



TO: Board of Supervisors
FROM: Finance Committee
DATE: August 19, 2009
SUBJECT: Finance Committee Report and Recommendations

The Finance Committee met in the First Floor Conference Room at 107 North Kent Street on Wednesday, August 19, 2009 at 8:00 a.m. Member Charles DeHaven was absent.

1. NW Works requests an FY10 General Fund supplemental appropriation in the amount of \$1 million for the Building Project. No local funds are required. See attached information, p. 1 – 2. The committee recommends approval.
- ~~2. The Handley Regional Library requests an FY10 General Fund supplemental appropriation of up to \$160,000. This amount represents the most costly option to repair the air conditioning equipment at the Bowman Library. Other less expensive options are also provided. See attached information, p. 3 – 21. Item was removed from the agenda.~~
3. The Winchester Regional Airport Authority requests an FY10 Airport Capital Fund supplemental appropriation in the amount of \$1.42 million. All local dollars have been budgeted by the City and the County. See attached information, p. 3 – 7. The committee recommends approval.

4. The School Finance Director requests an FY10 School Operating Fund and General Fund supplemental appropriation in the amount of \$1.9 million. This amount represents a portion of the FY09 School Operating Fund remaining balance. See attached memo, p. 8. The committee forwards the request to the Board with no recommendation.
5. The Shawneeland Manager requests an FY10 Shawneeland Fund supplemental appropriation in the amount of \$56,000. This amount represents a carry forward of unspent FY09 funds needed to complete the construction of a salt storage building. See attached memo, p. 9. The committee recommends approval.
6. The Solid Waste Manager requests an FY10 General Fund supplemental appropriation in the amount of \$15,867. This amount represents a carry forward of unspent FY09 funds needed to complete drainage and traffic improvements at the Double Toll Gate citizens' convenience site (\$15,600) and donated Litter-Thon funds (\$267). See attached memo, p. 10. The committee recommends approval.
7. The Landfill Environmental Manager requests an FY10 Landfill Fund supplemental appropriation in the amount of \$200,000. This amount represents a carry forward of unspent FY09 funds for the construction management of the landfill gas to energy project and the development of a debris management plan. See attached memo, p. 11. The committee recommends approval.
8. The Voter Registrar requests an FY10 General Fund supplemental appropriation in the amount of \$24,728 in order to purchase electronic poll books. Local funds are required. See attached memo, p. 12 – 13. The committee recommends approval of \$11,728.

9. The Court Services Director requests an FY10 Court Services Fund supplemental appropriation in the amount of \$11,086 in order to return funds to DCJS for the reduction in state aid to localities for the Pretrial Services Program. See attached information, p. 14 – 15. The committee recommends approval.
10. The Court Services Director will provide an update on the Starting Point Detox funding. See attached information, p. 16 – 19.
11. The Finance Director requests approval of a change to County procurement policy which will increase the requirement for formal requests for proposals (RFP) from \$30,000 to \$50,000 for professional services. The State of Virginia has made this change to the Virginia Public Procurement Act. See attached Code of Virginia amendment (H), p. 20 – 21. The committee recommends approval.

Information Only

1. A thank you note was received from the YDC for the County's support. See attached, p. 22.

Respectfully submitted,
FINANCE COMMITTEE

Bill M. Ewing
Richard Shickle
Stephen Swiger
Ron Hottle
Richie Wilkins

By

Cheryl B. Shiffler, Finance Director

Cheryl Shiffler

From: Thompson, Chris (DHCD) [Chris.Thompson@dhcd.virginia.gov]
Sent: Tuesday, July 28, 2009 10:42 AM
To: Martha Shickle
Subject: RE: NW Works proposal

You were copied; here is the text:

To: John R. Riley, Jr.
County Administrator, Frederick County

From: Denise H. Ambrose
Associate Director

Re: CDBG-R Program – NW Works Building Project

We have prepared and submitted a *Substantial Amendment to our Annual Action Plan (Amendment)* as required for the Community Development Block Grant – Recovery (CDBG-R) program. Our Amendment is still being reviewed so funding is still uncertain; however, the project plan Frederick County submitted for the NW Works Building Project was ranked as a priority project for Virginia's CDBG-R funds. Because of the expedient timeframe requirements of the CDBG-R program, we are asking you to respond to the following items at this time. While funding has not been awarded, the following items should be addressed to allow this project to be ready if the pending grant offer is made. Please respond to the following:

