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**AGENDA  
REGULAR MEETING  
FREDERICK COUNTY BOARD OF SUPERVISORS  
WEDNESDAY, JANUARY 11, 2017  
7:00 P.M.  
BOARD ROOM, COUNTY ADMINISTRATION BUILDING  
107 NORTH KENT STREET, WINCHESTER, VIRGINIA**

**Call To Order**

**Invocation**

**Pledge of Allegiance**

**Organization of the Board of Supervisors for 2017: (See Attached)----- A**

Pursuant to *Code of Virginia*, 1950, as Amended, the Board is Required to Organize Its Functions at Its First Meeting in January Including:

- A. Election of Vice-Chairman
- B. Adoption of Rules of Procedure
- C. Selection of a Parliamentarian
- D. Selection of Time and Place for Regular Meetings
- E. Chairman's Board/Committee Assignments.

**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: F, G and O)

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

**Board of Supervisors Comments**

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

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1. Regular Meeting, November 9, 2016.

**County Officials:**

1. Committee Appointments. **(See Attached)**----- C
2. Request from Commissioner of the Revenue for Refunds.  
**(See Attached)** ----- D

**Committee Reports:**

1. Finance Committee. **(See Attached)**----- E
2. Public Safety Communications. **(See Attached)**----- F
3. Transportation Committee. **(See Attached)**----- G

**Public Hearing:**

1. Consider Adoption of Amended Articles of Incorporation for the Frederick County Sanitation Authority, Pursuant to Section 15.2-5110 of the Code of Virginia (1950, as amended). The Primary Purposes of the Amendments are to Remove Obsolete Provisions from the Articles and to Provide that Compensation of the Board of Directors of the Authority shall be Set by Resolution of the Authority. Copies of the Proposed Amended Articles of Incorporation are Available at the Office of the County Administrator, 107 North Kent Street, Winchester, Virginia.  
**(See Attached)** ----- H

**Planning Commission Business:**

**Public Hearing:**

1. Ordinance Amendment to the Frederick County Code, Chapter 144 Subdivision of Land, Article V – Design Standards, §144-31. Rural Subdivisions. Revision to the Frederick County Subdivision of Land to Reduce the Right-of-Way Width Mandatory to Create a Family Lot Subdivision per the Code of Virginia. **(See Attached)**----- I

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2. Ordinance Amendment to the Frederick County Code, Chapter 165, Zoning, Article IX Nonconforming Uses, Structures and Signs, Part 901 – Regulations, §165-901.02 Discontinuance. Revisions to the Frederick County Zoning Ordinance to Increase the Timeframe a Nonconforming Use can be Discontinued Before it is Deemed Abandoned per the Code of Virginia. **(See Attached)** ----- J
3. Ordinance Amendment to the Frederick County Code, Chapter 165, Zoning, Article VI Business and Industrial Zoning Districts, Part 603 – B2 General Business District, §165-603.02 Allowed Uses and Part 606 M1 Light Industrial District, §165-606.02 Allowed Uses. Revisions to the Frederick County Zoning Ordinance to Eliminate Motorcycle Repair in the B2 (General Business) District and Allow this Use in the M1 and M2 District. **(See Attached)** ----- K
4. Ordinance Amendment to the Frederick County Code, Chapter 165 Zoning, Article II Supplementary Use Regulations, Parking, Buffers, and Regulations for Specific Uses, Part 204 – Additional Regulations for Specific Uses, §165-204.29 Commercial Recreation Indoor; Article I General Provisions, Amendments, and Conditional Use Permits, Part 101 – General Provisions, §165-101.02 Definitions and Word Usage; Article VI Business and Industrial Zoning Districts, Part 606 – M1 Light Industrial District, §165-606.03 Conditional Uses and Part 605 – OM Office-Manufacturing Park District, §165-605.03.1 Conditional Uses. Revisions to the Frederick County Zoning Ordinance to Include Indoor Recreation as a Conditional Use in the M1 (Light Industrial) Zoning District. **(See Attached)** ----- L
5. Ordinance Amendment to the Frederick County Code, Chapter 165 Zoning, Article VIII Development Plans and Approvals, Part 802 – Site Plans, §165-802.03 Site Plan and Illustrative Sketch Plan Contents. Revisions to the Frederick County Zoning Ordinance to Increase the Disturbed Area Permissible to be Considered a Minor Site Plan from 5,000 Square Feet to 10,000 Square Feet. **(See Attached)** ----- M

**Other Planning Items:**

1. Rezoning Application #12-16 – Snowden Bridge Station – Proffer Amendment. **(See Attached)**----- N
2. Road Resolution – Abrams Pointe, Phase 1B. **(See Attached)** ----- O

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**Board Liaison Reports (If Any)**

**Citizen Comments**

**Board of Supervisors Comments**

**Adjourn**



A

## **PROPOSED MOTIONS FOR ANNUAL REORGANIZATION**

### **ADOPTION OF RULES OF PROCEDURE**

I move that the Board of Supervisors adopt the Rules of Procedure Frederick County Board of Supervisors, adopted May 28, 2003, amended September 14, 2011 and Robert's Rules of Order Simplified and Applied.

### **SELECTION OF A PARLIAMENTARIAN**

I move that the Board of Supervisors elect the county administrator as Parliamentarian.

### **SELECTION OF A TIME AND PLACE FOR REGULAR MEETINGS**

I move that the second and fourth Wednesdays of each month, at 7:00 P.M., in the Board of Supervisors' Meeting Room, County Administration Building, 107 North Kent Street, Winchester, Virginia be the time and meeting place for the Frederick County Board of Supervisors for 2017. Should the meeting be cancelled due to inclement weather, then it will take place on the following evening.

**RULES OF PROCEDURE  
FREDERICK COUNTY BOARD OF SUPERVISORS**

Adopted by the Frederick County Board of Supervisors  
at a Regular Meeting Held on May 28, 2003

**ARTICLE I - MEETINGS**

**Section 1-1. Annual Meeting; Schedule of Regular Meetings**

On the second Wednesday of January of each year, or on such other date in the month of January as it may designate, the Board shall assemble in the Board of Supervisors' Meeting Room of the County Administration Building, 107 North Kent Street, Winchester, Virginia, or such other public place as it may designate, in regular session and conduct its annual or organizational meeting. During the course of such meeting, the Board shall fix the date, time, and place of all of its regular meetings during the ensuing calendar year, and shall fix the day on which a regular meeting shall be continued should the Chairman later declare that weather or other conditions make it hazardous for members to attend. Thereafter, no changes shall be made to the schedule of regular meetings and continued dates of same unless the requirements of Section 15.2-1416 of the *Code of Virginia*, 1950, as amended, are first met.

