

Finance Department Cheryl B. Shiffler Director

540/665-5610 Fax: 540/667-0370 E-mail: cshiffle@co.frederick.va.us

то:	Finance Committee
FROM:	Cheryl B. Shiffler, Finance Director
DATE:	December 12, 2007
SUBJECT:	Finance Committee Agenda

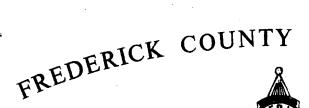
The Finance Committee will meet in the Board of Supervisors' Meeting Room at 107 North Kent Street on Wednesday, December 19, 2007 at 8:00 a.m.

- The Sheriff requests a <u>General Fund supplemental appropriation in the amount of</u> <u>\$4,364.91</u>. This amount represents reimbursements for prisoner extraditions. No additional local funds required. See attached memo, p. 1 – 2.
- The Director of Economic Development requests a <u>General Fund supplemental</u> appropriation in the amount of \$25,131. This amount represents funds from GSA for the NetTech Center. No additional local funds are required. See attached memo, p. 3 – 7.
- The Registrar requests a <u>General Fund supplemental appropriation in the amount of</u> <u>\$22,410</u> for the Presidential Democratic and Republican Primary Elections. Additional local funds are required. See attached memo, p. 8 – 10.
- The Director of Parks and Recreation requests a <u>General Fund supplemental</u> <u>appropriation in the amount of \$45,000</u>. This amount represents proffer funds to be used for backstops at Sherando Park. See attached memo, p. 11.

Finance Committee Agenda December 19, 2007 Page 2

- The Greenwood Volunteer Fire & Rescue Company Chief requests a <u>General Fund</u> supplemental appropriation in the amount of \$55,586.76. This amount represents proffer funds earmarked for Greenwood Fire Company to be used for the purchase of a new pumper. See attached memo, p. 12 – 14.
- 6. The Assistant County Administrator requests discussion on the proposed cash proffer procedure. See attached memo, p. 15 16.

K COUNTY SHERIFF'S OFFICE



ROBERT T. WILLIAMSON Sheriff



MAJOR R.C. ECKMAN Chief Deputy

1080 COVERSTONE DRIVE WINCHESTER, VIRGINIA 22602

> 540/662-6168 FAX 540/722-4001

ТО	: Finance Department	
	. I mance Department	

FROM : Sheriff R. T. Williamson K

SUBJECT : Reimbursement for Extraditions

DATE : November 19, 2007

Enclosed please find checks from the Commonwealth of Virginia – Circuit Courts totaling \$4,363.91.

These checks are reimbursement for prisoner extraditions conducted by our department on:

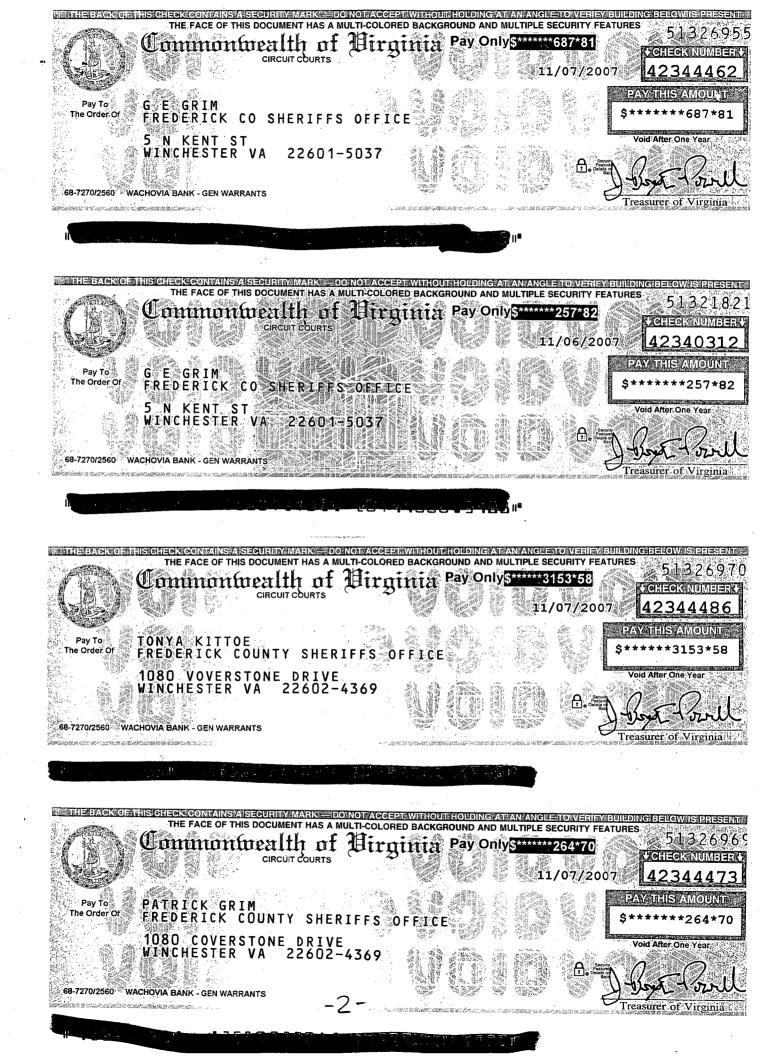
July 19, 2007\$3,153.58September 4, 2007\$687.81September 20, 2007264.70October 18, 2007\$257.82