1. Certifications and Assurances. Complete the enclosed Certification and Assurances for the CDBG-R program, Drug-Free Workplace Assurances and Certification, and Applicant Disclosure Report.
2. Budget. The County will need to complete a pay-for-performance project budget to match the anticipated funding amount of \$1,000,000 as identified in the Amendment. In making any budget revisions, please ensure the budget is in the format of the enclosed template. The County will also need to provide documentation of the status of all other funds for this project.
3. Prior Authorization of Costs. The County will need to submit a letter requesting prior authorization of costs under this grant. A model for doing this letter is included as an attachment. Once the Environmental Review process is complete, the County may be approved to incur costs associated with this project that may be reimbursed once the announcement has been made. The County shall not enter into any commitments to incur CDBG costs until after the approved date of this request.
4. Procurement. CDBG-R funds committed to this project are subject to the Virginia Public Procurement Act and must be subject to competitive bidding. If contracts have already been executed, you will need to immediately provide evidence of how the award process met the threshold of this act. If contracts have not been awarded, please submit a copy of the request for proposals for review prior to awarding.
5. Agreements. The County will be required to enter into contractual agreements with the NW Works concerning the implementation of this project. The language of these agreements is to be crafted immediately and must be approved by DHCD prior to the execution of a CDBG-R agreement between DHCD and the County. Key provisions of these agreements are to include:
 - a. The County will enter into an agreement with DHCD to receive \$1,000,000 in CDBG-R funding toward this project;
 - b. The County will enter into agreements with the project engineer and the contractor for the work to be performed. These agreements may be three party agreements with NW Works or separate agreements.
 - c. The County will need to enter into an agreement with NW Works concerning the improvements to be made and the outcomes (permanent jobs created) that result from this project.
6. Letter of Credit. County must provide DHCD with an irrevocable Letter of Credit, bond, or other guaranteed form of security in the amount of the CDBG investment prior to CDBG contract execution.

7. **Job Creation.** The County will need to provide a roster of all permanent jobs to be created that identifies the training and educational requirements for these positions. Temporary (construction) jobs must be tracked as well and you will need to develop a process and tracking form for doing so.
8. **Pre-Contract Requirements.** It is anticipated that if and when a formal announcement on the status of the County's application for these funds is made, that a formal Contract Negotiations meeting will take place. In that event, all of the normal federal pre-contract requirements will apply and must to be adhered to. The pre-contract activities include:
 - a. Preparation of a Project Management Plan,
 - b. Completion of the environmental review / request for release of funds,
 - c. Adopted Local Business & Employment Plan,
 - d. Advertisements soliciting (1) Minority- and Female-Owned Businesses and (2) Local Businesses and Employees,
 - e. Adopted Nondiscrimination Policy,
 - f. Section 504 Self-Evaluation, Grievance Procedures and 504 coordinator designation,
 - g. Adopted Anti-Displacement Plan,
 - h. Certification of yearly activity to further fair housing,
 - i. Procurement of Grant Administrator or Engineer,
 - j. Local Government attendance at all appropriate workshops, and
 - k. Clearance of findings on previous CDBG projects.
9. Most critical, in terms of timing, of the above listed requirements is the environmental review which can take over 60-days to complete. If this process has not been started, please do so immediately. Additional guidance on this process can be found in the CDBG Management Manual which is available on our website at: www.dhcd.virginia.gov/CommunityDevelopmentRevitalization/Community_Development_Block_Grant_Program.htm.
10. A Management Team which represents all stakeholders, including the County Administrator, Project Administrator, design firm, representatives of NW Works, a representative of Northern Shenandoah Planning District Commission, and other potential stakeholders deemed appropriate shall oversee the design and management of the project through completion.

Please submit the requested information as soon as possible to ensure the continued opportunity to access CDBG-R funding. Should you have questions on any of these items, please contact Chris Thompson at 804-371-7056 (chris.thompson@dhcd.virginia.gov) or Keith Sherrill at 804-371-7055 (Keith.Sherrill@dhcd.virginia.gov).

Enclosures

cc: John Brauer, NW Works
Martha Shickle, Northern Shenandoah PDC
Chris Thompson, DHCD
Joanne Peerman, DHCD
Keith Sherrill, DHCD

Chris Thompson
Program Manager
Project Management Office
804-371-7056

From: Martha Shickle [<mailto:shicklem@shentel.net>]
Sent: Tuesday, July 28, 2009 11:24 AM
To: Thompson, Chris (DHCD)
Subject: RE: NW Works proposal

Thanks, Chris
Do you know if it was mailed to NSVRC, or to Frederick County?

martha

From: Thompson, Chris (DHCD) [<mailto:Chris.Thompson@dhcd.virginia.gov>]
Sent: Tuesday, July 28, 2009 11:23 AM
To: Martha Shickle
Subject: RE: NW Works proposal



Winchester Regional Airport Authority

FY 2009 - 2010 Budget Request Capital Funds

12-Aug-09

2010 FISCAL YEAR BUDGET

8103

DEPARTMENT: AIRPORT AUTHORITY CAPITAL OUTLAY

PROMOTIONAL FUND: Funds are requested to continue to promote the Airport's importance to the business and general aviation community. Promotion should generate more activity at the Airport increasing revenues from fuel sales in addition to educating the community while supporting promotion of economic development. Funding would be on a 50/50 State/Local level.

ACQUIRE LAND PARCELS BUFFLUCK ROAD:

The most recent Master Plan for Winchester Regional Airport calls for numerous parcels of land adjacent to airport property along Bufflick Road to be acquired for noise abatement. Some of these parcels also lie within the airport's approach surfaces for Runway 14 and need to be acquired fee simple. Funding would be on a 95/3/2 Federal/State/Local level.

