Forestal District.

**PIN(s) 73-A-27 and 73-A-28** A motion was made by Commissioner Thomas, seconded by Commissioner Triplett and unanimously approved to *include* these parcels in the South Frederick Agricultural and Forestal District.

**PIN 74-A-10F** Commissioner Thomas clarified the buffer does not extend across the road. He also noted the property across the road is not developed therefore if included it would give this parcel control of property that is not theirs. A motion was made by Commissioner Dunlap, seconded by Commissioner Triplett and unanimously approved to *exclude* this parcel from the South Frederick Agricultural and Forestal District.

**PIN 73-A-34** A motion was made by Commissioner Thomas, seconded by Commissioner Kenney and unanimously approved to *exclude* this property from the South Frederick Agricultural and Forestal District.

**PIN(s) 73-A-30 and 73-A-30E** A motion was made by Commissioner Thomas, seconded by Commissioner Molden and unanimously approve to *include* these parcels in the South Frederick Agricultural and Forestal District.

**PIN 73-A-30A** Commissioner Thomas commented this appears to be a single family dwelling. A motion made by Commissioner Thomas, seconded by Commissioner Molden and approved by majority vote to *exclude* this parcel from the South Frederick Agricultural and Forestal District.

**PIN 73-A-64A** Commissioner Marston commented he knows this property is completely agriculture. A motion made by Commissioner Marston, seconded by Commissioner Thomas and unanimously approved to *include* this parcel in the South Frederick Agricultural and Forestal District.

**PIN 61-A-44** A motion was made by Commissioner Thomas, seconded by Commissioner Triplett and unanimously approved to *include* this parcel in the South Frederick Agricultural and Forestal District.

(Note: Commissioners Oates and Unger were absent from the meeting)

					Recommendation to include in Ag District		BOARD APPROVAL for inclusion in Ag District
PIN	Owner	Acres	Ag & Forestal Districts	ADAC	PC		
Encapsulated by existing Ag Districts							
42 A 61	DTS LC	2.50	Albin	YES	YES		
85 A 139A	SCOTHORN, GARY L & LINDA O	1.29	Double Church	YES	YES		
55 A 5B	HERRING, VERA J	1.00	Red Bud	YES	YES		
55 A 5D	HERRING, KEVIN L	1.21	Red Bud	YES	YES		
61 A 23A	BHS, LC	1.00	South Frederick	YES	YES		
61 A 29	BHS, LC	1.25	South Frederick	YES	YES		
74 A 15	HUMPHRIES, CHERYL W. & PAMELA LEWIS	3.00	South Frederick	YES	YES		
74 A 14	HUMPHRIES, CHERYL W.	2.00	South Frederick	YES	YES		
74 A 15A	HUMPHRIES, CHERYL W.	1.23	South Frederick	YES	YES		
72 A 83	MEAGHER, CONSTANCE M	0.50	South Frederick	YES	YES		
26 A 61A	CLW HOLDINGS LLC	2.00	South Timber Ridge	YES	YES		

<b>Not Adjacent nor Encapsulated by existing Ag District</b>						
85 A 33	JUDD, JESSIE F	0.37	Double Church	YES	NO	
85 A 25	SIEVER, ROGER DALE	0.50	Double Church	YES	NO	
86 A 230A	GORE, JEFFERY M & JOSEPH F	0.97	Double Church	YES	NO	
86 A 231	GORE, FRED B ET ALS	2.50	Double Church	YES	NO	
86 A 245	BOOTH, JOHN H. & VIRGINIA G.	0.50	Double Church	YES	NO	
86 A 264A	RITENOUR, SHIRLEY	0.53	Double Church	YES	NO	
86 A 264	RITENOUR, SHIRLEY	0.50	Double Church	YES	NO	
86 A 33	STELZL, BETTY R	0.12	Double Church	YES	NO	
43 A 159	R & J LAND DEVELOPMENT, LLC	2.00	Red Bud	YES	NO	
55 A 118	STULTZ, DAWN M	1.13	Red Bud	YES	NO	
62 A 27	COPENHAVER, WILLIAM R	1.30	South Frederick	YES	NO	
61 A 43E	MELBY, CAROL J	1.00	South Frederick	YES	NO	
73 A 38	ORNDORFF, MARK A & ROXANNA M	3.57	South Frederick	YES	NO	
73 12 11	MURPHY, CHARLES R & VICKY O	2.86	South Frederick	YES	NO	
73 12 26	MENEFEE, DAVID & JULIE	2.29	South Frederick	YES	NO	
73 12 23	HLAVINKA, DAVID D & PATRICIA E	2.98	South Frederick	YES	NO	

PIN	Owner	Acres	Ag & Forestal Districts	Recommendation to include in Ag District		BOARD APPROVAL for inclusion in Ag District
				ADAC	PC	

### Adjacent to Existing Ag District

31	A	170	FRUIT HILL ORCHARD INC	0.34	ApplePieRidge	YES	YES	
31	A	171	FRUIT HILL ORCHARD INC	1.07	ApplePieRidge	YES	YES	
85	A	132	RITENOUR, SANDRA R	3.67	Double Church	YES	YES	
44	A	28C	BODEN, ROBERT R. JR. & MARSHA	4.30	Red Bud	YES	YES	
44D	2	6	WILLIS, CHARLES I	2.37	Red Bud	YES	YES	
55	A	14	LAM, ERNEST L	2.00	Red Bud	YES	NO	
55	A	117	R & J LAND DEVELOPMENT, LLC	4.33	Red Bud	YES	NO	
55	A	115	JENKINS, JEFFREY G	1.75	Red Bud	YES	NO	
55	A	178A	SCHULLER, WILLIAM H SR & GENEVIEVE	1.28	Red Bud	YES	YES	
55	A	177	SCHULLER, WILLIAM HAMPTON JR	0.38	Red Bud	YES	YES	
61	A	44	SNAPP, JOSEPH DAVISON	2.20	South Frederick	YES	YES	
73	A	64A	DILLENDER, HOLLY B & SAMUEL C JR	2.32	South Frederick	YES	YES	
73	A	34	HAMILTON, CHARLES A.	4.80	South Frederick	YES	NO	
73	A	28	RIDINGS, L VERNON RESIDUAL TRUST	4.00	South Frederick	YES	YES	
73	A	27	COOLEY, MARTHA	4.00	South Frederick	YES	YES	
73	A	30A	NOFFKE, KENTON L & KATHY C	1.71	South Frederick	YES	NO	
73	A	30E	RINKER, DUDLEY H.	1.01	South Frederick	YES	YES	
73	A	30	RINKER, DUDLEY H.	4.83	South Frederick	YES	YES	
74	A	10F	EARHART, LARRY L & JOYCE C	1.46	South Frederick	YES	NO	

**TOTAL ACREAGES 87.92**

**87.92**

**49**

# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

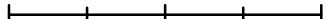
## Agricultural & Forestal District

 Albin

PIN	Owner	Acres	Ag & Forestal Districts
42 A 61	DTS LC	2.50	Albin



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

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# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District

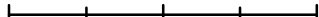
 Double Church District

PIN	Owner	Acres	Ag & Forestal Districts
85 A 139A	SCOTHORN, GARY L & LINDA O	1.29	Double Church



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

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# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

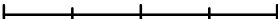
## Agricultural & Forestal District

 Red Bud

PIN	Owner	Acres	Ag & Forestal Districts
55 A 5B	HERRING, VERA J	1.00	Red Bud



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

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# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

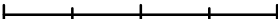
## Agricultural & Forestal District

 Red Bud

PIN	Owner	Acres	Ag & Forestal Districts
55 A 5D	HERRING, KEVIN L	1.21	Red Bud

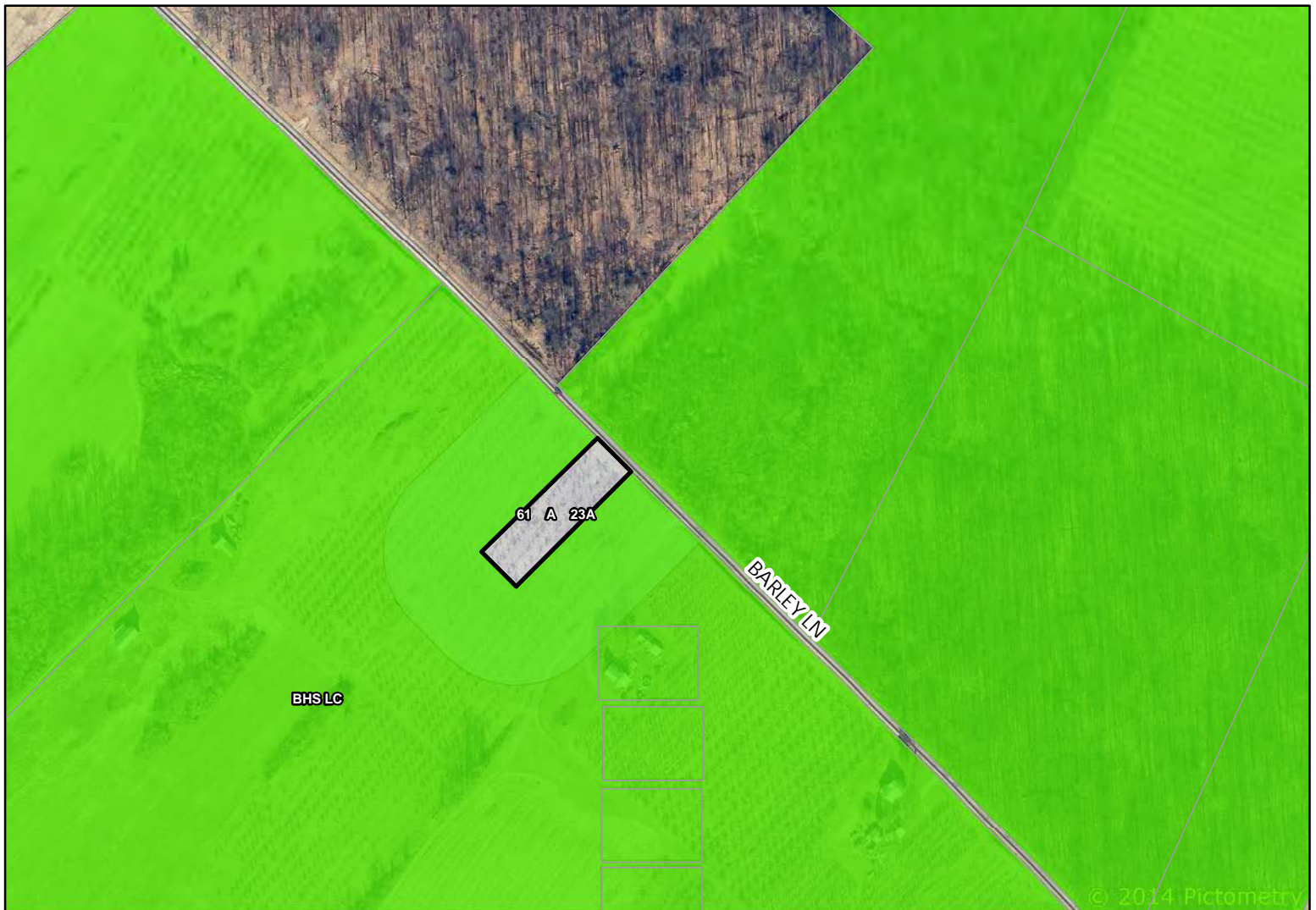


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Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
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# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District

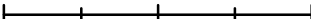
 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
61 A 23A	BHS, LC	1.00	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

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# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

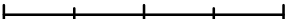
## Agricultural & Forestal District

 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
61 A 29	BHS, LC	1.25	South Frederick