We are requesting this amount be appropriated into our budget in the travel line: 3102-5506-00.

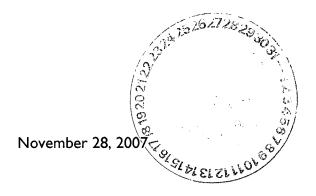
Thank you.

RTW/asw









TO: Cheryl Shiffler Finance Director

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Patrick Barker FROM:

RE: Supplemental Appropriation Request for NetTech Center of Winchester Memorandum of Agreement Frederick County Account No. 10-8102-3002-002

Based on an October 2007 extension of the contract between GSA and the Winchester-Frederick County Economic Development Commission, we are requesting a supplemental appropriation for the NetTech Center of Winchester contingent upon terms identified in the Memorandum of Agreement (attached). **Our Agreement necessitates us to add \$25,130.04 to the current appropriation amount in order to cover the rental rate for the current fiscal year.** This would then increase our appropriation for this line item from \$202,593.00 to \$227,723.04. Supplemental appropriation should be recorded in Frederick County Account No. 10-8102-3002-002.

This supplemental appropriation will allow the EDC to receive and expend Federal monies directly related to our contract with GSA as the fiscal agent of the NetTech Center of Winchester. No local monies are required.

We request this issue be added to the December 19th Finance Committee agenda. Please advise our office if you need any additional information.

Attachment (Memorandum of Agreement)

Your Move. Our Commitment.

188000075

MEMORANDUM OF AGREEMENT

Effective date From: October 1, 2007 to: September 30, 2008

THIS AGREEMENT is entered into the date below by and between the United States of America, acting by and through the Administrator of the General Services Administration, hereinafter "GSA" and the Winchester-Frederick <u>County</u>-Economic Development Commission (WFEDC), 45 E. Boscawen Street Winchester, Va. 22601.

WHEREAS, GSA is authorized to enter into the project with **WFEDC** pursuant to authority found in 40 United States Code Section 587; and

NOW THEREFORE, in consideration of the foregoing premises, GSA and WFEDC agree as follows:

- The funds to be provided by GSA for the project shall not exceed \$227,723.00 for the Winchester-Frederick telework center, and be in accordance with the budget request submitted by WFEDC and approved by GSA. A request for any additional funds must be submitted in writing to the Program Manager with a justification for the request. The Program Manager shall be Robyn Major. In the event that GSA elects to appoint a different individual as Program Manager, GSA shall notify WFEDC in writing.
- 2. The WFEDC shall maintain at WFEDC Winchester telework center with a minimum of 31 workstations respectively and shall permit access to federal government agencies based on defined schedules as outlined in the TOLBS registration for the period of October 1 through September 30 and under the parameters as outlined in section 5 of this agreement.
- 3. This Agreement is subject to the following cost principles and the Office of Management and Budget (OMB) uniform administrative requirements:
 - a. OMB Circular A-133 Audits of Institutions of Higher Education and Other Non-Profit Institutions
 - b. OMB Circular A-110 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and other Non-Profit Organizations
 - c. Davis-Bacon Act, 40 U.S.C. Section 3142
 - d. Selection of firms for architect-engineer contracts), 48 CFR Subpart 36.6
 - e. Title VI, Section 622, Public Law 101-136 (Written policy designed to ensure that all of the workplaces of the College are free from the illegal use, possession, or distribution of controlled substances)
- 4. No funds will be requested by, nor provided to, WFEDC until such time as the Agreement has been executed by both parties. WFEDC shall invoice GSA monthly in arrears for telework center expenses as outlined in the budget and agreed to by WFEDC and GSA as per section 5 of this document each fiscal year.