MAINTENANCE ITEMS: This item will provide for the general maintenance of eligible Airport facilities including vegetation, lighting and navigation equipment, pavement upkeep and airfield maintenance. Most maintenance items are funded on a State/Local level on a 80/20 basis.

GOALS:
Provide a safe, efficient all weather facility to meet current and future demands for air transportation as the community continues with economic development and growth.

	FY 2008 BUDGET	FY 2009 BUDGET	FY 2010 BUDGET
COSTS:			
Personnel	0	0	0
Operating	0	0	0
Capital	2,113,725	1,390,000	1,420,000
TOTAL	2,113,725	1,390,000	1,420,000
REVENUES:			
Outside Funding	0	0	0
State/Federal	1,983,480	986,000	1,375,400
Local	130,245	404,000	44,600
TOTAL	2,113,725	1,390,000	1,420,000

2009 - 2010 BUDGET INFORMATION GRANT FUNDED EXPENDITURES			
Function	Department	Activity Code	
Fund 85	Winchester Regional Airport	81030	
	Description	DETAIL AMOUNT	TOTAL AMOUNT
Promotional Fund	To promote economic development	15,000	15,000
Acquire Land Bufflick Rd - Moreland Parcel 50	Acquire parcel for noise abatement per Twenty-year Master Plan	225,000	225,000
Acquire Land Bufflick Road - Darr Parcel 65	Acquire parcel for noise abatement per Twenty-year Master Plan	180,000	180,000
Acquire Land - APR Mini Storage Parcel 53	Acquire parcel for noise abatement per Twenty-year Master Plan	950,000	950,000
State Eligible Maintenance Repairs	General Repairs F & E repairs, lighting supplies, etc	35,000	35,000
		15,000	15,000
	TOTAL	1,420,000	1,420,000

2009 - 2010 BUDGET INFORMATION FUNDED PROJECT REVENUES

Function		Department		REVENUE SOURCE			
Fund 85		Winchester Regional Airport		STATE	FEDERAL	LOCAL	TOTAL
Gen Ledger Number	Description						
	Promotional Fund		Funding is 50/50 State/Local	7,500		7,500	15,000
	Acquire Land Bufflick Rd - Moreland Parcel 50		Acquire parcel for noise abatement per Twenty-year Master Plan	6,750	213,750	4,500	225,000
	Acquire Land Bufflick Road - Darr Parcel 65		Acquire parcel for noise abatement per Twenty-year Master Plan	5,400	171,000	3,600	180,000
	Acquire Land - APR Mini Storage Parcel 53		Acquire parcel for noise abatement per Twenty-year Master Plan	28,500	902,500	19,000	950,000
	State Eligible Maintenance Repairs		General Repairs F & E repairs, lighting supplies, etc	28,000 12,000	0 0	7,000 3,000	35,000 15,000
Total Revenue Breakdown				88,150	1,287,250	44,600	1,420,000

Local Revenue Breakdown	
Contribution Clarke County	5,000
Contribution Warren County	5,000
Contribution Shenandoah County	5,000
Frederick Co/City of Winchester	29,600
Local Revenue	44,600

County	City
71.5%	28.5%
21,164	8,436

**FUND 85 PROJECT JUSTIFICATIONS FY 2010
WINCHESTER REGIONAL AIRPORT**

The Winchester Regional Airport Authority plans to continue the development of the Winchester Regional Airport in order to provide service to the community and nearby localities.

ITEM 1: PROMOTIONAL FUND

The Winchester Regional Airport Authority plans on continuing to promote the Winchester Airport through special events, brochures and other means directed to the general public.

Funding is anticipated on a 50/50 State/Local level under the DOAV's Aviation Promotion Program.

ITEM 2, 3 & 4: ACQUIRE LAND PARCELS ON BUFFLUCK ROAD

Land Acquisition of parcels along Bufflick Road identified on the current Airport Property Map as parcels 50, 53 and 65. Preliminary work includes surveys, EDAs and appraisals. These properties are included in the current Twenty-Year Master Plan and is to be acquired for noise abatement to meet Federal Aviation Administration design standards. Under the Federal Aviation Administration's Part 77 Surface Requirements, the Airport is required to own fee simple property within the Primary Surface. This requirement is also included in the Code of Virginia 15.2.

For several years, development requiring land acquisition at the Winchester Regional Airport has focused on the Runway 32 (southwest) end. With that land acquisition project complete, several parcels within the Runway 14 (northeast) end also need to be acquired. Acquisition is necessary because many of the identified parcels are located within the Airport's FAR Part 77 primary surface and/or approach surface. In addition, several of the residential parcels are located inside the FAA's projected DNL 65 noise contour. The FAA considers residential use within the noise contour non-compatible with airport operations and encourages airport to resolve the non-compatibility through acquisition fee simple where feasible.