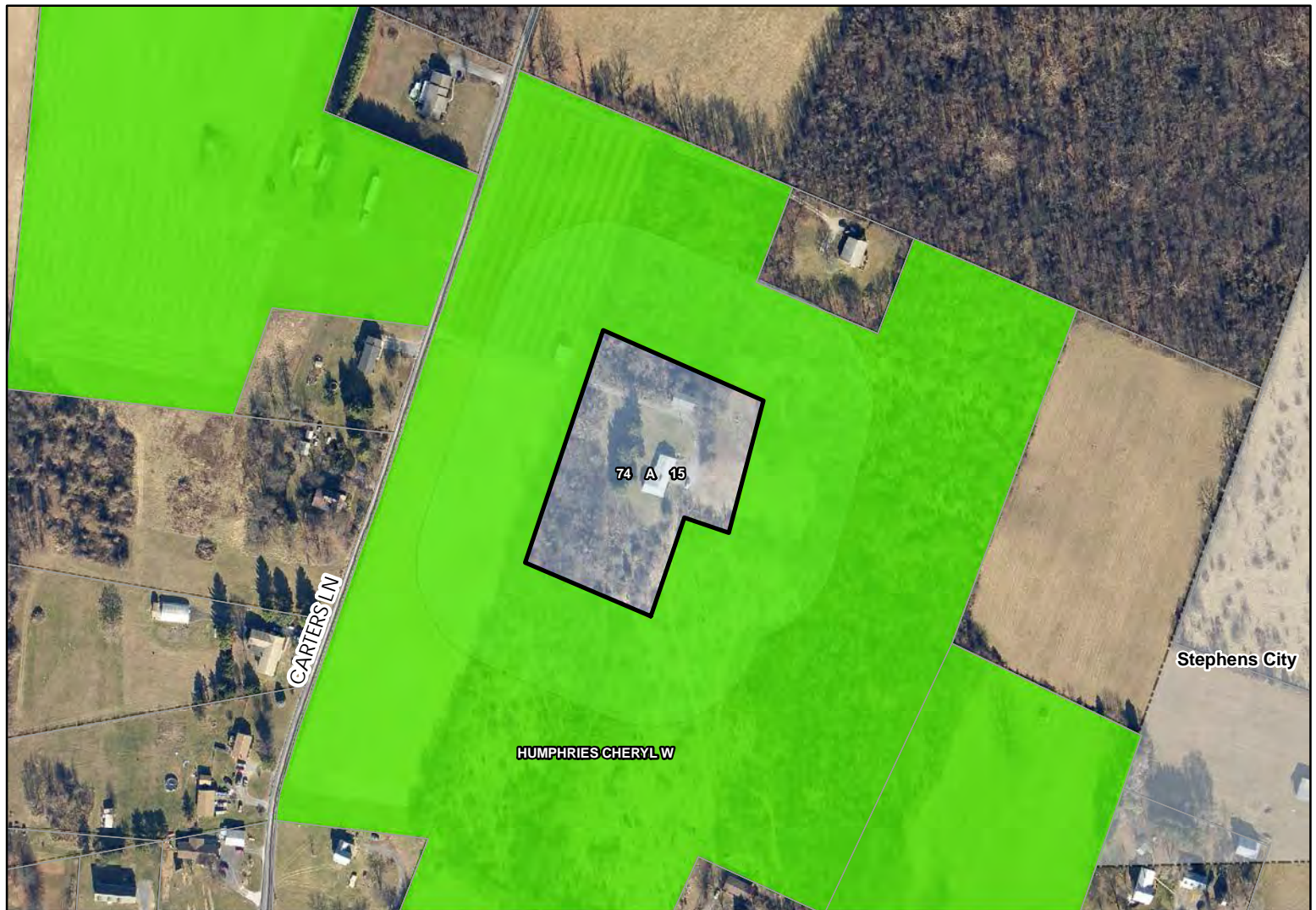


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107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

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# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels


## Agricultural & Forestal District

 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
74 A 15	HUMPHRIES, CHERYL W. & PAMELA LEWIS	3.00	South Frederick

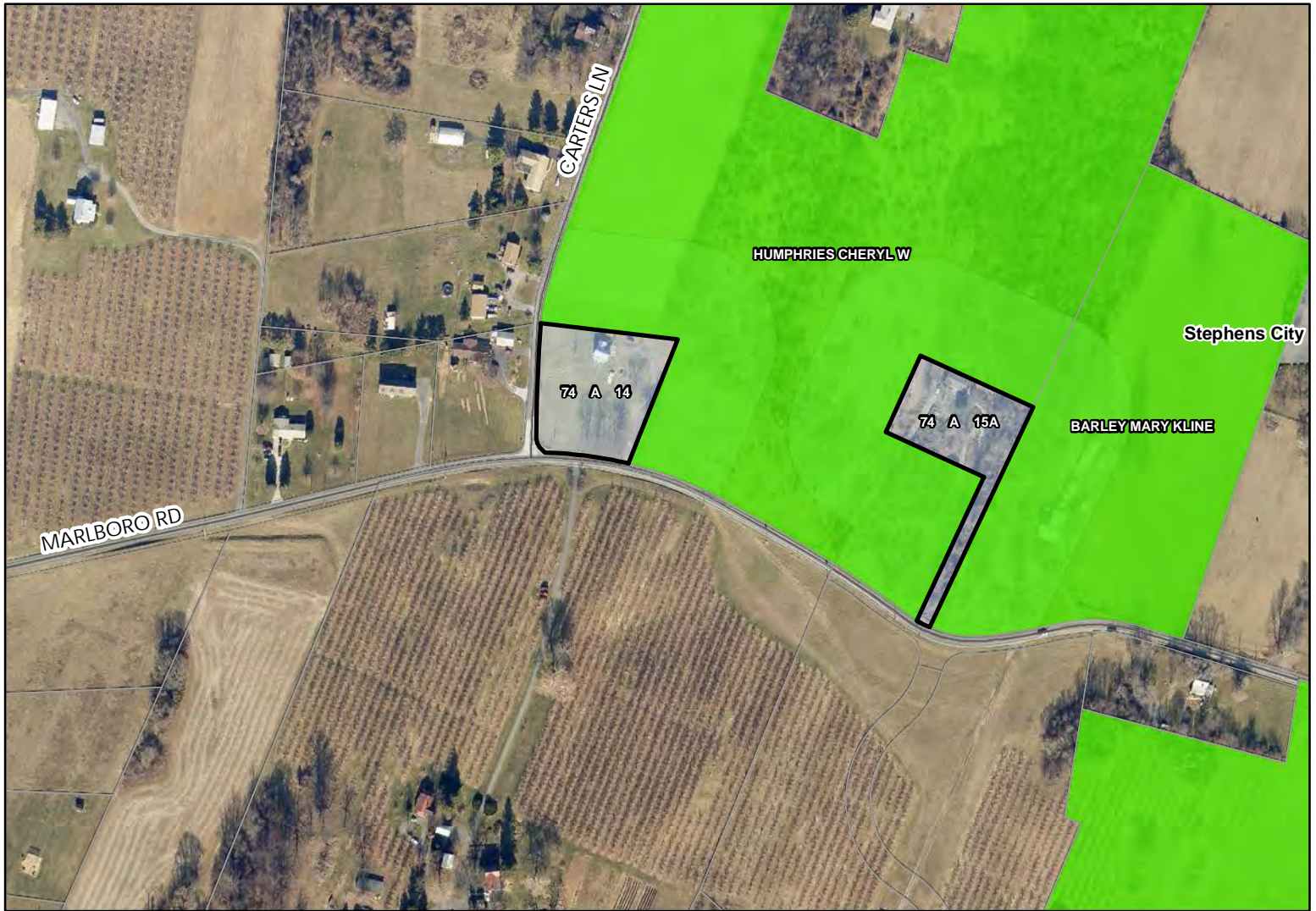


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Map Created: July 14, 2015

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# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

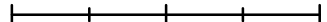
## Agricultural & Forestal District

 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
74 A 14	HUMPHRIES, CHERYL W.	2.00	South Frederick
74 A 15A	HUMPHRIES, CHERYL W.	1.23	South Frederick

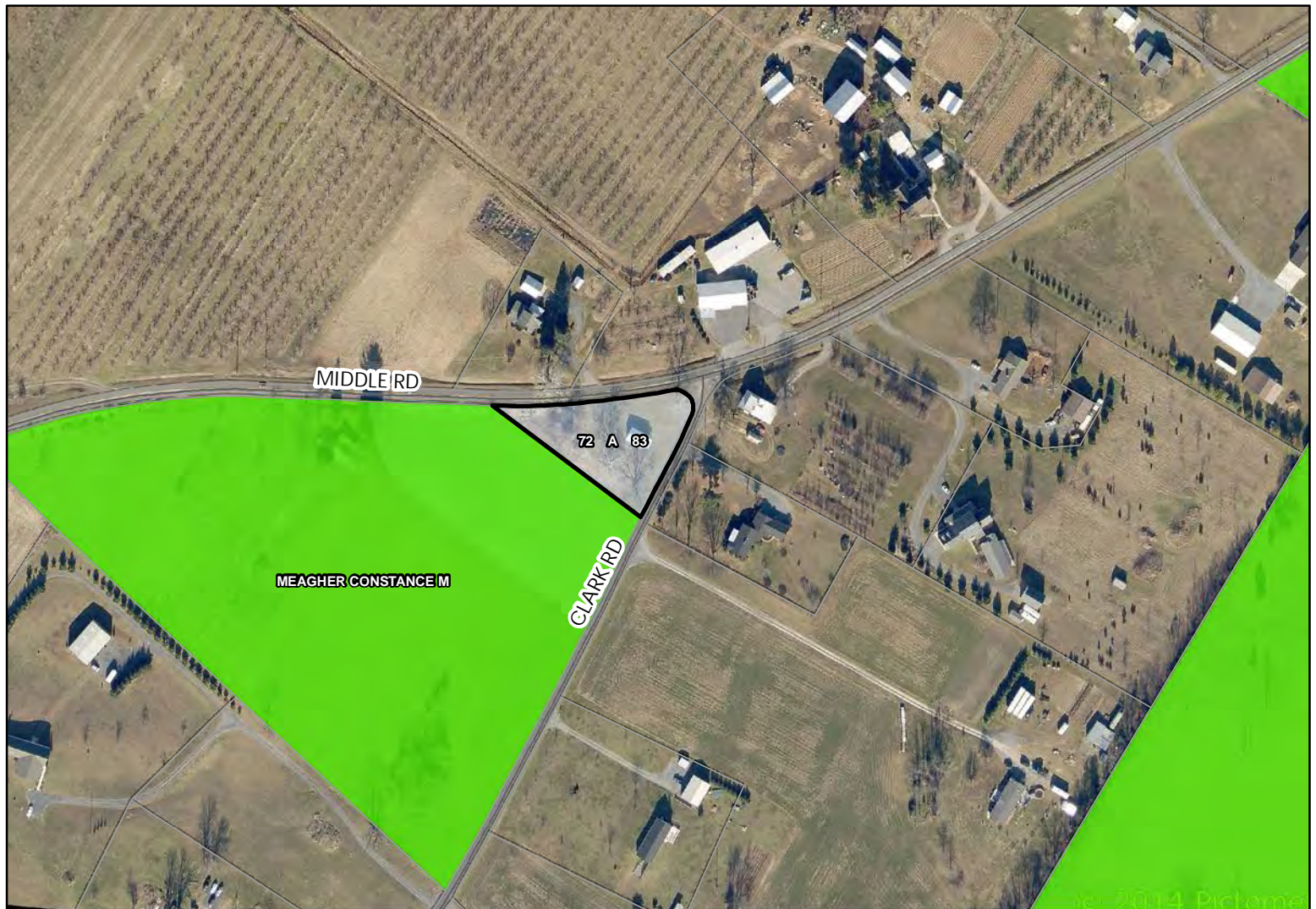


Note:  
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107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District

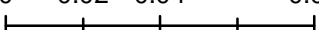
 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
72 A 83	MEAGHER, CONSTANCE M	0.50	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

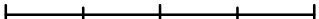
## Agricultural & Forestal District

 South Timber Ridge

PIN	Owner	Acres	Ag & Forestal Districts
26 A 61A	CLW HOLDINGS LLC	2.00	South Timber Ridge



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.015 0.03 0.06 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District