**Section 1-2. Special Meetings**

The Board of Supervisors may hold such special meetings as it deems necessary and at such times and places as it may find convenient. A special meeting can only be called pursuant to the requirements imposed by Sections 15.2-1417 and 15.2-1418 of the *Code of Virginia*, 1950, as amended.

**Section 1-3. Continued Meetings**

Upon majority vote of the members attending, the Board may continue its meetings, regular or special, from time to time as it may find convenient or necessary with no requirement to further advertise or announce.

**Section 1-4. Quorum and Method of Voting**

At any meeting, a majority of the Supervisors shall constitute a quorum. All questions submitted to the Board for decision shall be determined by a majority vote of the Supervisors present and voting on any such question, unless otherwise provided by law or these Rules of Procedure. The name of each member voting and how he or she voted will be recorded for each action taken by the Board of Supervisors.

The Board of Supervisors has elected not to have a tiebreaker, as provided for by the *Code*

*of Virginia*, 1950, as amended.

### **Section 1-5. Motions**

Subject to limitations imposed hereafter in these rules, discussion of items on the agenda shall be permitted for purposes of clarifying the issues and/or the options available for consideration. No call for a vote shall be allowed until a member of the Board moves a specific action with reasonable clarity and each member of the Board has thereafter had an opportunity to speak to the specific motion. Motions shall require a second. When possible, Board members making complex, multi-part, or lengthy motions are requested to provide the clerk with a written copy of the motion at the time the motion is made.

### **Section 1-6. Motion to Adjourn**

At a meeting of the Board, a motion to adjourn shall always be in order and shall be decided without debate, provided each member of the Board is given a reasonable opportunity to be heard.

### **Section 1-7. Motions While a Question is Under Debate**

When a motion is under debate at a meeting of the Board, no motion shall be received unless it is one to amend, to refer to committee, for the previous question, for a substitute motion to lay on the table, or to recess or adjourn.

### **Section 1-8. Reconsideration of Motions, Etc., Upon Which Vote Has Been Announced**

At any meeting of the Board, when any vote upon any motion, resolution, ordinance, or question has been previously announced, it may not be reconsidered unless and until a motion to that effect is presented by a member of the Board who previously voted with the prevailing side when such motion, resolution, ordinance, or question was considered. Any such motion to reconsider shall be decided by a majority vote of the members present at the time such motion to reconsider is presented.

### **Section 1-9. Robert's Rules of Order; Suspending Rules [Amended 09/14/11]**

The proceedings of the Board of Supervisors, except as otherwise provided in these rules and by applicable State law, shall be governed by Robert's Rules of Order, Simplified and Applied, with the exception of motions to postpone. Motions to postpone shall be for durations as decided by the Board of Supervisors and in conformity with the *Code of Virginia*, 1950, as

amended, as applicable.

These Rules of Procedure of the Board may only be suspended on presentation of a motion to that effect, which is carried by majority vote of the members present and voting.

#### **Section 1-10. Board to Sit with Open Doors**

The Board of Supervisors shall sit with open doors, and all persons conducting themselves in an orderly manner may attend the meetings. However, the Board may hold closed meetings as permitted by law.

Closed meetings may be placed on the agenda, or may be requested by any member of the Board. However, no closed meeting shall be convened unless and until the Board has favorably acted on a motion to so convene, and then, only if such motion accurately states a lawful reason for such closed meeting as permitted by and outlined in Section 2.2-3711 of the *Code of Virginia*, 1950, as amended.

#### **Section 1-11. Limitations on Duration and Hour of Meetings; Adjournment**

Meetings of the Board of Supervisors shall not continue for more than 4 consecutive hours or later than 11:00 P.M. without the consent of a majority of the members present. Should it appear to the Chair that the matter or matters before the Board cannot be heard within the time remaining, the Chair shall poll the members of the Board to determine the desire of the members. The Chair shall adjourn or recess the meeting upon final action on the current agenda item unless a majority of the members agree to exceed the limits established by this section. Any items not taken up by the Board of Supervisors prior to adjourning will be added to the agenda of the next meeting without further action of the Board.

### **ARTICLE II - OFFICERS**

#### **Section 2-1. Chairman and Vice Chairman [Amended 01/14/09]**

At the annual or organizational meeting of the Board of Supervisors, as described in Section 1-1 hereof, the Board shall elect from its membership a Vice Chair, who shall serve for a one year term expiring on December 31st of the same year in which he or she is elected; provided, however, that unless the term of office has expired and the member has not been re-elected, the Vice Chair shall serve until their respective successor(s) shall have been elected and qualify. In the event that the Chair is absent from any meeting, the Vice Chair shall assume the authority and duties of the Chair. In the event the Chair and Vice Chair are absent from any meeting of the Board, then the members present at such meeting shall choose one of their number as temporary

Chair by majority vote of the members present and voting.

### **Section 2-2. Authority of the Chairman**

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum, and the Board will permit no behavior, which is not in keeping with this policy.

The Chairman shall preserve order and decorum at all meetings. He shall recognize persons desiring to speak and shall ensure that speaker's comments are limited to the issue before the Board for consideration and that any limitations on time are observed. The Chairman shall ensure that all persons entitled and desiring to speak are permitted to do so without interruption or comment during their presentation. The Chair shall determine if statements are demeaning, inappropriate, or out of order, and shall have the authority to revoke the speaker's right to continue.

The Chairman may order the expulsion of any person for violation of rules, disruptive behavior, or any words or action that incite violence or disorder, subject to appeal to the Board. Any person so expelled shall not be readmitted for the remainder of the meeting from which he was expelled. Any person who has been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year, either by the Chairman, subject to appeal to the Board, or by motion passed by the Board.

The Chairman shall have the power to administer an oath of honesty to any person concerning any matter submitted to the Board or connected with its powers and duties. The power to administer an oath granted to the Chair in this section shall be no greater than the same power authorized by Section 15.2-1410 of the *Code of Virginia*, 1950, as amended.