Safe and efficient approach systems into the airport are essential in attracting business traffic into this region especially during adverse weather conditions which could produce more revenue for the region and additional operating revenue for the airport to help the airport be more self-sustaining.

Funding is anticipated on a 95/3/2 Federal/State/Local

ITEM 5: MAINTENANCE ITEMS

A. General Maintenance

This item will provide funds for the general maintenance of eligible Airport facilities including vegetation control.

The Authority is anticipating funding on an 80/20 State/Local basis.

B. F & E Repairs, lighting supplies, etc.

This item will provide funds for the general maintenance of all airfield lighting including fixtures, bulbs, flanges, etc.

The Authority is anticipating funding on an 80/20 State/Local basis. With some items being funded on a State only basis.

B. AWOS and Lighting Maintenance

This request is for the DOAV portion of the AWOS and Lighting equipment maintenance contract.

The Authority is anticipating funding on an 90/10 State/Local basis.

Airfield maintenance is eligible for State funding through the Department of Aviation's maintenance program. Maintenance of airfield lighting is required by State grant assurances. There is no increase to the operating budget from this project. Without State funding, the operating budget would have to cover these maintenance items.



Frederick County Public Schools

... to ensure all students an excellent education

Executive Director of Finance

fryel@frederick.k12.va.us

DATE: July 28, 2009

TO: Cheryl Shiffler, Director of Finance - Frederick County

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

SUBJECT: Request for a FY2010 Supplemental Appropriation

On July 22, 2009, the School Board formalized a request of the Board of Supervisors to approve a FY2010 supplemental appropriation to the school operating fund in the amount of \$1.9 million. This amount represents a portion of the FY2009 school operating fund remaining balance.

The School Board is making this request in order to provide relief to future operating budgets, which will be burdened by current and future economic conditions, as well as the phase-out of the funds received through the American Recovery and Reinvestment Act of 2009. Approval of this appropriation request will allow for a one year payment of the school division's obligation for the voluntary severance program, which is budgeted to be paid over three fiscal years. Approval of this request will remove the need for over \$990,000 in local operating funds in each of the fiscal years 2011 and 2012 and is in addition to the annual budgetary savings of over \$1.3 million generated by the program.

The preliminary estimate of the total remaining funds for FY2009 school operating fund will be in excess of \$2.0 million. The final total will not be available until mid-August. However, the School Board needs to take action on the severance payment option by early September and needs the Board of Supervisors' approval of the appropriation prior to doing so. Therefore, this request for \$1.9 million is being forwarded in advance of the final year-end report to allow for the necessary meeting schedules to be met.

Thank you.

C: Patricia Taylor, Superintendent



COUNTY of FREDERICK

Sanitary District of Shawneeland

Kevin Alderman
District Manager

Office. 540/877 1035
Fax. 540/877 1361

MEMORANDUM

TO: Harvey E. Strawsnyder, Jr. P.E, Director of Public Works *HS*

FROM: Kevin C Alderman, Manager, Shawneeland Sanitary District *KCA*

SUBJECT: Request Carry Forward of Funds – Fiscal Year 2008/2009 Shawneeland Sanitary District *MS*

DATE: July 14 2009 *bal 8/14/09 \$73,744*

I am requesting that funds from the Fiscal Year 2008/2009 budget line item 16-8108-8800-00 – Buildings in the amount of \$56,000 be carried forward to the Fiscal Year 2009/2010 budget. The requested amount will make it possible to complete the construction of the aggregate/salt storage building which was initiated during Fiscal Year 2008/2009. Construction of this building will facilitate the proper storage of the chemicals and aggregate used in snow removal. Please place the subject funds in line item 16-8108-8800-00 – Buildings.

KCA/rls

cc: file



MEMORANDUM

TO: Sharon Kibler
Assistant Director of Finance

FROM: Gloria M. Puffinburger
Solid Waste Manager

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

RE: Carryforward Request

DATE: August 10, 2009

The purpose of this memo is to request that a total of \$15,867 be carried forward from the FY 08/09 Refuse Collection (4203) budget to the current FY 09/10 budget. The breakdown and justifications are as follows:

- **\$15,600** from 10-4203-3004-03 (*Repair and Maintenance/Buildings and Grounds*) in the FY 08/09 budget to 10-4203-3004-03 in the FY 09/10 budget in order to restore funds expended at the end of the fiscal year for drainage and traffic improvements at the Double Toll Gate citizens' convenience site. This project was delayed due to unusually wet weather, pushing the concrete and paving work to the last two weeks of the FY 08/09 fiscal year.
- **\$267** from 10-4203-3010-00 (*Contractual Services*) in the FY 08/09 budget to 10-4203-3010-00 in the FY 09/10 budget for payments to volunteers during Litter-Thon. Funds were donated by local businesses. No local funds are needed.

If you have any questions, please do not hesitate to contact me at Extension 8219.