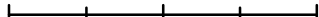
 Double Church District

PIN	Owner	Acres	Ag & Forestal Districts
85 A 33	JUDD, JESSIE F	0.37	Double Church



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.015 0.03 0.06 Miles





# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District


 Double Church District

PIN	Owner	Acres	Ag & Forestal Districts
85 A 25	SIEVER, ROGER DALE	0.50	Double Church



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.015 0.03 0.06 Miles






# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

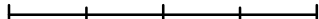
## Agricultural & Forestal District

 Double Church District

PIN	Owner	Acres	Ag & Forestal Districts
86 A 230A	GORE, JEFFERY M & JOSEPH F	0.97	Double Church

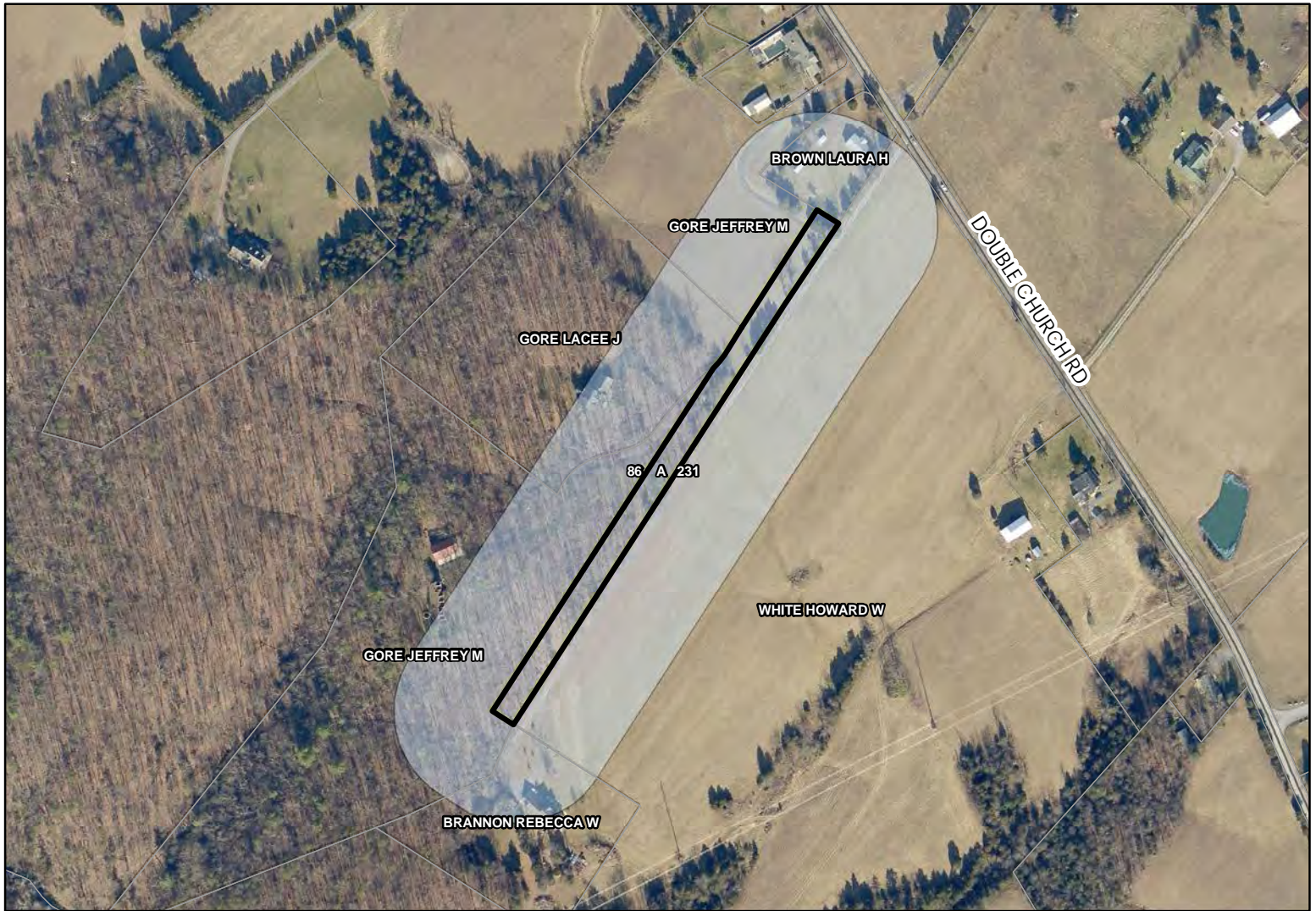


Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles  





# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

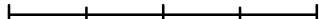
## Agricultural & Forestal District

 Double Church District

PIN	Owner	Acres	Ag & Forestal Districts
86 A 231	GORE, FRED B ET ALS	2.50	Double Church



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



200 Foot Buffer

Parcels

## Agricultural & Forestal District

Double Church District

PIN	Owner	Acres	Ag & Forestal Districts
86 A 245	BOOTH, JOHN H. & VIRGINIA G.	0.50	Double Church

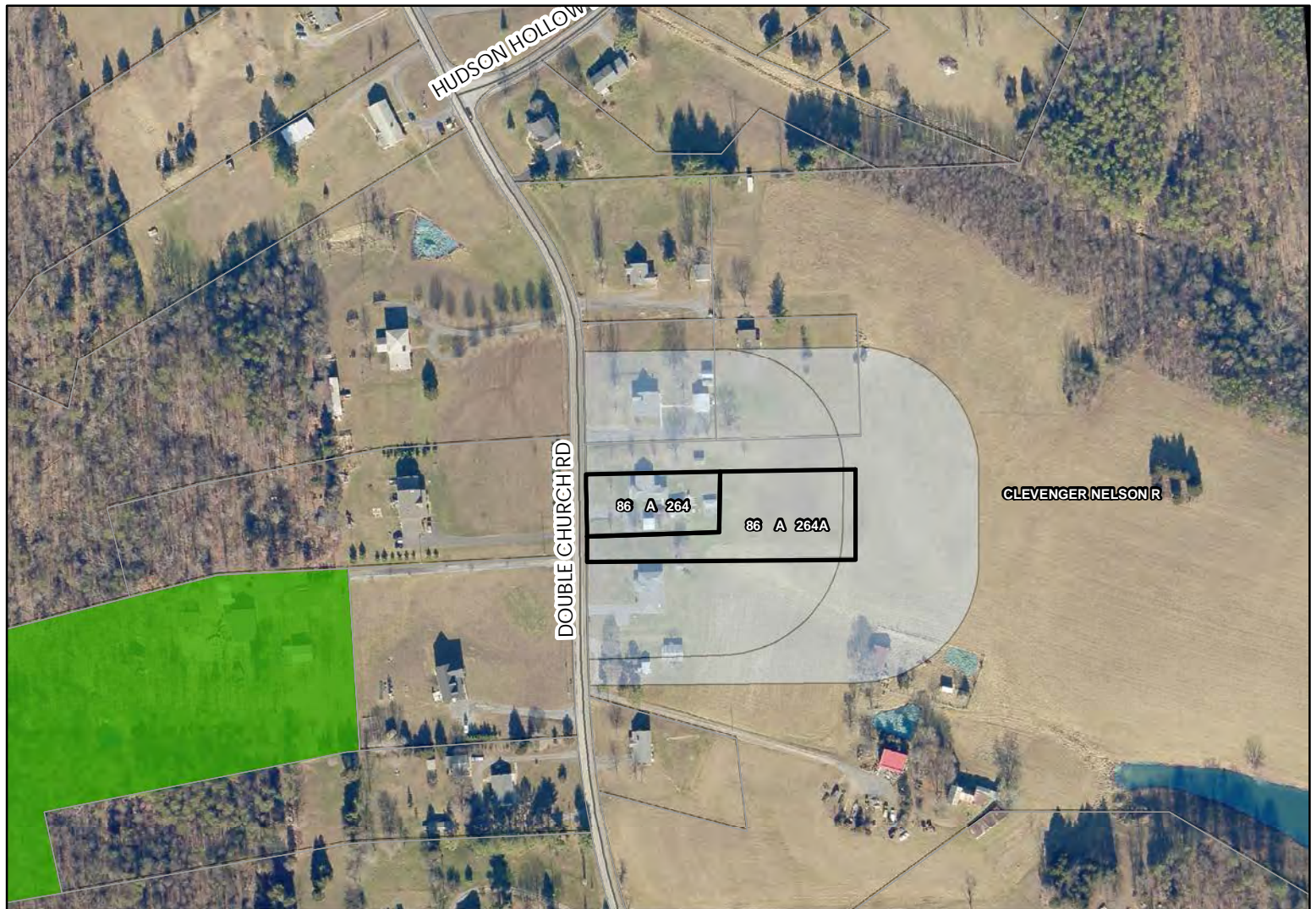


Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles



# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District

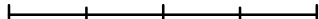
 Double Church District

PIN	Owner	Acres	Ag & Frestal Districts
86 A 264	RITENOUR, SHIRLEY	0.50	Double Church
86 A 264A	RITENOUR, SHIRLEY	0.53	Double Church



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles





# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District


 Double Church District

PIN	Owner	Acres	Ag & Forestal Districts
86 A 33	STELZL, BETTY R	0.12	Double Church



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles





# Property Removed from the 2015-2020 Agricultural & Forestal Districts



200 Foot Buffer

Parcels

## Agricultural & Forestal District

Red Bud

PIN	Owner	Acres	Ag & Forestal Districts
43 A 159	R & J LAND DEVELOPMENT, LLC	2.00	Red Bud



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels


## Agricultural & Forestal District

 Red Bud

PIN	Owner	Acres	Ag & Forestal Districts
55 A 118	STULTZ, DAWN M	1.13	Red Bud



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels


## Agricultural & Forestal District

 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
62 A 27	COPENHAVER, WILLIAM R	1.30	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



200 Foot Buffer

Parcels

## Agricultural & Forestal District

South Frederick District

PIN	Owner	Acres	Ag & Frestal Districts
61 A 43E	MELBY, CAROL J	1.00	South Frederick
61 A 44	SNAPP, JOSEPH DAVISON	2.20	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles



# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

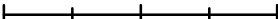
## Agricultural & Forestal District

 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
73 A 38	ORNDORFF, MARK A & ROXANNA M	3.57	South Frederick