- 5. The **WFEDC** shall:
 - a. Designate a Telework Center Program Director as a point of contact for the telework centers.
 - b. Authorize the Program Director (or designee) to administer the funds for the Center.
 - c. Require the Program Director (or designee) to submit an annual budget request to GSA for approval.
 - d. Require the Program Director (or designee) to submit an accounting of expenses and invoices to GSA; provide an annual accounting of all expenditures, balances and surpluses.
 - e. Respond to the following reporting requirements:
 - i. Maintain a file of project financial records sufficient for a complete financial audit by GSA, if GSA should decide that such an audit is necessary to certify proper expenditure of Federal funds.
 - ii. Maintain program and financial management systems consistent with the requirements of 41 CFR Subpart 105-72.30.

f. Maintain all equipment (including but not limited to, all computers, printers, fax machines, computer servers, video conferencing equipment, or any other office equipment in each center) so that it is functional for users. Center acknowledges GSA funded the initial purchase of this equipment and therefore shall retain ownership.

g. Ensure that each Center is equipped with a sufficient number of workstation units as well as other furniture for users to work effectively at the center.

h. Ensure that each Federal user has, prior to use of the telework center, completed an on-line registration form via the Telework On-line Billing System (TOLBS), for participation in the Telework Center program and has been approved. The use of TOLBS will ensure that the Federal employee has authorization from their agency to participate in the Telework program and use of the telework center; will electronically submit the budgetary billing codes to GSA for GSA to bill the appropriate agency for the employees' use of the center; and will generate a report to GSA that the employee is authorized to use the center. Until GSA TOLBS representative submits information to the Center that a Federal employee is approved, the Federal employee is not authorized to use the Center.

i. Permit non-Federal entities and persons to use the telework centers under the following conditions:

- the
- <u>iii.</u> They must register in TOLBS and provide billing information for payment of the center fees to be collected electronically by GSA. No otherpersonal information will be collected from non-Federal users except for name and billing information.
- iv. They must sign a legally binding document as deemed appropriate by-GSA to ensure appropriate and legal use of the facilities.

-v.- GSA shall notify WFEDC when a non-Federal client is authorized to usethe telework centers based on completion of the TOLBS registration and the receipt of the signed document specified in section 5.g.ii.

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WFEDC shall not be responsible for the collection of payment by non--Federal clients of the telework centers.

j. Create a fee schedule to charge non-Federal users of the centers and submit that information to GSA at the time of the annual budget submission.

k. Inform GSA and the Award Administrator of any agreements between the telework center and other Federal agencies for contingency operations within 30 days of entering into an agreement.

- 6. GSA shall:
 - a. Designate a Program Manager in the Mid-Atlantic Region and a GSA TOLBS representatives in Washington DC, as a central point of contact for the project. The Program Manager shall be Robyn Major. In the event that GSA elects to appoint a different individual as Program Manager, GSA shall notify **WFEDC** in writing.
 - b. Review budget submissions from the WFEDC and approve and process requests for funds from WFEDC in the most expeditious manner possible consistent with appropriate accounting procedures.
 - c. GSA TOLBS representative will advise **WFEDC** of approved Federal agency participants as quickly as possible.
- 7. The following clauses are incorporated into this agreement by reference:

48 CFR 552.232-75	Prompt Payment (Sept 1999)
48 CFR 52.203-7	Anti-Kickback Procedures (Jul 1995)
48 CFR 52.223-6	Drug-Free Workplace (May 2001)
48 CFR 552.215-70	Examination of Records by GSA (Feb 1996)
48 CFR 52.222-26	Equal Opportunity (Feb 1999)
48 CFR 52.222-35	Prohibition of Segregated Facilities (Feb 1999)
48 CFR 52.222-36	Affirmative Action for Workers with Disabilities (Jun 1998)
48 CFR 52.222-37	Employment Reports on Disabled Veterans and Veterans of the
	Vietnam Era (Jan 1999)