/gmp

cc: file



COUNTY of FREDERICK

Department of Public Works

540/665-5643

FAX: 540/678-0682

MEMORANDUM

TO: Public Works Committee

FROM: Ron Kimble, Environmental Manager, Frederick County Regional Landfill *RK*

SUBJECT: Request to Carry Forward Funds from Fiscal Year Budget 2008/2009 to Fiscal Year Budget 2009/2010 *MS*

DATE: July 21, 2009

We are requesting that the following 2008/2009 Budget line items be carried forward into the 2009/2010 budget. The total amount of this request is \$5,975,000 and is itemized below.

- Professional Services - 12-4204-3002-00 → goes to Fin. Comm.

We are requesting that an amount of \$200,000 be carried forward and allocated to line item 12-4204-3002-00 for professional services. These funds were allocated for construction management of the landfill gas to energy project and the development of a debris management plan. Both of these projects are ongoing and will require funding in the Fiscal Year 2009/2010 budget.

- Improvements Other Than Buildings - 12-4204-8900-00 - Approved 8/12/09 BOS agenda

We are requesting that the amount of \$5,775,000 be carried over and allocated to line item 12-4204-8900-00. This funding will be used to fund several projects that need to be carried forward into Fiscal Year 2009/2010. The landfill gas to energy plant is currently in the bidding process and should be awarded next month. The project is anticipated to cost \$3,500,000. The truck wash has been designed and is scheduled for bidding in August with an estimated cost of \$275,000. The remaining funds of \$2,000,000 will be used for closure of approximately ten (10) acres of the municipal solid waste landfill that has reached final contours.

RVK/rls

cc: file



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

Frederick County
RECEIVED
AUG 03 2009
Finance Department

To: Frederick County Finance Committee

From: Rick Miller, Voter Registrar *RAM*

Subject: Supplemental Budget Request for Electronic Poll Books & Related Equipment

Date: Monday, August 3, 2009

The Frederick County Voter Registrar requests to be placed on the Frederick County Finance Committee agenda for Wednesday, August 19, 2009. The purpose of this request is to seek approval of a Supplemental Budget Request for the purchase of electronic poll books and related equipment for the continued efficient conduction of elections in Frederick County.

The request is for \$ 24,728.00 under line item of 4-010-13010-⁵⁴⁰¹~~8001~~-000-000. As of November 2010, the State Board of Elections will no longer print our election poll books for free and are basically requiring all localities to switch to electronic poll books. The State Board of Elections has given all 134 localities in Virginia the opportunity to purchase these electronic poll book refurbished laptop computers at a price of only \$ 100.00 per laptop. Included in this \$ 100 price per laptop are – laptop bag, mouse, 1 thumb drive, electronic poll book applications, 1 hub and 1 cable, software warranty/maintenance, training, shipping and help center tech support.

Additional equipment in this request includes 100 bar code scanners, 100 mouse pads, 1 storage rack, extra hubs and cables, extra batteries, labeler and tape, surge protectors and adaptors (see enclosed list).

ELECTRONIC POLL BOOKS
 Frederick County
 State Board of Elections Electronic Poll Book Program

\$ 100.00 per laptop receives the following with each one:

- Laptop
- Laptop bag
- Mouse
- Thumb drive – 1
- EPB applications, Networking hubs and cables,
- Software Warranty-Maintenance, Training,
- Shipping, Help Center Technical Support
- Warranty is already 1/12 years into 5 year warranty period at this time

\$ 100.00 x 100 poll books\$ 10,000.00

Accessories Needed

- Scanners \$ 120 x 100\$ 12,000.00
- P Touch labeler & tape to label all laptops and thumb drives..... \$ 40.00
- Extra Batteries.....\$1,000.00
- Mouse Pads - 100 \$100.00
- Spare Hubs\$ 475.00
- Spare cables\$ 500.00
- Adaptors for wall plugs\$ 80.00
- Twist ties\$ 5.00
- Surge protectors\$ 240.00
- Storage Rack\$ 288.00

Additional Costs\$ 14,728.00

TOTAL COSTS.....\$ 24,728.00

All under line item 4-010-13010-~~8001~~-000-000

5401

June 19, 2009

Mr. John Riley
County Administrator
Frederick County, Va.

Frederick County
RECEIVED
JUN 07 2009
Finance Department

Dear Mr. Riley;

I am writing regarding the state reversion clearing account -- aid to local governments item 475.20 in chapter 781 of the 2009 Virginia Acts of Assembly. It is our understanding that Frederick County had an arrangement with the Virginia Department of Planning and Budget that \$20,600 was to be withheld from your local Comprehensive Community Corrections Act/Pretrial Services (CCCA) program to meet your portion of the obligation as directed in item 475.20.

However, these funds were sent to you as a drawdown from your CCCA grant. I am requesting that you return \$20,600 to the Department of Criminal Justice Services.

Please return these funds as soon as possible either electronically or by check. Checks may be made payable to the Treasurer of Virginia, and sent to Department of Criminal Justice Services, 1100 Bank Street, Richmond, Va. 23219. If you are returning the funds electronically or if you have other questions please contact me at (804) 786-4961. Thank you in advance for your assistance with this matter.