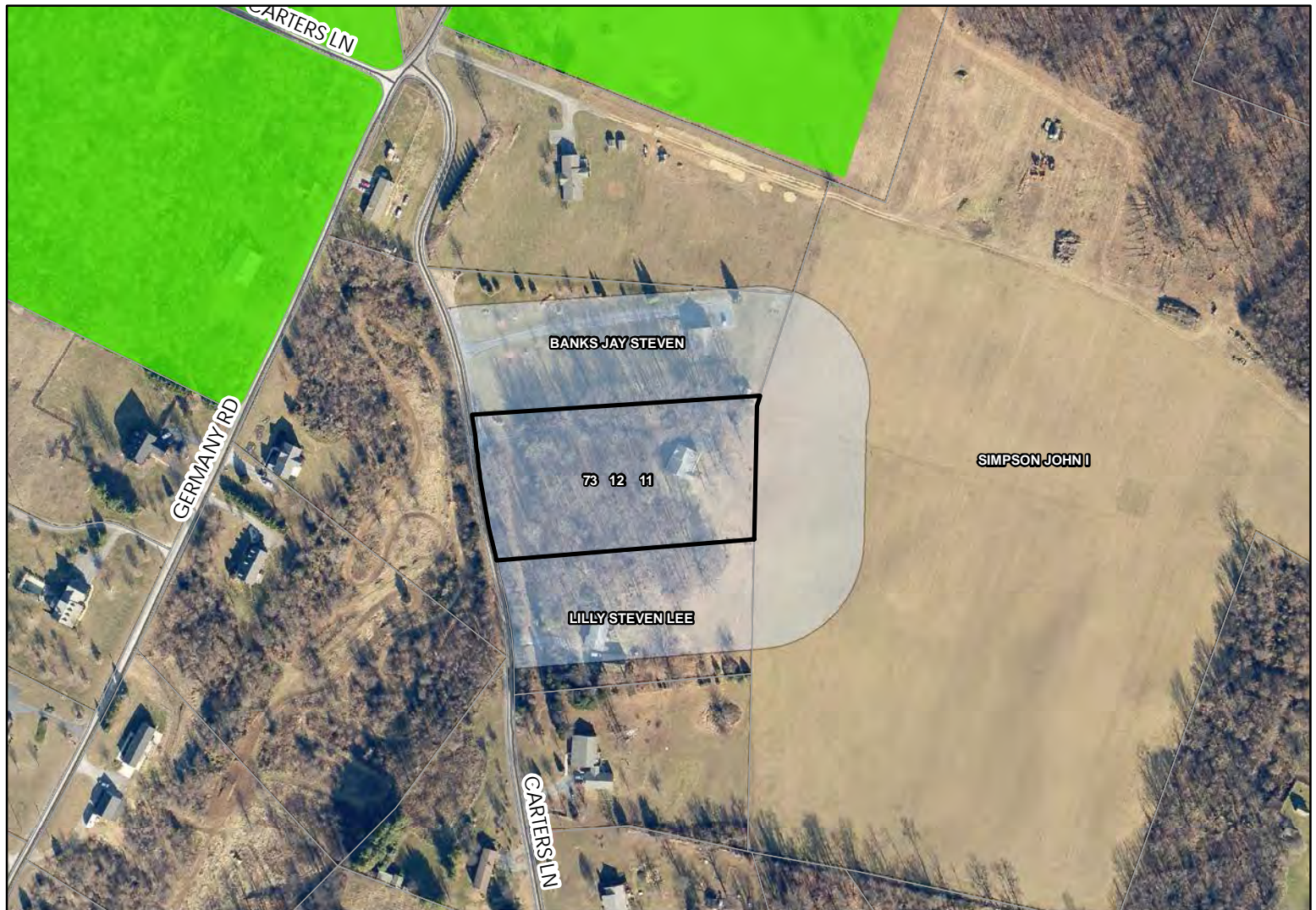


Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels


## Agricultural & Forestal District

 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
73 12 11	MURPHY, CHARLES R & VICKY O	2.86	South Frederick




Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District

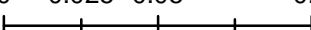
 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
73 12 23	HLAVINKA, DAVID D & PATRICIA E	2.98	South Frederick
73 12 26	MENEFEE, DAVID & JULIE	2.29	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles





# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

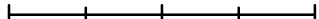
## Agricultural & Forestal District

 Apple Pie Ridge

PIN	Owner	Acres	Ag & Forestal Districts
31 A 170	FRUIT HILL ORCHARD INC	0.34	Apple Pie Ridge
31 A 171	FRUIT HILL ORCHARD INC	1.07	Apple Pie Ridge



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District

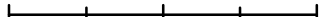
 Double Church District

PIN	Owner	Acres	Ag & Forestal Districts
85 A 132	RITENOUR, SANDRA R	3.67	Double Church



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015




0 0.025 0.05 0.1 Miles





# Property Removed from the 2015-2020 Agricultural & Forestal Districts



-  200 Foot Buffer
-  Parcels
-  Future Route 37 Bypass

## Agricultural & Forestal District

-  Red Bud

PIN	Owner	Acres	Ag & Forestal Districts
44 A 28C	BODEN, ROBERT R. JR. & MARSHA	4.30	Red Bud



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles



# Property Removed from the 2015-2020 Agricultural & Forestal Districts



200 Foot Buffer

Parcels

## Agricultural & Forestal District

Red Bud

PIN	Owner	Acres	Ag & Forestal Districts
44D 2 6	WILLIS, CHARLES I.	2.37	Red Bud




Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles



# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

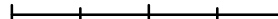
## Agricultural & Forestal District

 Red Bud

PIN	Owner	Acres	Ag & Forestal Districts
55 A 14	LAM, ERNEST L	2.00	Red Bud



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



200 Foot Buffer

Parcels

## Agricultural & Forestal District

Red Bud

PIN	Owner	Acres	Ag & Forestal Districts
55 A 115	JENKINS, JEFFREY G	1.75	Red Bud
55 A 117	R & J LAND DEVELOPMENT, LLC	4.33	Red Bud

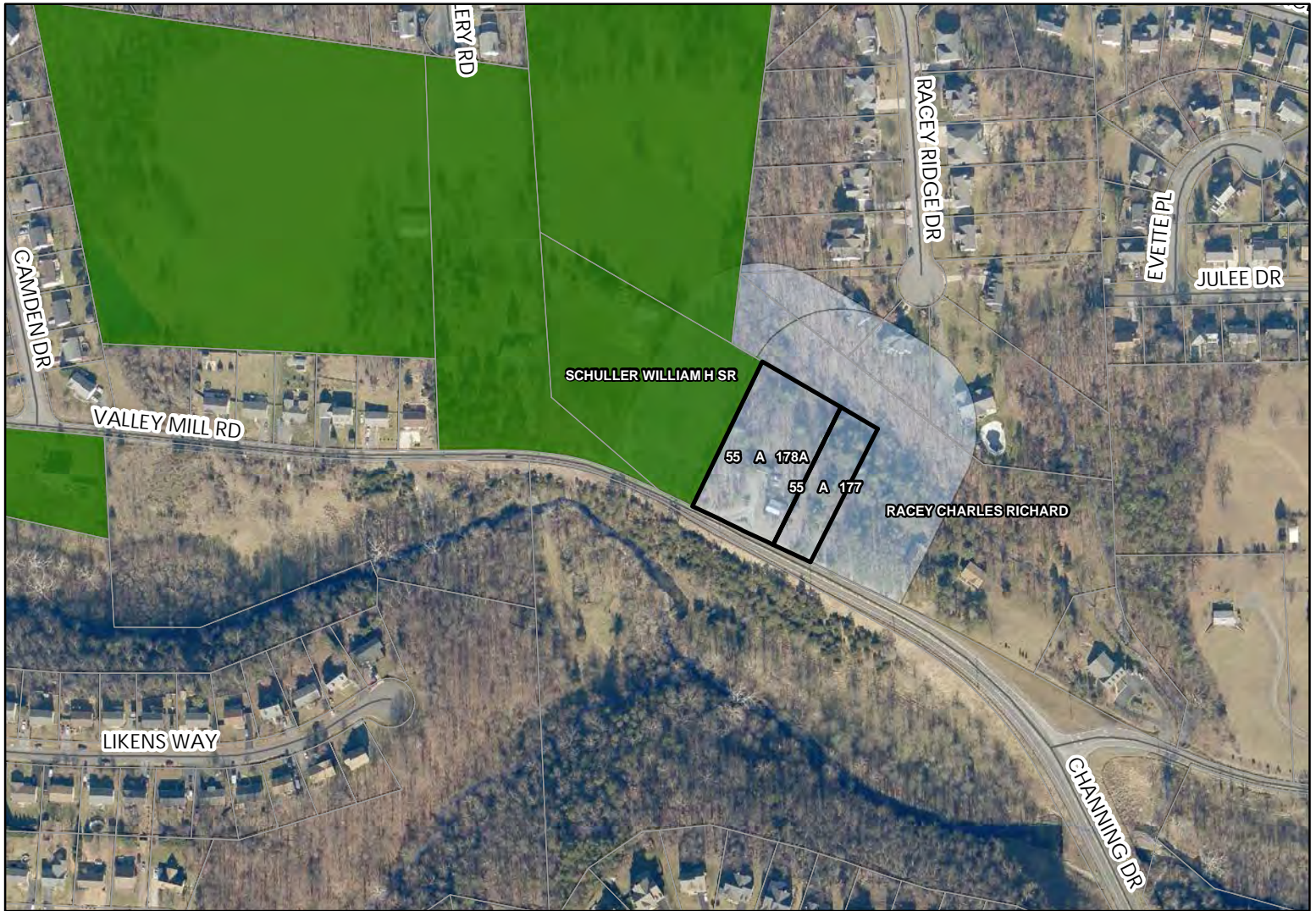


Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles



# Property Removed from the 2015-2020 Agricultural & Forestal Districts



200 Foot Buffer

Parcels

## Agricultural & Forestal District

Red Bud

PIN	Owner	Acres	Ag & Forestal Districts
55 A 177	SCHULLER, WILLIAM HAMPTON JR	0.38	Red Bud
55 A 178A	SCHULLER, WILLIAM H SR & GENEVIEVE	1.28	Red Bud



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles



# Property Removed from the 2015-2020 Agricultural & Forestal Districts



200 Foot Buffer

Parcels

## Agricultural & Forestal District

South Frederick District

PIN	Owner	Acres	Ag & Frestal Districts
61 A 43E	MELBY, CAROL J	1.00	South Frederick
61 A 44	SNAPP, JOSEPH DAVISON	2.20	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles

# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

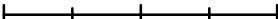
## Agricultural & Forestal District

 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
73 A 64A	DILLENDER, HOLLY B & SAMUEL C JR	2.32	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.02 0.04 0.08 Miles  




# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels


## Agricultural & Forestal District

 South Frederick District

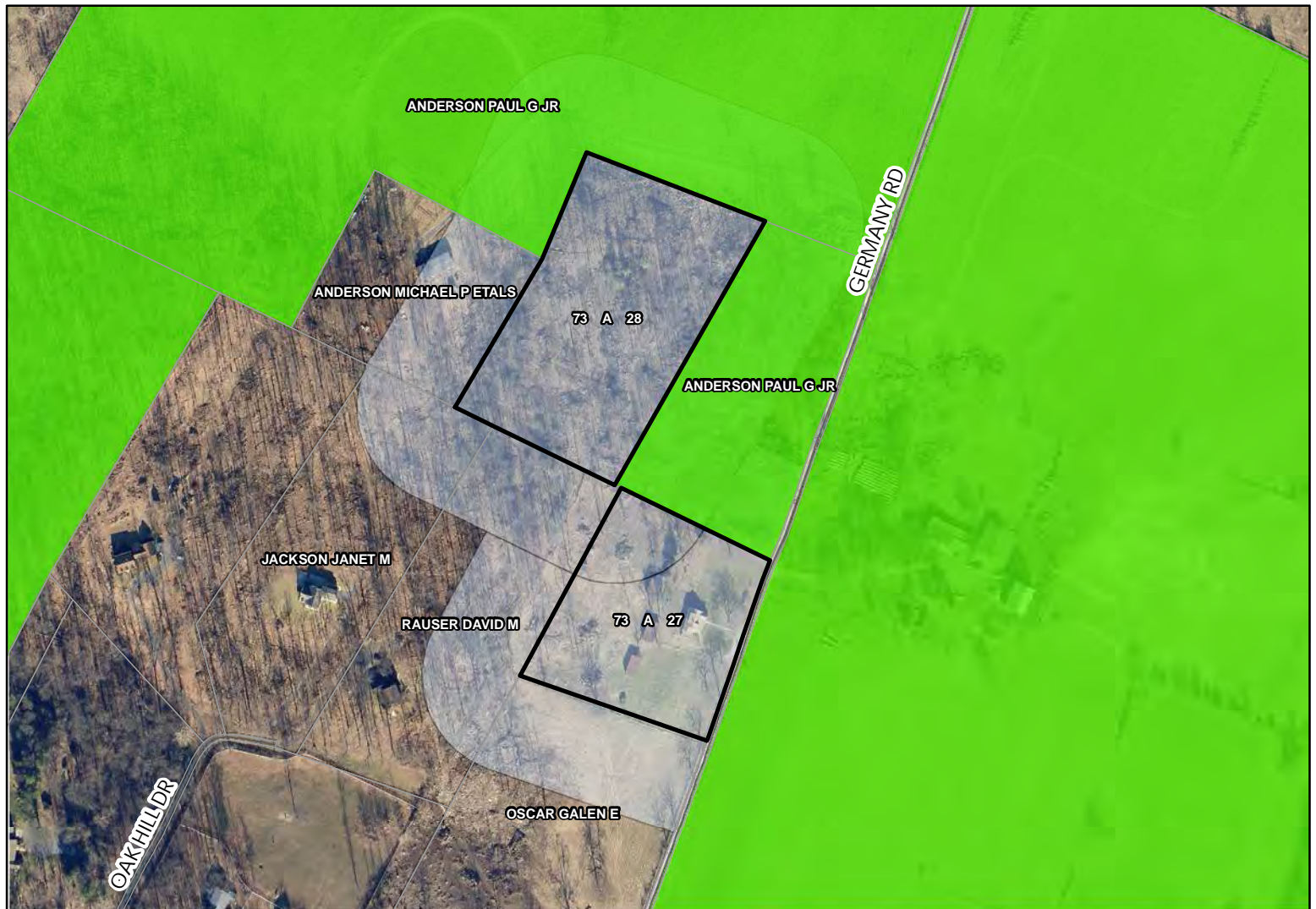
PIN	Owner	Acres	Ag & Forestal Districts
73 A 34	HAMILTON, CHARLES A.	4.80	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles  