### **Section 2-3. Clerk**

The Clerk of the Board shall be the County Administrator, and the duties and responsibilities of that position shall be as specified in Sections 15.2-407 and 15.2-1539 of the *Code of Virginia*, 1950, as amended. At the discretion of the Board, any county employee can be designated as Deputy Clerk, or Temporary Clerk, as the circumstances may require, and said employee shall have the same powers and duties outlined herein for the duration of said appointment.

## **ARTICLE III - AGENDA**

### **Section 3-1. Preparation**

The Clerk shall prepare an agenda for each meeting of the Board of Supervisors, conforming to the order of business specified in Section 4-1 under Order of Business. Supporting information for every item to be placed on the regular meeting agenda shall be received in the Office of the County Administrator before noon on the Thursday that falls in the week immediately prior to the regularly scheduled Board meeting. Agendas for special meetings shall be prepared as far in advance as the circumstances necessitating the special meeting allow. The clerk shall include on the agenda all matters for which a written request and supporting information have been received in advance of the deadline herein established.

### **Section 3-2. Delivery**

Each member of the Board shall receive the regular meeting agenda, along with the supporting information available to staff, on the Friday of the week prior to the regular meeting to be held on the second and fourth Wednesdays of each month. Special meeting agendas and supporting information will be delivered as far in advance as the circumstances necessitating the special meeting allow.

### **Section 3-3. Posting and Notice**

A copy of the meeting agendas shall be made available in the Office of the County Administrator, as of the date and time the information is distributed to members of the Board. Agendas will also be posted on the county web page at [www.frederickcountyva.gov](http://www.frederickcountyva.gov), both outside entrances to the Board of Supervisors' meeting room, the main interior doors to the meeting room, and outside the County Administrator's office.

### **Section 3-4. Copies**

The Clerk or Deputy Clerk of the Board shall prepare or cause to be prepared extra copies of the agenda and supporting information and shall make the same available to the Handley Regional Library located at Braddock and Piccadilly Streets, Winchester, Virginia, and the Bowman Library located at 871 Tasker Road, Stephens City, Virginia at the same time the agenda is posted pursuant to Section 3-3, above. Individuals desiring complete copies of agenda packages shall arrange with the Clerk for the delivery and cost of the information desired. The Clerk or Deputy Clerk shall also have a copy of agenda packets available at each meeting.

## **ARTICLE IV - CONDUCT OF BUSINESS**

**Section 4-1. Order of Business [Amended 06/11/03]; [Amended 01/14/04]**

At meetings of the Board, the order of business should be as follows:

Closed Session (When Required)  
Call to Order  
Invocation  
Pledge of Allegiance  
Adoption of Agenda  
Consent Agenda  
Citizen Comments (Agenda Items Only, That Are Not Subject to Public Hearing.)  
Board of Supervisors Comments  
Minutes  
County Officials  
Committee Reports  
Public Hearings (When Required)  
Planning Commission Items-Public Hearings (When Required)  
Planning Commission/Department-Other Items  
Liaison Reports (If Any)  
Citizen Comments  
Board of Supervisors Comments  
Adjournment

**Section 4-2. Adoption of Agenda**

The agenda presented for adoption shall be the agenda prepared and delivered as required in Article III. Additions, deletions, or modifications and/or adoption of the agenda shall require the consent of a majority of the members of the Board present at the meeting.

**Section 4-3. Consent Agenda**

The Consent Agenda shall be introduced by a motion “to approve the Consent Agenda”, and shall be considered by the Board as a single item. There shall be no debate or discussion by any member of the Board regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

On objection by any member of the Board of Supervisors to inclusion of any item on the Consent Agenda, that item shall be removed from the Consent Agenda forthwith. Such objection may be recorded at any time prior to completing the taking of a vote on the motion to approve the



Consent Agenda. Items which have been objected to and removed from the Consent Agenda shall be acted upon in the original order presented within the agenda.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution, or other item of business thereon, exactly as if each had been acted upon individually.

**Section 4-4. Citizen Comments Period [Amended 4/14/04]**

Two Citizen Comments periods shall be furnished during every regular meeting of the Board of Supervisors. The first Citizen Comments period shall occur after the adoption of the Consent Agenda and shall be a time for citizens to address agenda items that are not scheduled for public hearing. A register for persons desiring to address the Board of Supervisors during this Citizen Comments period shall be furnished prior to the beginning of every regular meeting of the Board of Supervisors. Citizens desiring to address the Board of Supervisors during this period shall provide their name, the issue they want to address, and their place of residence on the register provided.

The second Citizens Comments period shall occur prior to the Board of Supervisors Comments at the end of the meeting and shall be a time for citizens to address the Board of Supervisors on issues that are not part of the regular meeting agenda. Citizens desiring to address the Board of Supervisors during this period are not required to register; however, each shall state their name and their place of residence prior to their comments.

Each speaker during the Citizen Comments periods shall be limited to one appearance per citizen comment period per meeting. Individuals speaking during the Citizen Comments periods shall be subject to a three minute time limitation.

Any person desiring to address the Board of Supervisors during the Citizen Comments periods shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI-Citizen Responsibilities.

Members of the Board shall neither engage in debate with, nor shall they be expected to answer questions posed by individuals speaking during the Citizen Comment period.

**Section 4-5. Scheduled Presentations**

Any person desiring to address the Board of Supervisors for a presentation under County Officials shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI-Citizen Responsibilities.

Any citizen or staff member who desires to address the Board during the County Officials portion of the agenda at a regular meeting shall submit a written request to the Clerk, or his/her designee, identifying, with reasonable certainty, the subject matter of the presentation. Such request must be in the Clerk's hands not later than the agenda deadline specified in Section 3-1 hereof. Only the person requesting to make the presentation may do so, unless otherwise permitted by the Chair, and every such speaker shall be subject to a five minute time limit for the presentation itself, which limit can be extended with agreement of the Chairman. Board member questions and discussion of the material presented shall not be subject to any time limit. Persons making presentations should be prepared to answer questions and provide detailed information in response to questions from members of the Board.

## **ARTICLE V - PUBLIC HEARINGS**

### **Section 5-1. Format for Public Hearings**

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy. While it is often necessary to have a presentation by an applicant and staff, it is the desire of the Board to hear from the public; and therefore, the applicant and staff presentations will be as brief as possible. In order to accomplish this objective it is necessary that certain rules of order prevail at all public hearings of the Board of Supervisors as follows:

### **Section 5-2. Order of Business**

At public hearings, the order of business will be as follows:

- (a) Identification of Issue and Verification of Notice
- (b) Staff and/or Applicant Presentation
- (c) Public Comment
- (d) Close of Public Hearing
- (e) Board Member Questions
- (f) Staff, Applicant Response
- (g) Board discussion and/or consideration

### **Section 5-3. Identification of Issue and Verification of Required Notice**

The Chair shall call upon the appropriate county staff member to verify that any required notice has been given and to read or summarize the notice for the benefit of those attending the

public hearing.