Sincerely,

John G. Colligan, Jr.
DCJS
Director Division of Administration
(804) 786-4961

2204


COUNTY of FREDERICK

 Division of Court Services
 317 South Cameron St.
 Winchester, VA 22601

MEMORANDUM

 540/665-5633
 Fax 540/678-0730

To: John R. Riley, Jr. -- County Administrator
 Cheryl Shiffler -- Finance Director

From: Scott Anderson - Division of Court Services

Date: August 18, 2008

Re: 2008-2010 Biennium Aid To Localities Reductions

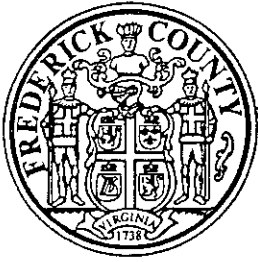
We have been made aware of the reduction in state aid to local governments as a part of the 2008 Appropriations Act. A portion of this cut to Frederick County includes a cut in grant funds from the Department of Criminal Justice Services for the 2008-10 Biennium. This grant covers funding for the Pretrial Services Program at the Northwestern Regional Adult Detention Center, the Old Dominion Community Corrections Program of the Division of Court Services and the Starting Point Public Inebriate Center of the Division of Court Services.

This reduction in funding has been discussed with Bruce Conover, Superintendent of the regional jail. Due to the fact that no increase in funding has been appropriated to the Starting Point Public Inebriate Center in the past, it was agreed that no portion of this grant funding reduction should come from that program's budget. We agreed that the reduction in grant funding should come from the other two programs as follows:

Community Corrections Program -	\$ 11,086.00
Pretrial Service Program -	\$ 9, 514.00
Total Reduction	\$ 20, 600.00

Once the County has decided which method will be used to carry out its reductions, we will take the appropriate action. The quarterly requests for funding from the Department of Criminal Justice Services can be reduced by the required amount. If the County chooses to reimburse the Commonwealth directly, Court Services will request the use of reserve funding to meet their share of the reimbursement.

We will wait for further instructions on how to proceed with these funding cuts.



COUNTY of FREDERICK

Division of Court Services
317 South Cameron St.
Winchester, VA 22601

July 2, 2009

540/665-5633
Fax 540/678-0730

To: John R. Riley, Jr. – Frederick County Administrator
From: Scott Anderson – Division of Court Services Director *DSA*
Date: July 2, 2009
Re: Starting Point Funding



A review of Starting Point records showed 2,351 admissions to the facility through June 24, 2009. We reviewed the records of the repeat offenders, who are the 7 individuals the City of Winchester plans to interdict as habitual drunkards, and found that these 7 individuals were responsible for 500 of the 2,351 admissions. After removing these 500 admissions, the following is a breakdown of the locality responsible for the admission to the sobering up center.

City of Winchester	1,356	(73%)
Frederick County	404	(22%)
Clarke County	53	(3%)
State	38	(2%)
Total	1,851	

After tweaking the Starting Point budget again, keeping 4 full-time employees with all County benefits, the budget totals \$262,441.00. It is estimated that we can generate the following fees if the facility is able to remain open full-time.

Starting Point Residential Fees	\$49,140
Department of Corrections Fees	6,000
Drug Testing Fees from residents	1,200
Starting Point Sobering Up Fees	12,000
Clarke County – per admission	<u>3,000</u>
Total	\$71,340

Based on the above percentages, Winchester and Frederick County would be responsible for the following amounts of the \$ 191,101.00 budget balance.

City of Winchester	73%	\$139,504
Frederick County	22%	<u>\$ 42,042</u>
Total		\$181,546.00

— The additional balance of \$9,595.00 would have to be generated by raising more fees from Starting Point Detox admissions or from reserve funding.

Please contact me if you have any questions.