# Property Removed from the 2015-2020 Agricultural & Forestal Districts



200 Foot Buffer

Parcels

## Agricultural & Forestal District

South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
73 A 27	COOLEY, MARTHA	4.00	South Frederick
73 A 28	RIDINGS, L VERNON RESIDUAL TRUST	4.00	South Frederick

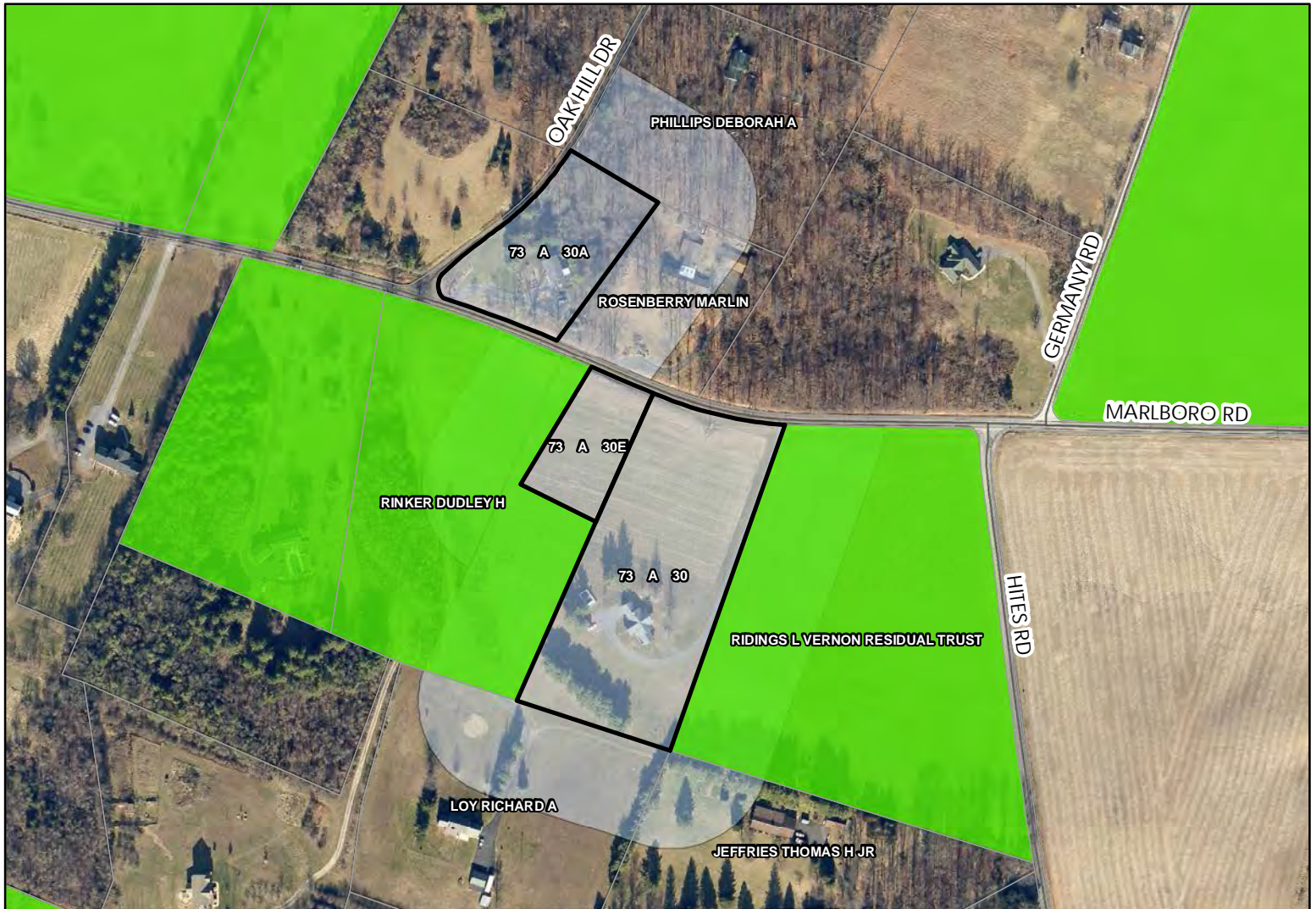


Note:  
Frederick County Dept of Planning & Development  
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540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles



# Property Removed from the 2015-2020 Agricultural & Forestal Districts



 200 Foot Buffer

 Parcels

## Agricultural & Forestal District

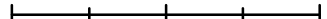
 South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
73 A 30	RINKER, DUDLEY H.	4.83	South Frederick
73 A 30A	NOFFKE, KENTON L & KATHY C	1.71	South Frederick
73 A 30E	RINKER, DUDLEY H.	1.01	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles





# Property Removed from the 2015-2020 Agricultural & Forestal Districts



200 Foot Buffer

Parcels

## Agricultural & Forestal District

South Frederick District

PIN	Owner	Acres	Ag & Forestal Districts
74 A 10F	EARHART, LARRY L & JOYCE C	1.46	South Frederick



Note:  
Frederick County Dept of Planning & Development  
107 N Kent St. Suite 202, Winchester, VA 22601  
540 - 665 - 5651  
Map Created: July 14, 2015

0 0.025 0.05 0.1 Miles





## COUNTY of FREDERICK

Department of Planning and Development

540/ 665-5651

Fax: 540/ 665-6395

## NOTIFICATION OF MEETING

June 8, 2015

**RE: AGRICULTURAL AND FORESTAL DISTRICTS**

On May 27, 2015, the Frederick County Board of Supervisors adopted the eight 2015-2020 Agricultural and Forestal Districts totaling 11,425 acres. 46 parcels totaling 87 acres were not included in the adopted Agricultural and Forestal Districts. The 46 parcels were each less than 5 acres in size and were not participants in the County's Land Use Assessment program. The Board of Supervisors has requested that each of these parcels be given further consideration, and that the property owners be given an opportunity to participate in the evaluation.

*On behalf of the Frederick County Agricultural Advisory Committee (ADAC), you are hereby notified of a meeting being held on Wednesday, June 24, 2015, at 6:00 p.m. The meeting will be held in the Board Room of the Frederick County Administration Building at 107 North Kent Street, Winchester, Virginia. This meeting will consider the inclusion of additional parcels into the recent adopted 2015-2020 Agricultural and Forestal Districts.*

The county's Agricultural and Forestal District program is intended to recognize promote and protect our agricultural economy. One strategy utilized to protect agricultural operations is an ordinance requirement that establishes a 200-foot building setback against the agricultural district; essentially working to minimize impacts on agricultural activities from non-agricultural structures. In February 2015, the ADAC found that parcels less than 5 acres, not within the Land Use Assessment program, and in an Agricultural District, could be placing unintended restrictions on adjacent properties. Therefore, the ADAC recommended that such properties not be included in the Agricultural District.

Attached include those properties which you own, which you had previously submitted for inclusion in the Agricultural and Forestal District program, but which were not included in the updated Districts on May 27, 2015. The map also illustrates the setback buffer and its impact on adjoining properties. If you no longer wish for your parcels to be considered for inclusion in the Agricultural and Forestal District, please notify us at 540-665-5651 or via e-mail at [MCheran@fcva.us](mailto:MCheran@fcva.us). If you do wish for the continual consideration of these parcels to be included in the Agricultural and Forestal District program, we would welcome your participation in the meeting on June 24, 2015, as noted above.

Sincerely,

Mark R. Cheran

Zoning and Subdivision Administrator

Attachment(s)

MRC/pd

W



**COUNTY of FREDERICK**

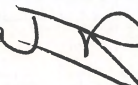
**Department of Planning and Development**

**540/665-5651**

**FAX: 540/665-6395**

**MEMORANDUM**

**TO:** Board of Supervisors

**FROM:** John A. Bishop AICP, Deputy Director - Transportation 

**RE:** HB2 Update

**DATE:** July 29, 2015


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As you are aware, the passage of House Bill 2 has had VDOT and staff working diligently to accommodate the new legislation. As you are aware, House Bill 2 requires a new process for determining which projects will get funded. Also influencing this effort is House Bill 1887 which is the funding mechanism and VTrans 2040 which is the statewide transportation plan. Needs are not identified in the VTrans 2040 and cannot be funded.

Attached, please find the most recent update presentation given by VDOT staff. County staff will be giving a presentation of the process to date as well as what is expected in the coming months.

JAB/pd

Attachment



Virginia Department of Transportation

**HB2 Stakeholder  
Pre-Application Workshops**

VDOT Staunton District  
July 10, 2015  
July 13, 2015  
July 14, 2015

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**Agenda**

1. VTrans, HB2 and HB1887 – How they relate
2. HB2 Overview
3. HB2 Measures and Scoring
4. HB2 Roles and Responsibilities
5. Implementation Schedule
6. Next Steps and Additional Resources




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
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**VTrans, HB2 and HB1887  
How they relate**




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## Life Cycle of a Candidate Project

How it's planned.

How it's scored.

How it's funded.



VDOT

## How it's planned VTrans2040

- VTrans is the long-range, statewide multimodal policy plan -Vision and Goals for transportation in the Commonwealth
- VTrans2040 serves two functions and produces two independent, but connected documents:
  - VTrans2040- 25 year vision document
  - VTrans2040- Multimodal Transportation Plan (VMTP) includes Multimodal Needs Assessment

VDOT

## VMTP Needs Assessment – UNDER DEVELOPMENT



Note: Map includes all locally designated growth areas that appear consistent with the intent of 15.2-2223.1. OPI is asking that localities who want their growth areas to qualify for HB2 funding to add a code reference (15.2-2223.1) by October 1, 2015 to ensure that projects submitted to promote these areas meet the HB2 screening requirements. Projects promoting UDA-like designated growth areas with the proper code reference submitted after October 1 will not be considered in the first round of HB2 project screening.

VDOT

### How it's scored.

### HB2 Screening Process- Key Take Away

- Only projects that meet a *need identified in VTrans2040* will be prioritized
- Projects must be located within one of the following areas:
  - Corridors of Statewide Significance
  - Regional Networks
  - Improvements to promote urban development areas
  - Or addresses an identified safety need
- Projects that do not meet the screening criteria will not be scored or prioritized under HB2

VDOT

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### How HB2 is funded

### HB 1887

- HB1887 removes the 40-30-30 formula put in place in by the 1986 Special Session legislation
- New construction formula established, effective FY 2021:
  - State of Good Repair – 45%
  - High-Priority Projects Program (Statewide)\* – 27.5%
  - District Grant Programs\* – 27.5%

\*To be programmed according to HB 2 in FY17

VDOT

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### How HB2 is funded

- In the interim (FY17-20):
- Funds not programmed to projects are to be distributed 50/50 to:
  - High-Priority Projects Program (Statewide)
  - District Grant Programs

### HB 1887

VDOT

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## Funds Available for HB 2

(in millions - Subject to Revision)

### Funds Available for HB 2 and SGR (in millions)

District Grant Programs	HB2 Percentage Available for HB 2		SGR Percentage Available for SGR	
		\$500.1		\$132.7
Bristol	7.1%	35.3	11.2%	20.8
Greene	0.2%	5.1	6.0%	19.9
Friedrichsburg	6.9%	34.3	12.1%	40.2
Hampden/Reynolds	20.2%	100.0	14.8%	49.1
Lynchburg	7.1%	35.3	7.0%	29.3
NOVA	20.7%	102.2	10.0%	20.1
Richmond	14.4%	72.2	17.4%	50.6
Salem	9.6%	48.1	19.1%	61.0
Southern	7.8%	39.0	7.0%	26.1
High Priority Projects Program (Statewide)		\$500.1		
Total	100.0%	\$1,000.2	100.0%	\$132.7

VDOT

## HB2 Overview

VDOT

## Funding Subject to HB2

What funds are subject to HB2?