#### **Section 5-4. Staff and/or Applicant Presentation**

The Chair will call upon the appropriate county staff and/or applicant to present such information as is necessary to explain the action requested of the Board of Supervisors. Presentations will be brief, concise summaries for the Supervisor's and the public's information and understanding, provided that sufficient time will be allowed to present, properly and fairly, the subject matter. When written information has been provided prior to the hearing, that information should be summarized and only new information should be presented in detail at the meeting.

#### **Section 5-5. Public Comment**

Any person desiring to address the Board of Supervisors at a Public Hearing conducted by the Board of Supervisors shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI-Citizen Responsibilities.

Prior to permitting public comment, the Chair shall determine, to the best of his ability, the approximate number of persons desiring to comment at the public hearing and shall establish the manner in which speakers are recognized and the length of time each may speak.

Should the Chair determine that the likely number of persons desiring to speak is 10 or more in number, he may direct that individuals desiring to speak register with staff, providing their name and the district in which they reside. Should registration be required, the Chair shall verify that all such registration has been completed before the hearings begin.

#### **Section 5-6. Order of Speaking**

Members of the public shall be permitted to speak as the Chair recognizes each, provided that no member of the public shall be recognized to speak a second time until all persons desiring to speak have had an opportunity to do so. In the event the number of persons desiring to speak necessitates a register, speakers shall be recognized in the order in which they have registered.

In the event the number of speakers results in the continuation of a public hearing, any persons registered but not heard at the initial Public Hearing will be the first given an opportunity to speak at the continued hearing.

#### **Section 5-7. Presentation of Comments**

Each person may address the Board as many times as the Chair, in his or her discretion,

may allow, but no speaker shall exceed the total time limit set by the Chair.

**Section 5-8. Board Members' Questions**

Upon completion of a presentation by staff, applicant or member of the public, any member of the Board may ask questions to enhance their understanding of the issue, verify information presented or clarify the action or actions requested. Members of the Board shall not engage in debate with the person or persons making the presentation.

**Section 5-9. Staff and/or Applicant Response**

The Chairman shall call on the staff or applicant for any response on closing comments with reference to the public hearing presentations.

**Section 5-10. Close of Hearing**

When the Chair of the Board shall have closed a public hearing, no further public comments shall be received.

**Section 5-11. Board Discussions and/or Consideration**

At the close of the public hearing, the Board of Supervisors shall, at its discretion, act or defer action upon the matter set for public hearing. In the event the Board defers action to a later date, the record shall be left open to receive written comments up until the time that a vote is taken.

**ARTICLE VI - CITIZEN RESPONSIBILITIES**

**Section 6-1. Application of Rules**

Any person desiring to address the Board of Supervisors during any portion of a meeting designated for public comment shall be required to abide by the rules governing such presentations as hereafter set forth in these rules.

**Section 6-2. Addressing the Board**

All persons speaking at a meeting of the Board during any portion of a meeting designated for public comment shall address their comments to the Board of Supervisors and shall limit their comments to matters before the Board of Supervisors. Speakers shall not engage in debate with other speakers or members of the public. Questions shall not be asked of other speakers, but may be directed to the Chairman of the Board for consideration by the Board in later deliberating the matter.

### **Section 6-3. Conduct while Speaking/Conduct While Not Speaking**

Persons speaking at a meeting of the Board of Supervisors shall do so in a courteous manner. Cursing or other obscene language or gestures, threats, insults, or other actions intended to harass, provoke or incite a fight, brawl, or other such disorderly response will not be permitted. Any person whose conduct is contrary to this section will be removed as provided for in section 2-2 of these rules. Board members are expected to observe the same decorum at all meetings.

### **Section 6-4. Name and Place of Residence**

Individuals addressing the Board during any portion of a meeting designated for public comment shall clearly state their name and place of residence prior to making any further comments. Should a person be recognized to speak more than once, they shall identify themselves each time before speaking.

### **Section 6-5. Organizational Representation**

Any person speaking at any portion of a meeting designated for public comment, who represents himself as being an officer or representative of an organization, group, association, corporation, or other entity, shall, upon request of a member of the Board, disclose for the organization, group, association, corporation, or other entity, the history, size, dues, structure, date of creation, requirements for membership, tax status; and shall reveal the organizations method of determining its official position and the speaker's authority to represent the organization. Unreasonable failure to provide this information to the satisfaction of the Board of Supervisors shall bar the speaker from speaking on behalf of the organization.

### **Section 6-6. Order of Speaking**

Persons speaking during any portion of a meeting designated for public comment shall do so in the order in which they are recognized and called upon by the Chair.

### **Section 6-7. Time Limits**

All persons speaking during any portion of a meeting designated for public comment shall observe all time limits established herein and shall yield the floor when informed their time has expired.

### **Section 6-8. Registration**

Should registration of speakers be required, all persons desiring to speak shall sign the register, providing their name, place of residence and district.

**Section 6-9. Written Copy of Comments**

Speakers are requested, but not required, to leave written statements and/or comments with the Clerk or Deputy Clerk of the Board to be incorporated into the written record of the meeting.

**Section 6-10. Information Sources**

No person who speaks or otherwise presents information during any portion of a meeting designated for public comment shall knowingly present false or untrue information to the Board of Supervisors, and shall, upon request of any Board Member, provide the source of any information presented.

**ARTICLE VII - APPOINTMENTS**

**Section 7-1. Appointments**

The Chairman shall appoint members of the Board to such authorities, boards, commissions, committees or other organizations or positions as the Board shall so authorize and to appoint various citizen members to Board's standing committees.

**Section 7.2. Committee Appointments [Amended 01/25/06]**

Each board member may nominate citizen members to be appointed to the various authorities, boards, commissions, and committees where a representative is needed from a member's respective magisterial district or for the county at large. A majority vote of those board members present shall be required to appoint a nominee to said authority, board, commission, or committee. Prior to Board action on a perspective nominee, the following process shall be followed:

1. Applications for vacancies are available through Board members and the County Administrator's Office. A completed application shall be required for all initial nominations; however, a completed application for candidates being reappointed shall not be required.
2. Applications shall be received in the County Administrator's Office up to 5:00 p.m. on the Thursday preceding a Board meeting in order that they might be included in the agenda for review by the members of the Board.