	---Prior Years---		---Current Year---		Department Request	County Admin Adopted Budget
	Expenditure FY/2007	Expenditure FY/2008	Amended Budget	Actual On 2008/10		
21110 DETOX CENTER						
021110-1000-000-000 PERSONNEL SERVICES	47,948	44,028	45,877	15,292	45,877	
021110-1001-000-002 FACILITIES COORDINATOR						
021110-1001-000-021 COMPENSATION OF FACILITY SUP						
021110-1001-000-046 FACILITY AIDE	19,654	23,583	24,408	8,136		
021110-1001-000-047 FACILITY AIDE	21,530	18,129	20,980			
021110-1001-000-048 FACILITY AIDE	24,185	18,220	21,286	7,095		
021110-1001-000-049 FACILITY AIDE						
021110-1001-000-051 FACILITY AIDE	21,484	22,450	23,236	7,745	23,236	
021110-1001-000-052 COMPENSATION OF FACILITY AID	21,484	22,450	23,236	7,745	23,236	
021110-1001-000-053 FACILITY AIDE						
021110-1001-000-054 SENIOR FACILITY AIDE	24,074	26,448	27,373	9,124	27,373	
021110-1003-000-001 PART-TIME DETOX AIDE	8,060	11,129	10,608	10,181	16,160	
021110-1003-000-002 P/T COMPENSATION OF COOK	2,501	7,980	8,300	2,835	0	
021110-1003-000-003 PART-TIME DETOX AIDE						
021110-1005-000-000 EXTRA HELP/OVERTIME	8,604	14,280	12,500	3,582	3,933	
021110-1099-000-000 MERIT RESERVE						
--PERSONAL SERVICES---	199,524	208,697	217,804	71,735	139,815	0
021110-2000-000-000 FRINGE BENEFITS						
021110-2001-000-000 F. I. C. A.	15,019	15,590	17,071	5,394	10,771	
021110-2002-000-000 RETIREMENT -- V.S.R.S.	22,580	23,785	25,836	7,466	16,606	
021110-2005-000-000 HOSPITAL/MEDICAL PLANS	33,995	38,512	52,941	8,928	30,252	
021110-2006-000-000 GROUP INSURANCE	2,034	1,771	1,856	452	1,197	
021110-2011-000-000 WORKER'S COMPENSATION	5,666	5,572	6,173		3,761	
021110-2099-000-000 FRINGE BENEFIT RESERVE						
--EMPLOYEE BENEFITS---	79,294	85,230	103,877	22,240	62,587	0
021110-3001-000-000 PROFESSIONAL HEALTH SERVICES						
021110-3002-000-000 PROFESSIONAL SERVICES - OTHE						
021110-3002-000-001 PROFESSIONAL SERVICES - DIR	2,221	2,295	2,345	592	2,345	
021110-3002-000-002 PROFESSIONAL SERVICES - OFFI	11,152	12,040	12,398	3,253	12,854	
021110-3004-000-001 REPAIR & MAINTENANCE-EQUIPME	528	3,125	500	153	500	
021110-3004-000-002 REPAIR & MAINTENANCE-VEHICLE	50	254	300		300	
021110-3004-000-003 REPAIR & MAINTENANCE -- BUIL	466	525	2,500		600	
021110-3005-000-000 MAINTENANCE SERVICE CONTRAC	1,030	1,030	1,200		1,200	
021110-3006-000-000 PRINTING AND BINDING	297	171	300	131	300	
021110-3007-000-000 ADVERTISING						
021110-3010-000-000 OTHER CONTRACTUAL SERVICES	949	1,077	1,100	206	1,100	
021110-3015-000-000 FILMS						
--PURCHASED SERVICES--	16,693	20,517	20,643	4,335	19,199	0
021110-4003-000-001 CENTRAL STORES-COPIES	137	195	200	72		
021110-4003-000-002 CENTRAL STORES - GASOLINE	137	195	200	72	0	
---INTERNAL SERVICES---						

	Prior Years		Current Year		Department Request	FY/2010 Budget Year County Admin Recommends	Adopted Budget
	Expenditure FY/2007	Expenditure FY/2008	Amended Budget	Actual On 2008/10			
021110-5101-000-000	2,571	2,449	3,500	1,269	2,800		
021110-5102-000-000	2,426	2,540	3,000	234	2,800		
021110-5103-000-000	2,006	1,793	2,000	491	2,000		
021110-5204-000-000	324	318	500	23	300		
021110-5301-000-000	77	65	100		100		
021110-5302-000-000	565	563	600		600		
021110-5305-000-000	293	297	325				
021110-5308-000-000	883	964	800		900		
021110-5401-000-000	970	1,186	900	131	1,200		
021110-5402-000-000	24,910	23,369	25,000	6,746	25,000		
021110-5404-000-000	569	997	800	92	900		
021110-5405-000-000	4,141	2,395	4,000	406	2,500		
021110-5406-000-000	84	144	300	40	300		
021110-5407-000-000	334	450	500	46	360		
021110-5408-000-000		48	50				
021110-5410-000-000							
021110-5411-000-000							
021110-5413-000-000		491	1,000				
021110-5506-000-000		99			600		
021110-5801-000-000							
021110-5806-000-000							
021110-5810-000-000	-86						
--OTHER CHARGES-----	40,067	38,168	43,375	9,478	40,360	0	0
MACHINERY AND EQUIPMENT							
LEASE/RENT OF BUILDINGS							
INTEGRATED TECHNOLOGY EQUIP	768						
--CAPITAL OUTLAY-----	768	0	0	0		0	0
LEASE/RENT OF EQUIPMENT	456	421	500	59	480		
--OTHER USES OF FUNDS--	456	421	500	59	480	0	0
--DEPARTMENT TOTAL--	336,939	353,228	386,399	107,919	262,441	0	0

VIRGINIA ACTS OF ASSEMBLY -- 2009 SESSION

CHAPTER 123

An Act to amend and reenact § 2.2-4303 of the Code of Virginia, relating to the Virginia Public Procurement Act; procurement of professional services.

[H 2615]

Approved February 25, 2009

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-4303 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-4303. Methods of procurement.