- Funds that are subject to HB2 include state and federal highway funds (small proportion of total funding over 6 years)
- Legislation excluded the following projects and types of funding from the prioritization process:
  - Asset management
  - Revenue sharing
  - Regional revenues
  - CMAQ federal funds
  - Highway Safety federal funds
  - Transportation Alternatives funding



VDOT

## HB2 Project Types

- Eligible project types include:
  - Highway improvements
    - ☐ Widening projects
    - ☐ Operational improvements
    - ☐ Access management
  - Transit and rail capacity expansion projects
  - Transportation demand management
    - ☐ Van Pools
    - ☐ Park & Ride facilities
    - ☐ Telecommuting
  - Passenger Rail

VDOT

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## HB2 Project Types

- Project types excluded:
  - Asset Management
    - Structurally deficient bridges
    - Reconstructive paving
    - Routine maintenance
    - Transit and Rail State of Good Repair projects

VDOT

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## Applicant Eligibility

Project System	Regional Entity (MPOs, PDCs)	Locality* (Counties, Cities, Towns)	Public Transit Agencies
Corridor of Statewide Significance	Yes	Yes, with a resolution of support from relevant regional entity	Yes, with resolution of support from relevant regional entity
Regional Network	Yes	Yes	Yes, with resolution of support from relevant entity
Urban Development Area	No	Yes	No

\* Localities are also eligible to submit projects addressing a safety need identified in VTrans 2040 under the District Grant Program

VDOT

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### HB 1887 Funding Program Eligibility

		High Priority Projects Program (Statewide)	District Grant Program*
Facility Type	CoSS	Yes	Yes
	Regional Networks	Yes	Yes
	UDA's	No	Yes
Eligibility to Submit	Regional Entity	Yes	No
	Locality	Yes	Yes

\* Localities are also eligible to submit projects addressing a safety need identified in VTrans 2040 under the District Grant Program

VDOT

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### HB2 Measure/Scoring

VDOT

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### HB2 Scoring - Screening Process

#### REMEMBER:

- Only projects that meet a need identified in VTrans 2040 will be prioritized, and projects need to be on at least one of the following:
  - Corridors of Statewide Significance
  - Regional Networks
  - Improvements to promote urban development areas
  - Address a safety need from VTrans needs assessment

VDOT

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### HB2 Scoring – Factor Areas

- The prioritization process is objective, quantifiable and considers at least the following factors relative to cost:
  - Congestion mitigation
  - Economic development
  - Accessibility
  - Safety
  - Environmental Quality
- For Area Types A and B a transportation and land use factor will be used

VDOT

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### HB2 Scoring – Evaluating Benefits Relative to Cost

- House Bill 2 requires that benefits produced by a project be analyzed on a basis of relative costs
- Results to be provided to CTB based on:
  - Benefits relative to total costs
  - Benefits relative to HB2 costs

VDOT

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### HB2 Scoring – Weighting – CTB Approved June 17, 2015

- House Bill 2 requires that the CTB weight the factors differently in different parts of the Commonwealth



Factor	Congestion Mitigation	Economic Development	Accessibility	Safety	Environmental Quality	Land Use
Category A	45%	5%	15%	5%	10%	20%
Category B	15%	20%	25%	20%	10%	10%
Category C	15%	25%	25%	25%	10%	
Category D	10%	35%	15%	30%	10%	

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## Factor Areas

### Goals that guided measure development

- **Safety** – reduce the number and rate of fatalities and severe injuries
- **Congestion** – reduce person hours of delay and increase person throughput
- **Accessibility** – increase access to jobs and travel options
- **Economic Development** – support economic development, improve goods movement and improve travel time reliability
- **Environmental Quality** – improve air quality and avoid impacts to the natural environment
- **Land Use** – support transportation efficient land development patterns

VDOT

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### Factor Areas: Weighting, Scoring and Roles/Responsibilities

Factor Area	Responsibility
Congestion	TMPD lead, district staff teams assist
Safety	TED lead, District staff assist
Accessibility	District/CO(jobs)
Environment	District/CO(natural resources)
Economic Development	District/CO(freight, reliability)
Land Use	District/CO(population density)

VDOT

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### Measuring SAFETY

CO Lead with District Support

- 50% of score – Expected reduction in total fatalities and severe injuries (100% of score for transit projects)
- 50% of score – Expected reduction in the rate of fatalities and severe injuries per 100 million vehicle miles traveled

VDOT

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## Fatal/Severe Injury Crashes and Crash Rate

CC Lead with District Support



- Highway Projects
  - Compile fatal/severe crash data for project limits (5 years)
  - Based on project scope select Crash Modification Factor
  - Use CMF to calculate reduction in crashes and rate
- Transit/Travel Demand Management/New Location
  - Identify corridor served
  - Use ridership/volume reduction to calculate reduction in VMT
  - Use VMT reduction to calculate crash reduction

VDOT

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## Measuring CONGESTION MITIGATION

CC Lead with District Support

- 50% of score - Change in peak period (multimodal) person throughput in the project corridor
- 50% of score - Change in the amount of peak period person hours of delay in the project corridor

VDOT

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## Person Throughput

CC Lead with District Support



- Highway Projects
  - Volume to Capacity ratio calculated for each hour of day
  - Determine time period(s) where demand exceeds capacity
  - Calculate volume above capacity now being served by improvement - convert to person throughput
- Transit/Travel Demand Management
  - Identify corridor served
  - Determine peak period ridership/volume reduction (Throughput A)
  - Using process above for highways: calculate additional vehicle demand that can now be served based on transit diversion in corridor served (Throughput B)
  - Add together to get total person throughput

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### Congestion Example

Expand Park and Ride Lot  
Person Throughput


- New lot is adding 1000 spaces
- Statewide average parking space occupancy = 75%
- Assumption - 750 vehicles removed from roadway
- Need to determine corridor(s) served and corridor length

Census On the Map tool

- Allows you to analyze areas to get information on commute distance and direction

Person hours of delay

- Remove demand from corridor served and calculate improvement in speed



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### Measuring ACCESSIBILITY

- 60% of score - Change in cumulative job accessibility (within 45 minutes) (within 60 minutes for transit projects)
- 20% of score - Change in cumulative job accessibility for disadvantaged populations (within 45 minutes by automobile and 60 minutes by transit)
- 20% of score - Assessment of the project support for connections between modes, and promotion of multiple transportation choices

Disadvantaged Population Impact

Disadvantaged Population Impact

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### Accessibility

- Increased Access to Jobs
- Increased Disadvantaged Population Access to Jobs
- Access to Travel Options

Disadvantaged Population Impact

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## Access to Jobs

GO Lead with District Support

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- All Projects
  - Using analysis for congestion measures – select hour with greatest increase in speed
  - Also consider reduced travel distances from new facilities and changes in land development patterns
  - Use improvement in speed to code improvement into Accessibility GIS tool – conduct before and after analysis to get change in cumulative job access
- Accessibility Tool
  - GIS based model
  - Analysis done at Census block group level – job access between each block group within 45 minutes (60 minutes for transit)
  - Decay factor applied based on travel time

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## Disadvantaged Access to Jobs

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- Similar process in previous slides used for disadvantaged access to jobs
- Main difference is the utilization of disadvantaged population data in the calculation
- Disadvantaged population
  - Low income, elderly, minority, and Limited English Proficiency population percentage by Census Block Group
  - Compared block group and identified block groups in the 75<sup>th</sup> percentile of the region – regions defined as PDC/MPO/NVTA

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## Access to Travel Options

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- Projects receive points based on features that enhance multimodal access (Max 5 points)
 

- Transit
  - Park and Ride
  - Bike
  - Pedestrian
  - HOV/HOT
  - Real time traveler info or way finding

Multimodal Lead with HOV Support
- Scaled by the number of anticipated Non-SOV users
 

- Transit Users + Bike Users + Pedestrians + HOV/Park and Ride

GO Lead with District Support

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### Access to Multimodal Choices- Scoring Approach (MAX POINTS: 5)

Project Type (Mode) & Characteristics	Points (If Yes)
Project includes transit system improvements or reduces delay on a roadway with scheduled peak service of 1 transit vehicle per hour	5
Project includes improvements to an existing or proposed park-and-ride lot. Ex. New lot, more spaces, enhanced lot technology (payment, traveler information)	4
Project includes construction or replacement of bike facilities. For bicycle projects, off-road or on-road buffered or clearly delineated facilities are required	1.5
Project includes construction or replacement of ped facilities. For pedestrian projects, sidewalks, pedestrian signals, marked crosswalks, refuge islands, and other treatments are required (as appropriate)	1.5
Project includes improvements to existing or new HOV/HOT lanes or ramps to HOV/HOT	2
Project provides real-time traveler information or wayfinding specifically for inter-modal connections (access to transit station or park-and-ride lot)	1
Provides traveler information or is directly linked to an existing TMC network/ITS architecture	1
<b>Total Points Possible:</b>	<b>5 points maximum</b>
<i>Measure Scaling: Points are multiplied by the number of peak period non-SOV users</i>	

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### Measuring ENVIRONMENTAL QUALITY

- 50% of score – Potential of project to reduce criteria air pollutant and greenhouse gas emissions
- 50% of Score – Potential impacts to natural and cultural resources

50% of score – Potential of project to reduce criteria air pollutant and greenhouse gas emissions

50% of Score – Potential impacts to natural and cultural resources

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### Environment

#### Air Quality/Energy

- + Points awarded based on:
  - Providing bicycle or pedestrian facilities
  - Improvements for transit
  - Addressing freight bottlenecks
  - New or expanded Park and Ride lot
  - Provisions for hybrid/electric vehicles or energy efficient infrastructure
- + Points scaled based on number of non-SOV users and truck volume

50% of score – Potential of project to reduce criteria air pollutant and greenhouse gas emissions

50% of Score – Potential impacts to natural and cultural resources

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### Air Quality and Energy Effect- Scoring Approach (MAX POINTS: 10)

Project Type/Status & Characteristics	Points (if Yes)
Project involves construction or major alterations of new facilities. Do 10-year periodic air quality impact studies or study of short-term facilities are required?	2
Project involves fuel combustion or engine use at facility. Do additional fuels (gasoline, diesel, kerosene, etc.) or engine use (generator, etc.) or other equipment use (boiler, etc.) are required?	2
Project involves improvements to fuel tanks or storage collection?	1
Project involves improvements to air quality or proposed permit (e.g., 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 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2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211	

## Environment – Potential Impacts to Natural and Cultural Resources Example

Project	Conservation	Species/Habitat	Cultural Resources	Wetlands	Total Acres	Enviro Doc	Scaled Acres
A	100	25	25	150	300	EA	100
B	100	25	25	150	300	EIS	150
C	20	0	0	5	25	CE	2.5

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## Measuring ECONOMIC DEVELOPMENT

- 60% of score – Assessment of progress made towards new economic development (new and expansion of existing)
- 20% of score – Rate projects based on the extent to which the project is deemed to enhance access to critical intermodal locations, interregional freight movement, and/or freight intensive industries
- 20% of score – Project's impact to travel time reliability

Consistency with the EIS Report

Consistency with the EIS Report

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## Square Footage of Development Supported

- For each project, development sites are identified that the project supports
- Proposed transportation improvement is evaluated on:
  - Consistency with Local Comp Plan/Local Economic Development Strategy – up to 1 point
  - Consistency with Regional Economic Development Strategy – up to 1 point
- Each development site is evaluated on:
  - Consistency with local comp plan/zoning – up to 1 point
  - Development status – up to 1 point
  - Site utilities – up to 1 point
- Max 5 points per site – used to weight square footage