3. The applications will be acknowledged at the aforesaid meeting with action on the appointment to be taken at the next regular meeting of the Board.

## **ARTICLE VIII - AMENDMENTS**

### **Section 8-1. Amendments**

These Rules of Procedure may from time to time be revised, repealed, or otherwise amended upon an affirmative vote by a majority of the members of the Board of Supervisors present and voting.

(Adopted: 05/28/03)  
(Amended: 06/11/03)  
(Amended: 01/14/04)  
(Amended: 04/14/04)  
(Amended: 01/25/06)  
(Amended: 01/14/09)  
(Amended: 09/14/11)

B



**FREDERICK COUNTY BOARD OF  
SUPERVISORS' MINUTES**

**Regular Meeting**

**November 9, 2016**

A Regular Meeting of the Frederick County Board of Supervisors was held on Wednesday, November 9, 2016 at 7:00 P.M., in the Board of Supervisors' Meeting Room, 107 North Kent Street, Winchester, VA.

**PRESENT**

Chairman Charles S. DeHaven, Jr.; Gene E. Fisher; Blaine P. Dunn; Robert A. Hess; Gary A. Lofton; Judith McCann-Slaughter; and Robert W. Wells.

**CALL TO ORDER**

Chairman DeHaven called the meeting to order.

**INVOCATION**

Supervisor Hess delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Vice-Chairman Fisher led the Pledge of Allegiance.

**ADOPTION OF AGENDA - APPROVED**

County Administrator Brenda Garton advised there were no additions or changes to the agenda.

Upon a motion by Supervisor Lofton, seconded by Supervisor Dunn, the Board approved the agenda by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**CONSENT AGENDA - APPROVED**

Upon a motion by Supervisor Hess, seconded by Supervisor Dunn, the Board approved

the following items under the consent agenda:

- Minutes – October 26, 2016 Closed Session and Regular Meeting;
- Request to schedule a public hearing on proposed revisions to the Articles of Incorporation of the Frederick County Sanitation Authority;
- Transportation Committee Report; and,
- Resolution of Support – SmartScale Application.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

#### **CITIZEN COMMENTS**

There were no citizen comments.

#### **BOARD OF SUPERVISORS COMMENTS**

Supervisor Hess announced that he and his wife would be moving into the City of Winchester and as a result he would be resigning as a member of the Board of Supervisors effective November 30, 2016.

#### **MINUTES –APPROVED UNDER THE CONSENT AGENDA**

The minutes from the October 12, 2016 Closed Session and Regular Meeting were approved under the consent agenda.

#### **COUNTY OFFICIALS**

#### **RECOGNITION OF THE FREDERICK COUNTY FINANCE DEPARTMENT FOR RECEIVING THE GOVERNMENT FINANCE OFFICERS ASSOCIATION DISTINGUISHED BUDGET PRESENTATION AWARD**

Chairman DeHaven recognized the Frederick County Finance Department for receiving

the Government Finance Officers Association Distinguished Budget Presentation Award. He noted the Government Finance Officers Association of the United States and Canada (GFOA) had awarded Frederick County, Virginia the GFOA's Distinguished Budget Presentation Award for its budget.

This award represents a significant achievement by Frederick County and reflects the organization's commitment to the highest principles of governmental budgeting.

The Government Finance Officers Association established the Distinguished Budget Presentation Award Program in 1984 to encourage and assist state and local governments to prepare budget documents of the highest quality that reflect best practices on budgeting and to recognize individual governments that succeed in achieving that goal. Documents submitted are reviewed by GFOA professionals and by outside reviewers. Each reviewer rates the budget document in regard to 27 specific categories. In order to achieve the award the document must be rated proficient or outstanding. States, localities, school districts and community colleges all participate in the Budget Awards Program.

Frederick County has been a recipient of this award for 31 consecutive years; 26 years have been under the leadership of Cheryl Shiffler, Finance Director, and Jennifer Place, Budget Analyst. Chairman DeHaven recognized Ms. Shiffler and Ms. Place for their hard work, leadership, and dedication in improving the quality of Frederick County's budget each year and receiving this award is a testament to their efforts.

Frederick County was one of 65 recipients in the Commonwealth of Virginia.

#### **COMMITTEE APPOINTMENTS**

#### **REAPPOINTMENT OF JEFF STEVENS TO THE SHAWNEELAND SANITARY DISTRICT ADVISORY COMMITTEE - APPROVED**

Upon a motion by Supervisor Lofton, seconded by Supervisor Wells, the Board

reappointed Jeff Stevens to the Shawneeland Sanitary District Advisory Committee. This is a two year appointment. Term expires August 12, 2018.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

*(Supervisor Dunn stated under Board Liaison Reports that he had intended to vote no on this Shawneeland Sanitary District Advisory Committee appointment based on the merits of the process and not the individual.)*

**REAPPOINTMENT OF MICHELLE LANDON TO THE SHAWNEELAND SANITARY DISTRICT ADVISORY COMMITTEE - APPROVED**

Upon a motion by Supervisor Lofton, seconded by Supervisor Wells, the Board reappointed Michelle Landon to the Shawneeland Sanitary District Advisory Committee. This is a two year appointment. Term expires October 8, 2018.

Supervisor Dunn stated he would be voting against this reappointment because he felt the residents of Shawneeland should elect their representatives.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Nay
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**RESOLUTION RE: TAX FILING EXTENSIONS - APPROVED**

Commissioner of the Revenue Ellen Murphy advised that the Code of Virginia required the Board of Supervisors to approve a resolution to allow the Commissioner of the Revenue to

give filing extensions to taxpayers who have good cause for filing late.

Upon a motion by Supervisor Hess, seconded by Supervisor Dunn, the Board approved the resolution regarding tax filing extensions.