- 8. OMB Circular A-110 prescribes uniform suspend and termination for grants and agreements and is hereby incorporated by reference.
- 9. Any publication resulting from the Agreement must include the following acknowledgment of support and disclaimer statement, whether copyrighted or not:

"This material is based upon work supported by the U.S. General Services Administration under this Agreement"

Except for scientific articles and papers appearing in scientific journals, materials must also contain the following disclaimer:

"Any opinions, findings and conclusions or recommendations expressed in this Publication are those of the author(s) and do not necessarily reflect the views of the U.S. General Services Administration."

UNLESS APPROVED BY GSA PROGRAM MANAGER IN WRITING

- 10. This project is not to be sub-granted/sub/awarded to a third party/ Contracting out of certain functions as approved herein is permissible; however, the prime recipient shall insure compliance with all applicable laws and regulatory requirements by recipient parties. Additionally, WFEDC agrees to furnish the GSA Program Manager, no later than 30 days after award of this agreement, copies of contracts, rental agreements, leases entered into, and pay plans agreed upon between the grantee and the renting party/parties in relation to the performance of this agreement (procurement and property management procedures spelled out in the applicable OMB Circular shall govern)
- 11. Any and all disputes arising under this Agreement shall be referred to the respective points of contact who shall resolve such disputes, if possible, through informal means. If agreement cannot be reached informally, the dispute may be resolved through negotiated agency review of mediation by a neutral third party agreed to be both parties to this agreement. Nothing is this Agreement shall prohibit, limit, waive, modify or otherwise affect either party's right under law to seek review of any decision issued by agency review or mediation from any Court or other tribunal of competent jurisdiction.
- 12. This agreement will terminate one year after the effective date, unless this agreement is extended by mutual agreement in writing between GSA and WFEDC.
- 13. In accordance with 40 USC 587(b)(2) the WFEDC is authorized to offer workstations to non-federal users. Federal employees shall have priority in using the telework center at all times.
- 14. If either party breaches this Agreement in addition to any other rights or remedies, the non-breaching party may terminate this Agreement without prior notice.

United States of America

Administrator of General Services Administration

By: Porfurel Date: 10/17/2007

Winchester-Frederick County **Economic Development Commission**

Date: :



OFFICE OF VOTER REGISTRATION & ELECTION ADMINISTRATION

General Registrar of Voters

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

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

MEMORANDUM

To: Frederick County Finance Committee

From: Rick Miller, Voter Registrar, Frederick County

Subject: Supplemental Budget Request for February 12, 2008 Presidential Democratic & Republican Primaries

Date: December 7, 2007



The Voter Registrar requests to be placed on the Frederick County Finance Committee agenda for the Wednesday, December 19, 2007 meeting. The purpose of this request is to seek approval of the Supplemental Budget Request for the February 12, 2008 Presidential Democratic and Republican Primary Elections (Copies Enclosed). The amount of the supplemental budget request is \$ 22,410.00. This amount will cover all expenses related to the dual Presidential Primaries on February 12, 2008.

107 North Kent Street



OFFICE OF VOTER REGISTRATION & ELECTION ADMINISTRATION

General Registrar of Voters

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

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

FREDERICK COUNTY FINANCE COMMITTEE WEDNESDAY, DECEMBER 19, 2007 MEETING

FREDERICK COUNTY ELECTORAL BOARD/VOTER REGISTRAR

SUPPLEMENTAL BUDGET REQUEST FEBRUARY 12, 2008 DEMOCRATIC & REPUBLICAN PRESIDENTIAL PRIMARIES

EXPENSES

TOTAL	\$ 22,410.00
FREIGHT & INSURANCE	\$ 400.00
NEWSPAPER AD	\$ 250.00
PRINTING	\$ 2,000.00
VOTING MACHINE ELECTION SUPPLIES	\$ 4,000.00
MACHINE PROGRAMING & TRANSPORT	\$ 3,000.00
ELECTORAL BOARD	\$ 500.00
POLL WORKERS	\$ 12,260.00