Consistency with the EIS Report

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## Adjusting the Square Footage of Development Supported

### Adjusting Weighted Square Footage

#### Two Adjustments

- Distance from project in miles (except sites less than 1 mile)
- Type of access provided

Project provides a new, direct (physically to the site), primary access to the site that does not exist today, or	100%
Project improves existing access (or relocates existing access) to the site directly (Site must be physically adjacent to the project)	
Project enhances economic development by improving congestion, mobility, access, or operations in the vicinity of the site but the site is not physically adjacent to the project	50%

Formula – (Points) x (Square Footage) / (Distance) x (Access Adjustment)

Development Name	Total Points	Square Footage	Distance	Site Access	Access Adjustment	Adjusted Square Footage
Development A	5	250,000	2	Project enhances economic development by improving congestion, mobility, access, or operations in the vicinity of the site but the site is not physically adjacent to the project	50%	31,250.00
Development B	3	200,000	1.4	Project improves existing access (or relocates existing access) to the site directly (Site must be physically adjacent to the project)	100%	179,000.00

## Project Consistency, Local Support and Development Actions- Scoring Approach (MAX POINTS: 5)

Rating Description	Points Value
1. Transportation project consistency with local Comprehensive Plan or local Economic Development Strategy	Consistent with 0.5 Referenced in: 1
2. Transportation project consistency with Regional Economic Development Strategy	Consistent with 0.5 Referenced in: 1
3. Development project consistent with local comprehensive plan's (future land use or zoning map, and/or zoning code) guidance	Consistent with 0.5 Referenced in: 1
4. Development project site plan status	Submitted 0.5 Approved 1
5. Development projects in place (water, broadband, etc.)	Programmed 0.5 In place: 1
<b>Total (maximum points in rows above)</b>	<b>5</b>

Measure Scaling: Points are multiplied by development building square footage (does not include residential-only property) near the project. Suggested distance within 1 mile. Square footage is discounted by the following:

Project provides primary access to the site or is adjacent to the site: 100% of sq. footage

Project enhances access in the vicinity of the site but is not physically adjacent: 50% of sq. footage

Development sites that are greater than 1 mile away: < 50% of sq. footage is counted based on distance

## Intermodal Access

### Project can get up to 6 points

- Improve access to distribution centers or intermodal/manufacturing facilities
  - Within 1 mile – 2 points
  - 1 to 3 miles – 1 point
- Improve STAA Truck Route
  - Improvement to STAA route – 2 points
  - Improve access to STAA route – 1 point
- Improve access or reduce congestion around port/airports
  - Within 1 mile – 2 points
  - 1-3 miles – 1 point

### Tonnage – BHS Transearch data was used to calculate daily tonnage on the project

	Project A (within 1 mile) (alternates and right-of-way)	Project B (STAA Truck route)	Project C (within 1 mile) (alternates and right-of-way)	Tonnage (BHS) per day	Measure scaled by tonnage
Project A	0.00	2.00	0.00	111.02	482.40
Project B	1.00	1.00	0.00	33.31	124.40
Project C	0.00	1.00	0.00	0.77	48.30

### Intermodal Access and Efficiency Criteria- Scoring (MAX POINTS: 6)

Rating Description	Value
1. Level to which the project enhances access to existing or planned distribution centers, intermodal transfer facilities (including ports and airports), manufacturing/industrial or other freight intensive activities	
Project provides direct access within 1 mile to existing or planned facilities	2
Project provides indirect access, greater than 1 mile, less than 2 miles to existing or planned facilities	1
No direct or indirect access	0
2. Level to which the project supports or enhances efficiency on a primary trunk freight route	
Project is on the designated STAD, National and Virginia Network or a STAD/Virginia Access Route	2
Project directly connects to designated STAD/National and Virginia Network or a STAD/Virginia Access Route	1
Project is not on and does not connect to the designated STAD/National and Virginia Network	0
3. Level to which the project enhances access or reduces congestion at or adjacent to Virginia ports or airports	
Project provides direct access to within 1 mile existing or planned ports or airports (measured from designated entry gates to port or air cargo facilities)	2
Project provides indirect access to greater than 1 mile, less than 3 miles, existing or planned ports or airports, (measured from designated entry gates to port or air cargo facilities)	1
No direct or indirect access	0
Total (sum of scores)	0-6

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### How Scoring Works

Let's say height is a measure



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### Everything is Relative

Highest Value Dictates Scores

Project	Measure	Score
A	250	50
B	300	60
C	75	15
D	15	3
E	500	100
F	150	30

Change here only affects one score

Project	Measure	Score
A	200	40
B	300	60
C	75	15
D	15	3
E	500	100
F	150	30

Change here affects all scores

Project	Measure	Score
A	250	33.3
B	300	40
C	75	10
D	15	2
E	750	100
F	150	20

The best project for that measure dictates the score for all other projects

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Sample Project Scoring													
Project "A" - located in Typology A	Imagative		Safety		Accessibility				Brain Drain			Land Use	
	Imagative	Safety	Safety	Accessibility	Accessibility	Accessibility	Accessibility	Brain Drain	Brain Drain	Brain Drain	Land Use	Land Use	Land Use
Measure Score	30	20	30	30	30	30	30	30	30	30	30	30	30
Measure Weight	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%
Weighted Measure Score	3	2	3	3	3	3	3	3	3	3	3	3	3
Raw Factor Score	30	20	30	30	30	30	30	30	30	30	30	30	30
Factor Weighting (Typ. A)	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%
Weighted Factor Score	3	2	3	3	3	3	3	3	3	3	3	3	3
Project Score	35.9												
Total Project Cost	\$20,000,000												
Score Divided by Total Cost	18.0												
HB2 Cost	\$10,000,000												
Score Divided by HB2 Cost	35.9												

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## HB2 Roles/Responsibilities

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## Roles and Responsibilities

### District HB2 Lead

- HB2 Lead has been established for each district
  - Bristol – Donny Necessary
  - Culpeper – Dan Painter
  - Fredericksburg – Allison Richter
  - Hampton Roads – Dawn Odum
  - Lynchburg – Rick Youngblood
  - NOVA – Andy Beacher
  - Richmond – Mark Riblett
  - Salem – Michael Gray
  - Staunton – Terry R. Short, Jr.
- Coordinate HB2 related activities within district and with Central Office



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### HB2 District Lead Expectations

- Communication- regularly communicate with District leadership on status of HB2 efforts at both the state and district level
  - Participate in weekly teleconference/WebEx
  - Develop outreach plan for localities and regional entities
  - Keep CO staff updated on progress of HB2 submittals, data capture efforts, any issues
- Coordination- identify key District personnel as POCs for technical assistance, ensure timely delivery
  - Work with RAs/REs to ensure assistance to localities is provided
  - Work with other areas of the district, holding weekly coordination meetings- PIM, PE, ATEs, DCEs, etc.
  - Work to help to identify key individuals to assist CO with traffic analysis and safety analysis




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### Roles and Responsibilities

#### Local/Regional HB2 Point of Contact

- Local/Regional POC to coordinate with applicants
  - ☐ Highway Projects
    - ☐ RA/RE POC for localities
    - ☐ PIM/DPM POC for regional entities (MPOs/PDCs)
  - ☐ Transit and Rail Projects
    - ☐ DRPT Project Manager

Rail	Jeremy Latimer, 804-225-4016
Transit – Central Va	Patrice Strachan, 804-786-7940,
Transit – East of Ric	Steven Hennessee, 804-225-4157,
Transit – SW VA	Neil Sherman, 804-786-1154
Transit – NoVa	Todd Horsley, 703-259-2117




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### Roles and Responsibilities

#### Local/Regional HB2 Point of Contact

- As candidate projects are being developed, district resources will be needed to assist the Local/Regional POCs with refining project scopes, schedules and estimates. These resources are:
  - ☐ District Project Development Engineer (PE Manager)
  - ☐ District Bridge Engineer
  - ☐ District Construction Engineer
  - ☐ Regional ROW Manager
  - ☐ District Traffic Engineer/ Operations
  - ☐ District Planning Manager (DPM)




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## Roles and Responsibilities Local/Regional HB2 Point of Contact

- Provide technical assistance to applicants and gathering initial information for HB2 candidate submittals
- Coordinate known HB2 candidates with District Lead
- Identifying which network the candidate project falls into: CoSS, UDA, Regional Network or address a VTrans safety need
- Working with district resource team to refine project description and scope, schedule, estimates, and supporting documentation - conceptual sketch, previous studies, etc.
- Developing cost estimates by phase and identifies local/regional contribution of funding
- Guiding applicants on information and data needed for HB2 application

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## Roles and Responsibilities Local/Regional HB2 Point of Contact

Helping to guide applicants:

- Screening criteria
  - CoSS, Regional Networks, UDAs, VTrans safety need
  - Address VTrans need
  - Eligible project type
- Scaling project to the problem(s)
- Determining priority order of projects they plan to submit – will be part of application
- Developing well-defined scopes and estimates
- Guiding applicant on additional data/information that will be required on application
- **FOCUS on Quality over Quantity**

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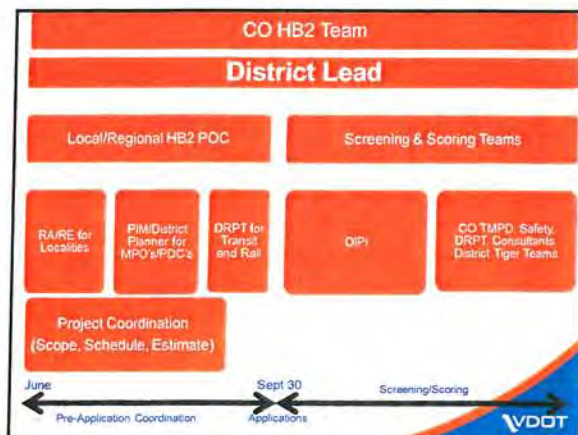
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## Applicant Responsibilities

(with State support)

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## Applicant Roles and Responsibilities

### Scope/ Schedule/ Estimates

Local/Regional applicants will be required to provide the following information when submitting a project under HB2

- ✓ Point of contact
- ✓ Who will administer project?
- ✓ Project priority (if submitting more than one)
- ✓ Detailed project description/scope
- ✓ Project sketch (optional but strongly encouraged)
- ✓ Project status, cost estimate and duration by phase
- ✓ Measure information related to Accessibility, Economic Development, Environment, and Land Use (area types A & B)
- ✓ Amount of HB2 funding requested
- ✓ Description of any non-HB2 funding committed to project
- ✓ Applicable supporting documents (resolutions, plans, studies, etc.)

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## Applicant Roles and Responsibilities

### Scope/ Schedule/ Estimates

HB2 project applications must include the following information:

- **Scope** - The scope should define the limits of the project, its physical and operational characteristics, and physical and/or operational footprint.
- **Cost Estimate** - Cost estimate should be as realistic as possible – considering known information and should account for possible risk and contingencies.
- **Schedule** – Anticipated schedule should be realistic and reflect complexity of project and identify phase durations (PE, RW, CN)

VDOT and DRPT will assist applicants in the development of project scopes, cost estimates, and schedules

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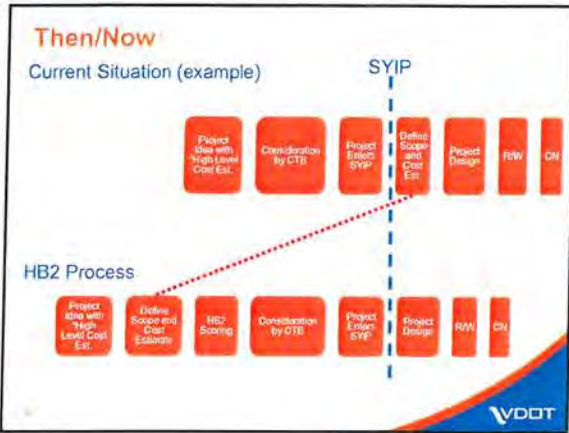
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### HB2 Project Scope/Description

Key components in the Project Scope/Description:

- Limits of the project
- Physical and operational characteristics
- Physical and/or operational footprint

Adequate Scope/Description	Inadequate Scope/Description
Improve I-64/95 interchange by extending the NB to EB ramp by 1000ft and widen NB right shoulder by 4ft	Improve I-64/95 interchange
Add one additional GS-1 through lane in each direction from Rt 602 to Rt 1 and construct dual left turn lanes WB at the Rt 1 intersection.	Widen Route 58
Install signal system at the intersection of Route 49 and 610. Construct 200ft right turn lane and 200ft taper and provide crosswalk and ped heads at new signal.	Improve intersection to address congestion

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### Well defined HB2 Project Descriptions

**PROJECT DESCRIPTION**

Existing traffic demand exceeds the intersection's capacity in the afternoon and morning peak period with total entering traffic volumes of 6,400 and 8,800 vehicles per hour, respectively. WB US 30 traffic is constrained due to the spacing between the signalized intersection and the Route 266 Interchange (2,300 feet). As a result, the afternoon WB queue extends west beyond the NB Route 266 off ramp into mainline lanes, 200 ft into a left turn lane.