**WHEREAS**, the Frederick County Code requires that the annual return of taxable machinery and tools (M&T) and business equipment (BE) employed in a business or trade be filed with the Frederick County Commissioner of the Revenue on or before March 15th each year; and

**WHEREAS**, Frederick County taxpayers often request extensions of time for the filing of M&T and BE returns; and

**WHEREAS**, pursuant to Section 58.1-3916 of the Code of Virginia, a governing body may provide by resolution for reasonable extensions of time, not to exceed 90 days, for filing M&T and BE returns, whenever good cause exists; and

**WHEREAS**, Section 58.1-3916 of the Code of Virginia also directs the official granting such extensions to keep a record of every such extension and directs that any taxpayer who has been granted a filing extension but fails to file the return within the extended time be treated the same as if no extension had been granted; now, therefore be it

**RESOLVED**, that the Frederick County Board of Supervisors hereby grants the Frederick County Commissioner of the Revenue authority to allow, upon request of a taxpayer for good cause, a reasonable extension of time, not to exceed 90 days, for filing the annual return of machinery and tools and/or business equipment; and be it further

**RESOLVED**, that the Frederick County Commissioner of the Revenue shall comply with remaining provisions of Section 58.1-3916 of the Code of Virginia including with regard to recordkeeping and the treatment of taxpayers who fail to file their returns within the extended time period.

Enacted this 9th day of November, 2016.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**PERFORMANCE AGREEMENT FOR SHAWNEE CANNING COMPANY, INC.**  
**- APPROVED**

Upon a motion by Supervisor Hess, seconded by Supervisor Fisher, the Board approved the performance agreement for Shawnee Canning Company, Inc.

**WHEREAS**, SHAWNEE CANNING COMPANY, INC. has made known its intent to expand its operation by making new taxable machinery and equipment and real property improvements and retain and create jobs; and

**BE IT RESOLVED**, that the Board of Supervisors for the County of Frederick, Virginia, does hereby approve and appropriate the payment of \$7,500 as stated in the executed Performance Agreement to the Economic Development Authority of Frederick County, Virginia from Frederick County's Fund Balance to assist in expanding the operation for SHAWNEE CANNING COMPANY, INC. in Frederick County, Virginia.

**BE IT RESOLVED**, that said funds are subject to an executed Performance Agreement outlining the required performance criteria.

**BE IT FURTHER RESOLVED**, that the Board of Supervisors for the County of Frederick, Virginia, does authorize the County Administrator to execute the Performance Agreement on its behalf.

**ADOPTED**, this 9<sup>th</sup> day of November 2016.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**BOARD'S 2036 VISION AND STRATEGIC PRIORITIES - APPROVED**

Administrator Garton presented the Board's 2036 vision and strategic priorities for approval. She noted that once the Board approves the priorities staff would create a work plan to accomplish the targets.

Chairman DeHaven stated that under Fiscal Responsibility 7 the final two bullets should say "establish discussion of future capital projects and establish discussion of a reserve through

the budget process.”

Upon a motion by Supervisor Dunn, seconded by Supervisor Lofton, the Board approved the 2036 vision and strategic priorities.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**REQUEST TO SCHEDULE A PUBLIC HEARING ON PROPOSED REVISIONS TO THE ARTICLES OF INCORPORATION OF THE FREDERICK COUNTY SANITATION AUTHORITY – APPROVED UNDER CONSENT AGENDA**

The Board scheduled the public hearing for its January 11, 2017 meeting.

**COMMITTEE REPORTS**

**TRANSPORTATION COMMITTEE REPORT – APPROVED UNDER CONSENT AGENDA**

The Transportation Committee met on October 24, 2016 at 8:30 a.m.

Members Present

Gary Lofton (voting)  
Judith McCann-Slaughter (voting)  
Barry Schnoor (voting)  
Gary Oates (liaison PC)  
James Racey (voting)

Members Absent

Mark Davis (liaison Middletown)  
Gene Fisher (voting)  
Lewis Boyer (liaison Stephens City)

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

NONE

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

**1. Fall Transportation Forum**

The Committee discussed the responses to date from the state elected officials for the transportation forum and directed Staff to poll the Board for their availability. The Committee also discussed several items that could be key points of discussion at the meeting.



## **2. Welltown Road Speed Concerns**

Staff began by clarifying that Mr. DeHaven had actually been contacted about Rest Church Road but noted that the system concerns remained an issue and that Welltown Road should be considered in the discussion. Staff noted that they are meeting with VDOT regarding the status of the improvements to the intersection of Welltown Road and Martinsburg Pike and also to discuss with VDOT the possibility of moving the truck restriction signs on Welltown to the north of Tyson Drive. Sheriff Milholland will be placing equipment on Rest Church Road and Welltown to gather traffic and speed data to aid the Committee in determining whether to request a formal speed study from VDOT.

## **3. County Projects Update**

### **Snowden Bridge Boulevard:**

Construction is underway and on schedule at this time. Completion is imminent.

### **Tevis Street Extension/Airport Road/I-81 Bridge:**

The revenue sharing agreement has been executed and design is once again underway on the bridge. In addition, the traffic impact analysis that will determine the design specifics for the Airport Road is underway and a draft is nearly complete. Staff is having a teleconference regarding the TIA on 10/17.

### **Renaissance Drive:**

Transportation Partnership Opportunity Fund application has been submitted which could change the project from a grade to a bridge crossing. The meeting for the consideration of the application is expected to take place shortly. Staff is coordinating with CSX and VDOT to complete an MOU for the process of getting the crossing as well as determining unimproved rail crossings for upgrade.

### **Valley Mill Road Realignment:**

Thirty percent design has been completed and the County's on call consultant is providing an updated cost estimate to complete design through 100%. Upon approval by the private party partner, the next phase of design will begin.

### **Coverstone Drive:**

No activity at this time.

### **Jubal Early Drive Extension and Interchange with Route 37:**

Initial meetings regarding a draft agreement and follow up application for additional revenue sharing funds has been held with the private partner team.

## **4. Other**

Mrs. McCann-Slaughter noted that she would be accompanying Staff to the Commonwealth Transportation Board forum that was held on October 24 at Blue Ridge Community College in Weyers Cave.

There was also additional discussion on strategies to plan for transportation challenges as new schools come on line including traffic plans and police presence.

**FINANCE COMMITTEE REPORT (JOINT MEETING WITH BOARD OF SUPERVISORS) – APPROVED DEBT MANAGEMENT GUIDELINES**

A Joint Finance Committee/Board of Supervisors meeting was held in the First Floor Conference Room at 107 North Kent Street on Wednesday, November 2, 2016 at 8:00 a.m. Member Angela Rudolph was absent.

