



AGENDA
CLOSED SESSION AND REGULAR MEETING
FREDERICK COUNTY BOARD OF SUPERVISORS
WEDNESDAY, DECEMBER 09, 2015
6:00 P.M., 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 Virginia Code Section 2.2-711(A)(7), for Consultation with Legal Counsel and Briefing by Staff Members Pertaining to Probable Litigation, where such Consultation or Briefing in an Open Meeting would Adversely Affect the Negotiating or Litigating Posture of the Public Body, and for Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring the Provision of Legal Advice by such Counsel.

Closed Session, Pursuant to Virginia Code Section 2.2-3711(A)(1), for Discussion and Consideration of Prospective Candidates for Appointment as Stonewall District Representative to the Board of Supervisors Effective January 1, 2016, and for Discussion and Consideration of the Terms and Conditions of Employment of a Prospective Candidate for 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, C, H, I, J, K, L, and M)

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

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Board of Supervisors Comments

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

1. Closed Session and Regular Meeting of October 28, 2015.

County Officials:

1. Appointment of Board of Supervisors Stonewall Magisterial District Seat.
(See Attached) ----- B
2. Resolution of Appreciation of Eric R. Lawrence. **(See Attached) ----- C**
3. Introduction of New Tourism Director.
4. Committee Appointments. **(See Attached) ----- D**
5. Request from Commissioner of the Revenue for Refunds.
(See Attached) ----- E
6. Reconsideration of the Board's Action Regarding the Special Election
Slated for March 2016. **(See Attached) ----- F**
7. Consideration of Additions to the 2016 Legislative Initiatives.
(See Attached) ----- G
8. Resolution of the Board of Supervisors of Frederick County Concurring
with a Financing to be Undertaken by the Economic Development Authority
of the Town of Mount Jackson, Virginia, to Benefit Shenandoah University.
(See Attached) ----- H
9. Acknowledgement of Receipt of Certified Copies of the Abstracts of Votes
from the November 3, 2015 General Election. **(See Attached) ----- I**

Committee Reports:

1. Parks and Recreation Commission. **(See Attached) ----- J**
2. Public Works Committee. **(See Attached) ----- K**
3. Landfill Oversight Committee. **(See Attached) ----- L**

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- 4. Transportation Committee. (See Attached)----- M**
- 5. Human Resources Committee. **(See Attached) ----- N**
- 6. Finance Committee. **(See Attached)----- O**

Public Hearing:

- 1. Twelve Month Outdoor Festival Permit Request of Belle Grove Plantation. Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee; Paragraph D, Twelve Month Permits. All Events to be Held on the Grounds of Belle Grove Plantation, 336 Belle Grove Road, Middletown, Virginia. Property Owned by the National Trust for Historic Preservation. **(See Attached) ----- P**
- 2. Proposed Disposition to the Frederick County School Board of the County's Interest in a 20-Acre Portion of the Real Property Known as 532 Old Charles Town Road, Stephenson, Virginia, and Identified by County Property Identification Number 44-A-292. The Hearing is Pursuant to Virginia Code Section 15.2-1800 and the Purpose of the Hearing is to Receive Public Comment on the Proposed Disposition of the Real Property. **(See Attached) ----- Q**
- 3. An Ordinance to Amend Section 155-153 of Article XXV of Chapter 155 of the Code of Frederick County, Virginia to Designate Certain Real or Personal Property of Each of the Following Organizations as Exempt from Taxation: The ARC - Northern Shenandoah Valley, Incorporated, Belle Grove, Inc., Blue Ridge Hospice, Inc., Cedar Creek Battlefield Foundation, Inc., Conservation Club (Winchester-Frederick County Conservation Club, Inc.), Fort Collier Civil War Center, Inc., Frederick United Methodist Housing Development Corp., Kernstown Battlefield Association, Inc., Leary Educational Foundation, Inc., The Nature Conservancy, NW Works, Inc., The People-to-People Health Foundation, Inc., (Project Hope), Potomac Appalachian Trail Club, The Salvation Army, Shenandoah Valley Battlefields Foundation, Shenandoah Valley Community Residences, Inc., Stone House Foundation, The Wayside Foundation for the Arts, Inc., Winchester Chapter of the Izaak Walton League, Woodmen of the World, and The Youth Development Center, Inc. **(See Attached)----- R**

Planning Commission Business:

Public Hearing:

1. Rezoning #09-15 Artillery Business Center Submitted by Pennoni Associates, to Revise Proffers Associated with Rezoning #07-08. This Revision Relates Specifically to the Transportation Proffers. The Properties are Located East and Adjacent to Shady Elm Road Approximately 4,500 Feet South of the Intersection of Shady Elm Road and Apple Valley Drive. The Properties are Identified with Property Identification Numbers 75-A-1 and 75-A-1F in the Back Creek Magisterial District. **(Continued Public Hearing from October 28, 2015 Board Meeting and Postponed from November 12, 2015 Board Meeting.) (See Attached)** ----- S

2. Rezoning #07-15 Woodside Land Company, LLC., Submitted by GreyWolfe, Inc., to Rezone 20 Acres of Property from RA (Rural Areas) District to M2 (Industrial General) District with Proffers. The Property is Located on the Southern Side of Route 669 (Woodbine Road) about 2000' East of Route 11 and Adjacent to the Winchester & Western Railroad and is Identified by Property Identification Number 34-A-6D in the Stonewall Magisterial District. **(Continued from November 12, 2015 Board Meeting.) (See Attached)**----- T

3. Rezoning #06-15 Opequon Crossing Submitted by Pennoni Associates, to Revise Proffers Associated with Rezoning #04-07 and Rezoning #12-07. This Revision Relates Specifically to the Monetary Transportation Credits. The Properties are Located South of the Existing Terminus of Eddys Lane (Route 820), South of Route 7 and Adjacent to Opequon Creek. The Properties are Identified with Property Identification Numbers 55-A-210, 55-A-212 and 55-A-212A in the Redbud Magisterial District. **(See Attached)** ----- U

4. Rezoning #10-15 Heritage Commons, L.L.C., Submitted by Greenway Engineering, Inc., to Rezone 96.28+/- Acres from B2 (Business General) District to R4 (Residential Planned Community) District with Proffers and 54+/- Acres from RP (Residential Performance) District to R4 (Residential Planned Community) District with Proffers and .31+/- Acres from the RA (Rural Areas) District to the R4 (Residential Planned Community) District with Proffers. The Properties are Located West of the Intersection of Front Royal Pike (Route 522) and Airport Road (Route 645) and are Identified by

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the Property Identification Numbers 63-A-150, 64-A-10, and 64-A-12 in the Shawnee Magisterial District. **(See Attached)**----- **V**

Other Planning Items:

1. Subdivision Request #07-15 for Regents Crest. **(See Attached)** ----- **W**
2. Resolution Re: Virginia Department of Transportation (VDOT) Signatory Authority. **(See Attached)**----- **X**

Board Liaison Reports (If Any)

Citizen Comments

Board of Supervisors Comments

Adjourn