The proposed improvement includes: constructing a dual left turn (D.L.T.) intersection, which consists of displacing the left turn movements on US 30 at Commonwealth Centre Parkway to new signalized intersections on either side of Commonwealth Centre Parkway.

The improvement also includes adding a third left turn lane from NB Commonwealth Centre Parkway to WB US 30.

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## Well defined HB2 Project Descriptions

### PROJECT DESCRIPTION

- The proposed improvement consists of two, one-lane roundabouts constructed adjacent to each other, creating a "pair of eyes" effect.
- Single-lane approaches to the roundabouts with up-then-shoulder (minimum 50' long).
- Additional improvements to Apple Market - re-configure (e.g., additional, new asphalt) parking, landscaping.
- Pave up to the edge of the roundabout with new asphalt. It does not include the gravel filler used in a two-lane roundabout.
- Pedestrian accommodation around the new roundabouts.



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## HB2 Cost Estimates

- PCES Workbook is the preferred tool for developing cost estimates for road improvements
- If quantities are known, TRANSPORT can be used for cost estimation
- Accurate cost estimates critical because:
  - Cost impacts the project score
  - Cost estimate increases could force project to be rescored
- VDOT/DRPT will assist applicants with the development of cost estimates

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## HB2 Cost Estimates

### Project Preparation (HB2 Policy Guide Sec. 2.3, page 12)

Projects submitted as candidates for HB2 funding will be held to a basic standard of development to assure that they can be evaluated reliably. VDOT and DRPT intend to provide support to project sponsors prior to application to help project sponsors understand and meet expectations. Project sponsors are encouraged to initiate coordination with VDOT and DRPT staff prior to the application period to ensure that candidate projects are adequately developed. HB2 project applications must include the following information:


- **Scope** – At a minimum, the scope should define the limits of the project, its physical and operational characteristics, and physical and/or operational footprint.
- **Schedule** – At a minimum, the schedule should clearly define the expected process for further project development including key milestones, work activities, related activities, approvals/approval timelines. The schedule should be realistic and reflect the complexity of the project and identify durations for project phases (PE, R/W, CN).
- **Cost** – At a minimum, the cost estimate should be as realistic as possible and should account for applicable risk and contingencies based on the size and complexity of the project. Projects incurring one-time and ongoing operations and non-construction costs (i.e., purchase of transit vehicles) should clearly identify those costs.

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### HB2 Cost Estimates

**WHO?**

- If VDOT Administered → VDOT
- If Locality Administered → Locality may (VDOT must validate)




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### HB2 Cost Estimates

HB2 Policy Guide Sec. 2.3, page 13

**VDOT-Administered:**  
For projects in which the applicant requests VDOT to administer the project, VDOT will be responsible for providing the applicant with a cost estimate for each project application. If the applicant has provided an estimate, VDOT will be required to validate the estimate for use on each project application.

**Locally Administered:**  
For projects in which the applicant requests to locally administer the project (and for all DRPT oversight projects), the applicant may provide a cost estimate for each project application, however VDOT and/or DRPT staff must validate the estimate for use on each project application




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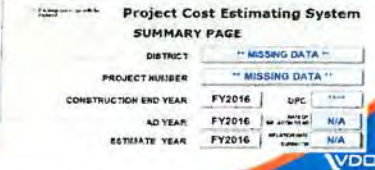

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### HB2 Cost Estimates

**PCES System:**



**PCES Workbook (Excel file)**


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### HB2 Cost Estimates

**PCES Workbook options:**

2. Manual

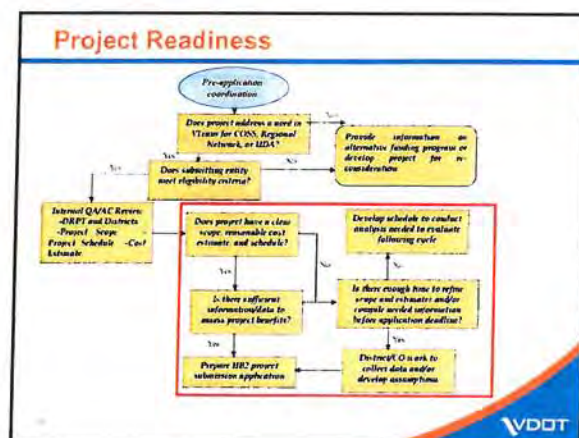
\$29,000	PE	\$40,000
\$50,000	ROY	\$10,000
\$250,000	CTU	\$800,000
\$250,000	TOTAL	\$950,000

Phase	Comments	Estimate
1 PE	PE based on:	\$40,000
2 ROY	ROY based on:	\$10,000
3 CTU	CTU Road Portion:	\$800,000
4 CTU	CTU C&I Construction Engineering at 15%:	\$120,000
5 CTU	CTU Construction at 2.5%:	\$10,000

### Project Readiness

- Projects that are conceptual in nature and not well defined may need additional planning/pre-scoping level work before project can be submitted and scored under HB2
- In these cases, VDOT/DRPT may recommend to applicant the need for additional study prior to HB2 submittal



[illegible][illegible][illegible][illegible]

Accessibility	
<p>To what extent does the project enhance existing access or create new access to multimodal transportation systems?</p> <p>Project includes transit system improvements or reduces delay on a roadway with scheduled peak service of 1 transit vehicle per hour.</p> <p>Project includes improvements to an existing or proposed park-and-ride lot. Ex. New lot, more spaces, entrance/exit, technology (payment, traveler information).</p> <p>Project includes construction or replacement of bike facilities. For bicycle projects, off-road or on-road buffered or clearly delineated facilities are required.</p> <p>Project includes construction or replacement of ped facilities. For pedestrian projects, sidewalks, pedestrian signals, marked crosswalks, transit islands, and other treatments are required (as appropriate).</p> <p>Project includes improvements to existing or new HOV/HOT lanes or ramps to HOV/HOT.</p> <p>Project provides real-time traveler information or wayfinding specifically for inter-modal connections (access to transit station or park/ride lot).</p> <p>Provides traveler information or is directly linked to an existing TMC network/ITS architecture.</p>	Yes/No

[illegible]

## ENVIRONMENT Measures provided by applicant

Applicant Required Information Related to HB2 Measures		Yes/No
<b>Environment</b>		
Project includes construction or replacement of bike facilities. For bicycle projects, off-road or on-road buffered or clearly delineated facilities are required.		
Project includes construction or replacement of ped facilities. For pedestrian projects, sidewalks, pedestrian signals, marked crosswalks, refuge islands, and other treatments are required (as appropriate).		
Project includes improvements to rail transit or passenger rail facilities.		
Project includes improvements to an existing or proposed park-and-ride lot. Ex. New lot, more spaces, entrance/exit, technology (payment, traveler information).		
Project includes bus facility improvements or reduces delay on a roadway with scheduled peak service of 1 transit vehicle per hour.		
Project includes improvements to freight rail network or intermodal (truck to rail) facilities/ports/terminals.		
Project includes special accommodations for hybrid or electric vehicles, or space or infrastructure for electric vehicle parking/charging.		
Project includes energy efficient infrastructure or fleets, including: hybrid or electric buses, LED lights and signals, electronic/open road tolling, alternative energy infrastructure (e.g. roadside solar panels).		

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## ECONOMIC DEVELOPMENT Measures provided by applicant

Applicant Required Information Related to HB2 Measures							
Tools - Use Google Earth or tool such as - <a href="http://www.freemaptools.com/area-calculator.htm">http://www.freemaptools.com/area-calculator.htm</a>							
Economic Development	Transportation Project consistency with Local Comprehensive Plan/Economic Development Strategy	Transportation Project consistency with Regional Economic Development Strategy	Development consistent with Comprehensive Plan/Zoning	Development site plan status	Development site plan status	Development proposed for projected building square footage	Distance from Project
	Consistent with: 0.5 point, Reference: 1 point	Consistent with: 0.5 point, specific reference: 1 point	Submitted: 0.5 point, Approved: 1 point	Submitted: 0.5 point, In place: 1 point	Submitted: 0.5 point, In place: 1 point	Proposed for projected building square footage	
Transportation Project	1	1					
Site 1 Name							
Site 2 Name							
Site 3 Name							
Site 4 Name							
Site 5 Name							

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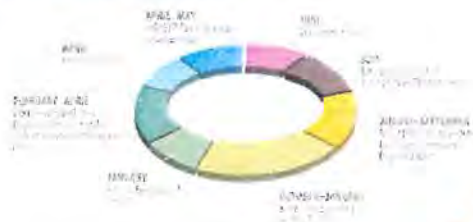
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## HB 2 Process Timeline for implementation

### Anticipated HB2 Yearly Cycle




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### HB2 Schedule

- Overall Schedule
  - June/July – Training and outreach to applicants
    - HB2 process – early July
    - **SAVE THE DATE! HB2 web application – July 30<sup>th</sup>**
      - Log-in credentials will be provided
  - July 1<sup>st</sup> to September 30<sup>th</sup>
    - Project coordination (now to August 30<sup>th</sup>)
      - Communication and coordination with applicants (RAs/REs/PIMs/DPMs/DRPT)
      - Project definition/scope
      - Project documentation
    - August 1<sup>st</sup> to September 30<sup>th</sup> – Application submission
    - October 1<sup>st</sup> to December 31<sup>st</sup> – Screening and Scoring
    - January – June 2016 – CTB considers results in developing SYIP

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### Next Steps

- Online web application under development
  - Stakeholder web application training scheduled for July 30<sup>th</sup>, from 10am-Noon. Location(s) to be determined.
  - A website user's manual and login credentials will be provided to each locality / regional body eligible for project submission.
- Immediate coordination between VDOT and applicants is necessary to identify candidate projects to begin data collection prior to the August 1<sup>st</sup> application start period.
- A HB2 application worksheet is also being developed to assist in project coordination between VDOT and applicants.

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### Additional Resources

- Presentations to the CTB
  -
- HB2 Implementation Guide and Appendices
  -
- HB2 Website
  -

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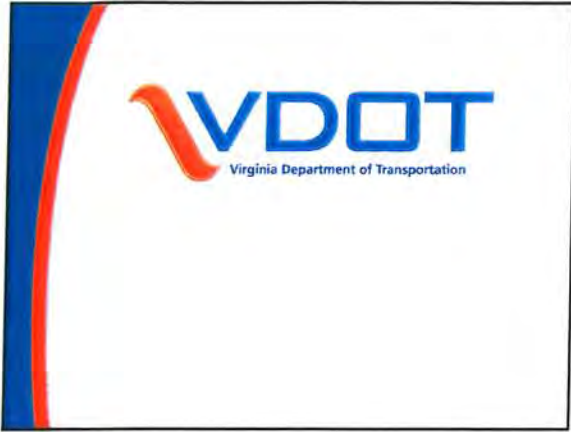
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