A. All public contracts with nongovernmental contractors for the purchase or lease of goods, or for the purchase of services, insurance, or construction, shall be awarded after competitive sealed bidding, or competitive negotiation as provided in this section, unless otherwise authorized by law.

B. Professional services shall be procured by competitive negotiation.

C. Upon a determination made in advance by the public body and set forth in writing that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, goods, services, or insurance may be procured by competitive negotiation. The writing shall document the basis for this determination.

Upon a written determination made in advance by (i) the Governor or his designee in the case of a procurement by the Commonwealth or by a department, agency or institution thereof or (ii) the local governing body in the case of a procurement by a political subdivision of the Commonwealth, that competitive negotiation is either not practicable or not fiscally advantageous, insurance may be procured through a licensed agent or broker selected in the manner provided for the procurement of things other than professional services in subdivision 3 b of the definition of "competitive negotiation" in § 2.2-4301. The basis for this determination shall be documented in writing.

D. Construction may be procured only by competitive sealed bidding, except that competitive negotiation may be used in the following instances upon a determination made in advance by the public body and set forth in writing that competitive sealed bidding is either not practicable or not fiscally advantageous to the public, which writing shall document the basis for this determination:

1. By the Commonwealth, its departments, agencies and institutions on a fixed price design-build basis or construction management basis under § 2.2-4306;

2. By any (a) public body for the construction, alteration, repair, renovation or demolition of buildings or structures when the contract is not expected to cost more than \$1 million and (b) local governing body on a fixed price design-build basis or construction management basis under § 2.2-4308 when the contract is not expected to cost more than \$1 million;

3. By any public body for the construction of highways and any draining, dredging, excavation, grading or similar work upon real property;

4. By any governing body of a locality with a population in excess of 100,000 that the Design-Build/Construction Management Review Board has made a one-time determination that the locality has the personnel, procedures, and expertise to enter into a contract for construction on a fixed price or not-to-exceed price design-build or construction management basis, provided that projects undertaken by the local governing body shall be exempt only from approval of the Design-Build/Construction Management Review Board and shall otherwise be in compliance with the provisions of this section, § 2.2-4308, and other applicable law governing design-build or construction management contracts for public bodies other than the Commonwealth. The procedures of the local governing body shall be consistent with the two-step competitive negotiation process established in § 2.2-4301; or

5. As otherwise provided in § 2.2-4308.

E. Upon a determination in writing that there is only one source practicably available for that which is to be procured, a contract may be negotiated and awarded to that source without competitive sealed bidding or competitive negotiation. The writing shall document the basis for this determination. The public body shall issue a written notice stating that only one source was determined to be practicably available, and identifying that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. This notice shall be posted in a designated public area or published in a newspaper of general circulation on the day the public body awards or announces its decision to award the contract, whichever occurs first. Public notice may also be published on the Department of General Services' central electronic procurement website and other appropriate websites.

F. In case of emergency, a contract may be awarded without competitive sealed bidding or competitive negotiation; however, such procurement shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the

selection of the particular contractor shall be included in the contract file. The public body shall issue a written notice stating that the contract is being awarded on an emergency basis, and identifying that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. This notice shall be posted in a designated public area or published in a newspaper of general circulation on the day the public body awards or announces its decision to award the contract, whichever occurs first, or as soon thereafter as is practicable. Public notice may also be published on the Department of General Services' central electronic procurement website and other appropriate websites.

G. A public body may establish purchase procedures, if adopted in writing, not requiring competitive sealed bids or competitive negotiation for single or term contracts for goods and services other than professional services if the aggregate or the sum of all phases is not expected to exceed \$50,000; however, such small purchase procedures shall provide for competition wherever practicable. Purchases under this subsection that are expected to exceed \$30,000 shall require the written informal solicitation of a minimum of four bidders or offerors.

→ H. A public body may establish purchase procedures, if adopted in writing, not requiring competitive negotiation for single or term contracts for professional services if the aggregate or the sum of all phases is not expected to exceed ~~\$30,000~~ \$50,000; however such small purchase procedures shall provide for competition wherever practicable.

I. Upon a determination made in advance by a public body and set forth in writing that the purchase of goods, products or commodities from a public auction sale is in the best interests of the public, such items may be purchased at the auction, including online public auctions. Purchase of information technology and telecommunications goods and nonprofessional services from a public auction sale shall be permitted by any authority, department, agency, or institution of the Commonwealth if approved by the Chief Information Officer of the Commonwealth. The writing shall document the basis for this determination. However, bulk purchases of commodities used in road and highway construction and maintenance, and aggregates shall not be made by online public auctions.

J. The purchase of goods or nonprofessional services, but not construction or professional services, may be made by reverse auctioning. However, bulk purchases of commodities used in road and highway construction and maintenance, and aggregates shall not be made by reverse auctioning.

July 31, 2009

Dear Cheryl,

Thanks so much to Frederick County for the financial commitment to the YDC for 2009-2010. We couldn't make it without this help and we appreciate the support.

Best Regards, Regina