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OFFICE OF VOTER REGISTRATION & ELECTION ADMINISTRATION

General Registrar of Voters

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

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

FREDERICK COUNTY FINANCE COMMITTEE WEDNESDAY, DECEMBER 19, 2007

FREDERICK COUNTY ELECTORAL BOARD/VOTER REGISTRAR

SUPPLEMENTAL BUDGET REQUEST FEBRUARY 12, 2008 DEMOCRATIC & REPOBULICAN PRESIDENTIAL PRIMARIES

EXPENSES

POLL WORKERS	\$ 12,260.00	CODE	13010-1006-000-002
ELECTORAL BOARD	\$ 500.00		13010-5506-000-000
MACHINE PROGRAMMING & TRAINING	\$ 3,000.00		13010-3010-000-000
VOTING MACHINE ELECTION SUPPLIES	\$ 4,000.00		13010-3010-000-000
PRINTING	\$ 2,000.00		13010-3010-000-000
NEWSPAPER AD	\$ 250.00		13010-3007-000-000
FREIGHT & INSURANCE	\$ 400.00		13010-5204-000-000
TOTAL	\$ 22,410.00		

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COUNTY of FREDERICK

Parks and Recreation Department James M. Doran, Director 540-665-5678 FAX: 540-665-9687 www.co.frederick.va.us e-mail: fcprd@co.frederick.va.us

MEMORANDUM

10:	Finance Department
FROM:	James M. Doran
SUBJ:	Proffer Funda

Proffer Funds

DATE: December 12, 2007

The Parks and Recreation Commission would like to request \$ 45,000 from the Parks and Recreation Proffer Fund be transferred to line item 7110-8900-00 for the installation of backstops to replace the existing twenty-seven year old backstops on Sherando Park fields # 1, # 2, and # 4. These backstops will be similar to the backstop on Bennington Field installed last year. Increasing the height of the backstop will improve the playing experience for the baseball and softball players utilizing these fields. The Frederick County National Little League endorses this request.

Similar backstops were installed on the Clearbrook Park ballfields in 2001.

107 North Kent Street Winchester, VA 22601



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Kris C. Tierney

Assistant County Administrator

MEMORANDUM

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

TO:	Finance Committee	001172 33 33
FROM:	Kris C. Tierney, Assistant County Administrator	
RE:	Request from Greenwood Volunteer Fire and Rescue Company	m DEC 2007 20
DATE:	December 6, 2007	TREDERICK COUNTY
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Attached please find a letter from Eddie Keeler, Chief of Greenwood Volunteer Fire and Rescue Company requesting placement of a pumper truck on the County's Capital Improvement Plan (CIP). This will allow proffer funds to be utilized for this purchase.

#### **Background**

As Committee members will recall, in early 2006 the County began evaluating the manner in which we disburse proffers to Fire and Rescue Companies. As a result of this discussion and based on the recommendation of legal council, the Committee recommended halting the distribution of funds to the Companies until a clear policy that met legal muster was formulated and adopted. At the heart of this discussion was the requirement that proffer funds be used for capital expenses.

Over the ensuing period staff has meet twice with a Proffer Committee made up of representatives from the Fire and Rescue Association to discuss an approach that would, among other things, include capital requests from volunteer companies in the County's CIP process. Staff urged the committee to take the proposal back to the full Fire and Rescue Association membership and provide feedback to the County. The first meeting took place on November 29, 2006; however, no feedback was received. A second meeting was arranged and held on October 23, 2007 at which time the proposed process was again discussed. At the time of this writing, a third meeting is scheduled between staff and the Committee for Sunday, December 16th. The Committee has been informed that staff intends to take the proposed procedure to the Finance Committee at your December meeting with or without a response from the Fire and Rescue Association.

#### **Greenwood's Request for Funds**

With the above as background, as of November 21, 2007 a total of \$55,586.76 of proffered funds has been collected and earmarked for Greenwood Fire Co. The attached letter from Chief Keeler requests inclusion of the Pumper on the County's CIP; however, staff suggests that the Finance Committee consider a recommendation to the Board regarding the disbursement of the \$55,586.76

to the Company for the specified purpose of assisting with the purchase the pumper.