The purpose of the meeting was to discuss debt policies. Please find attached the following documents to aid in discussion:

- A. Summary spreadsheet,
- B. Finance staff recommendations,
- C. Davenport & Company presentation 9/14/16,
- D. Davenport & Company analysis of 12th Elementary School and Armel School Addition 10/18/16.

Items requiring action:

The committee recommends drafting policies based on the Finance staff recommendations. See attached sample.

**Debt Management**

*Introduction*

One of the keys to sound financial management is the development of a debt policy. The need is included in both recommended practices by the Government Finance Officers Association and by bond rating agencies.

*Key Debt Ratio Guidelines*

- Tax Supported 10-year Payout Ratio should be greater than 65%. The 10-year payout ratio measures the amount of principal to be retired in 10 years.
- Debt to Assessed Value should be in a range not to exceed 0.75%-1.75%.
- Debt Service vs. Governmental Expenditures Ratio should be in a range not to exceed 8-12%. Governmental expenditures represent the ongoing operating expenditures of the County and School Board. In this calculation, debt service and capital expenditures are excluded from expenditures.

Upon a motion by Supervisor Slaughter, seconded by Supervisor Hess, the Board approved the key debt ratio guidelines.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**PUBLIC HEARING**

**PROPOSED CONVEYANCE TO SHENANDOAH MOBILE, LLC OF A LEASEHOLD INTEREST IN A 10,000 SQUARE FOOT (100 FEET BY 100 FEET) AREA, AND A NON-EXCLUSIVE EASEMENT TO REACH THAT AREA, WITHIN PROPERTY OWNED BY FREDERICK COUNTY, LOCATED AT 871 TASKER ROAD , TAX PARCEL NUMBER 75B-A-1, IN THE SHAWNEE MAGISTERIAL DISTRICT. - APPROVED**

County Attorney Rod Williams advised this was a proposal for a lease of 10,000 square feet of county property to enable Shentel to explore the possibility of constructing a telecommunications facility. The proposed lease has an initial term of five years with seven five year renewals.

**Lynn Koerner**, Shentel, appeared before the Board on behalf of the lessee. He noted the company had significant need for service along Tasker Road in Stephens City. He stated if the Board saw fit to approve the lease then the company would move forward with necessary documents to obtain a conditional use permit.

Chairman DeHaven convened the public hearing.

There were no public comments.

Chairman DeHaven closed the public hearing.

Upon a motion by Vice-Chairman Fisher, seconded by Supervisor Lofton, the Board approved the lease with Shenandoah Mobile, LLC.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
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Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

## **PLANNING COMMISSION BUSINESS**

### **PUBLIC HEARING**

#### **CONDITIONAL USE PERMIT #12-16 FOR ALMA CARTER AND RONALD CARTER, SUBMITTED FOR AN OFF-PREMISE FARM MARKET. THE PROPERTY IS LOCATED AT 131 GAINESBORO ROAD, WINCHESTER, VIRGINIA, AND IS IDENTIFIED WITH PROPERTY IDENTIFICATION NUMBER 29-A-63 IN THE GAINESBORO MAGISTERIAL DISTRICT. - APPROVED**

Zoning Administrator Mark Cheran appeared before the Board regarding this item. He advised this was a request for an off-premise farm market. The property is zoned RA (Rural Areas) District and the adjacent properties are also zoned RA (Rural Areas) District. The property is located off of Gainesboro Road. Zoning Administrator Cheran noted that farm markets are permitted in the RA District with an approved conditional use permit. He noted the applicant proposed to have 10 employees to help staff the farm market. He concluded by saying the Planning Commission recommended approval with the following conditions:

1. All review agency comments and requirements shall be complied with at all times.
2. An illustrative sketch plan shall be submitted to and approved by Frederick County and all improvements completed prior to establishment of the use.
3. Prior to the establishment of the use, an OSE packet should be submitted to and approved by the Winchester-Frederick County Health Department for well and sewage disposal system to be utilized for this property.
4. One, non-illuminated, freestanding monument business sign is allowed with this Conditional Use Permit that is no more than five (5) feet tall and no more than fifty (50) square feet in area.
5. Hours of operation shall be limited to 8 a.m. to 9 p.m. seven (7) days a week.
6. Any expansion or change of use shall require a new Conditional Use Permit.

Chairman DeHaven convened the public hearing.

There were no public comments.

Chairman DeHaven closed the public hearing.

Upon a motion by Supervisor Hess, seconded by Supervisor Dunn, the Board approved Conditional Use Permit #12-16.

**WHEREAS, Conditional Use Permit #12-16 for an Off-Premise Farm Market,** submitted by Alma & Ronald Carter, was considered. The Property is located at 131 Gainesboro Road, Winchester, Virginia, immediately south of Route 522 (North Frederick Pike) and is further identified with Property Identification Number 29-A-63, in the Gainesboro Magisterial District; and,

**WHEREAS,** the Frederick County Planning Commission held a public hearing on the Conditional Use Permit on October 19, 2016, 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 November 9, 2016; 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 #12-16 for an Off-Premise Farm Market on the parcel identified by Property Identification Number 29-A-63 with the following conditions:

1. All review agency comments and requirements shall be complied with at all times.
2. An illustrative sketch plan shall be submitted to and approved by Frederick County and all improvements completed prior to establishment of the use.
3. Prior to the establishment of the use, an OSE packet should be submitted to and approved by the Winchester-Frederick County Health Department for the well and sewage disposal system to be utilized for this property.
4. One, non-illuminated, freestanding monument business sign is allowed with is Conditional Use Permit that is no more than five (5) feet tall and no more than fifty (50) square feet in area.
5. Hours of operation shall be limited to 8 a.m. to 9 p.m. seven (7) days a week.
6. Any expansion or change of use shall require a new Conditional Use Permit.