The main objective of the proposed proffer policy was to insure that funds were utilized for capital expenses and the pumper qualifies as such. The annual CIP update is well underway with project descriptions submitted to the Planning Department months ago. The proposed CIP has been drafted, reviewed by Committee, and discussed by the Planning Commission. The annual adoption by the Board of Supervisors typically takes place in or around February of each year. Given that the pumper truck is already on order and will likely be delivered in March, there seems little point in trying to work it into the 2008 CIP.

Please let me know if there are any questions.

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Eddie Keeler, Chief

Greenwood Vol. Fire & Rescue Company, Inc.

PO Box 3023 Winchester, VA 22604 (540) 667-9417

Dan Cunningham, President

November 28, 2007

Mr. John Riley, Administrator County of Frederick 107 N. Kent Street Winchester, VA 22601



Dear Mr. Riley:

Greenwood Volunteer Fire & Rescue Company, Inc. would like to be put on the Capital Improvements Plan to be able to receive proffer money for the purchase of a new pumper.

We are replacing our 1989 Pierce Lance Pumper with a 2008 Smeal Custom Pumper with a purchase price of \$420,311.00.

Thank you in advance for your attention to this matter.

Sincerely,

Eddie Keeler Chief 18

Eddie Keel Chief



# **COUNTY of FREDERICK**

Kris C. Tierney Assistant County Administrator

·	MEMORANDUM	540/665-5666 Fax 540/667-0370 E-mail: ktierney@co.frederick.va.us
TO:	Finance Committee	A 5 42 33 43 33
FROM:	Kris C. Tierney, Assistant County Administrator	140
RE:	Fire and Rescue Cash Proffers	REDERICK COUNTY
DATE:	December 12, 2007	1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.

Back in September of 2006 staff brought the committee a recommended policy for handling cash proffers related to Fire and Rescue impacts. Staff was instructed to meet with representatives of the Fire and Rescue Association to get their reaction to the proposal. After considerable effort a meeting was held in November of 2006 between staff and a Proffer Committee of the Association. No feedback was received from the committee or the association as a result of that meeting. Recently a request for a second meeting was received. A meeting was arranged and held on October 23rd. A third meeting was then requested which is scheduled for Sunday, December 16th.

Staff hopes to be able to report back to you on the position of the Fire and Rescue Association regarding the proposed process at your meeting on December the 19th.

# Proposed Cash Proffer Procedure as Presented in September 2006

Staff believes the most effective way to address the use of cash proffered for Fire and Rescue would be to place the money in a fund earmarked for F&R capital expenditures. This procedure would be similar to the county's current practice with regard to other proffer funds received for schools, parks and recreation, Sheriff, etc, which have traditionally been held until such time as a funding requests are received from the relevant department or agency. Although the use of the school proffer funds has not been limited solely to capital expenditures, the precedent exists for the establishment of a fund in which to place and hold proffered cash. (Given Mr. Mitchell's opinion, a comprehensive policy insuring that *all* cash proffers are used for capital expenditures might be advisable.)

There are any number of ways the process might be structured for F&R. One would be that proffered funds be placed and held in the fund until such time as specific requests for funding are received. Requests could come from individual companies, although it might be desirable to

107 North Kent Street • Winchester, Virginia 22601

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#### Memorandum - Finance Committee December 12, 2007 Page 2

establish a process in which requests pass through the Fire and Rescue Association for a recommendation. The Association might choose to establish an annual review process whereby capital requests from individual companies would be evaluated and a recommendation for project funding forwarded to the Board of Supervisors through the Finance Committee.

Another important facet of this process is the listing of items on the CIP. As discussed above, there are presently few F&R related capital projects listed in the county's CIP. There is no established process for individual company requests for capital projects to be included in the CIP. This, of course, is largely due to the fact that the F&R companies are private, independent entities that receive only a portion of their funding from the county.

Which ever way the details of the process are ultimately structured, the point would be to have projects for which proffered cash is to be collected, identified and placed on the CIP. Funds collected would be held until such time as a request for funding of a specific capital project were received.

The Fire and Rescue Association has been notified that the Finance Committee is discussing State Code restrictions dealing with the acceptance and use of cash proffers and that these discussions may lead to changes in how we deal with proffered cash. We would welcome feedback from the committee regarding the desired level of involvement/input you would like from the association in the development of a recommended process.

Please let me know if I can answer any questions.