Passed this 9th day of November, 2016 by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**REZONING #11-16 FOR SOUTHERN HILLS, SUBMITTED BY GREENWAY ENGINEERING, INC. TO REZONE 37.79 ACRES FROM RP (RESIDENTIAL PERFORMANCE) DISTRICT TO RP (RESIDENTIAL PERFORMANCE) DISTRICT WITH REVISED PROFFERS, AND 2.56 ACRES FROM B2 (GENERAL BUSINESS) DISTRICT TO B2 (GENERAL BUSINESS) DISTRICT WITH REVISED PROFFERS. THE PROPERTY IS LOCATED ON THE EAST SIDE OF TOWN RUN LANE (ROUTE 1012) APPROXIMATELY 0.6 MILES SOUTH OF THE INTERSECTION WITH FAIRFAX PIKE (ROUTE 277) AND TOWN RUN LANE, AND IS IDENTIFIED BY PROPERTY IDENTIFICATION NUMBER 85D-1-1-95 IN THE OPEQUON MAGISTERIAL DISTRICT. - APPROVED**

Assistant Planning Director Candice Perkins appeared before the Board regarding this item. She advised this was a proposal to revise the proffers from Rezoning Application #22-06 for 40.36 acres to allow the construction of up to 130 single family units. The proposed request would decrease the number of units by 102 and change the housing type. The new proffer policy applies to this proposal regarding specifically attributable impacts. The total impact is \$830,630.70 or \$6,389.46 per unit. She concluded by saying the Planning Commission recommended approval.

**Evan Wyatt**, Greenway Engineering, appeared before the Board on behalf of the application.

Supervisor Hess asked Mr. Wyatt “did any county representatives suggest, request, or require the applicant to make any proffers for this rezoning?”

Mr. Wyatt responded “no sir, they were voluntary.”

Supervisor Hess asked “is it your understanding that the proffers were made freely and voluntarily without any coercion?”

Mr. Wyatt responded “yes sir”.

Supervisor Hess asked “do you believe that the proffers the applicant has proposed are reasonable and appropriate?”

Mr. Wyatt responded “we believe they are, yes sir.”

Chairman DeHaven convened the public hearing.

There were no public comments.

Chairman DeHaven closed the public hearing.

Upon a motion by Supervisor Wells, seconded by Vice-Chairman Fisher, the Board approved Rezoning #11-16.

**WHEREAS, Rezoning #11-16 of Southern Hills – Phase 2**, submitted by Greenway Engineering, Inc., to revise the proffers from Rezoning Application #22-06 for 40.36 acres (37.79 acres of Residential Performance and 2.57 acres of General Business zoning) to allow for the construction of up to 130 single family detached units with the proffers final revision date of October 13, 2016, was considered. The Property is located on the east side of Town Run Lane (Route 1012) approximately 0.6 miles south of the intersection with Fairfax Pike (Route 277) and Town Run Lane, and further identified with Property Identification Number 85D-1-1-95 in the Opequon Magisterial District; and,

**WHEREAS**, the Planning Commission held a public hearing on this rezoning on October 19, 2016 and recommended approval; and

**WHEREAS**, the Board of Supervisors held a public hearing on this rezoning on November 9, 2016; 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 proffers associated with rezoning #22-06 for 40.36 acres. These amended proffers modify the housing type from single-family attached (townhouse) units to single-family detached units as well as decrease the number of units from 232 to 130 units; decreasing the total units by 102, with a final

revision date of October 13, 2016. The conditions voluntarily proffered in writing by the Applicant and the Property Owner are attached.

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

Passed this 9th day of November, 2016 by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

### **OTHER PLANNING ITEMS**

#### **DISCUSSION – PROPOSED ORDINANCE AMENDMENT – INDOOR RECREATION IN THE M1 DISTRICT – SENT FORWARD FOR PUBLIC HEARING**

Assistant Planning Director Candice Perkins appeared before the Board regarding this item. She advised this was a proposed ordinance amendment to allow commercial indoor recreational uses as a conditional use in the M-1 (Light Industrial) and O-M (Office-Manufacturing) Districts. The Development Review and Regulations Committee and the Planning Commission discussed the proposed amendment and forwarded it to the Board for consideration. She concluded by saying staff was seeking authorization to send it forward for public hearing.

Upon a motion by Vice-Chairman Fisher, seconded by Supervisor Hess, the Board sent this proposed ordinance forward for public hearing.

**WHEREAS**, an ordinance to amend Chapter 165, Zoning – to include an allowance for amusement and recreation services operated indoors SIC 79 to be permitted through a Conditional Use Permit in the M1 (Light Industrial) District and the OM (Office Manufacturing Park) District was considered; and

**WHEREAS**, The Development Review and Regulations Committee (DRRC) reviewed the proposed changes at their September 23, 2016 meeting and sent the proposed amendment



forward for review by the Planning Commission and Board of Supervisors; and

**WHEREAS**, the Planning Commission discussed the changes at their regularly scheduled meeting on October 19, 2016 and agreed with the amendment; and

**WHEREAS**, the Board of Supervisors discussed the changes at their regularly scheduled meeting on November 9, 2016; and

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

**NOW, THEREFORE, BE IT REQUESTED** by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to include the zoning ordinance requirement to include an allowance for amusement and recreation services operated indoors SIC 79 to be permitted through a Conditional Use Permit in the M1 (Light Industrial) District and the OM (Office Manufacturing Park) District.

Passed this 9th day of November, 2016 by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**DISCUSSION - PROPOSED ORDINANCE AMENDMENT – MINOR SITE PLAN THRESHOLD – SENT FORWARD FOR PUBLIC HEARING**

Assistant Planning Director Candice Perkins appeared before the Board regarding this item. She advised this was a proposed ordinance amendment to modify the standards for the submittal of a minor site plan. The proposed amendment increases the disturbed area from 5,000 square feet to 10,000 square feet to be consistent with the state requirements for a land disturbance permit. She went on to say the Development Review and Regulations Committee and the Planning Commission reviewed the proposed amendment and sent it forward to the Board for review. She concluded by saying staff was seeking Board authorization for send this proposal forward for public hearing.

Upon a motion by Supervisor Wells, seconded by Supervisor Lofton, the Board sent this proposed ordinance forward for public hearing.

**WHEREAS**, an ordinance to amend Chapter 165, Zoning – to modify the standards for a submittal of a minor site plan from 5,000 square feet to 10,000 square feet, was considered; and

**WHEREAS**, The Development Review and Regulations Committee (DRRC) reviewed the proposed changes at their September 23, 2016 meeting and sent the proposed amendment forward for review by the Planning Commission and Board of Supervisors; and

**WHEREAS**, the Planning Commission discussed the changes at their regularly scheduled meeting on October 19, 2016 and agreed with the amendment; and

**WHEREAS**, the Board of Supervisors discussed the changes at their regularly scheduled meeting on November 9, 2016; and

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

**NOW, THEREFORE, BE IT REQUESTED** by the Frederick County Board of Supervisors that the Frederick County Planning Commission shall hold a public hearing to change the zoning ordinance requirement to increase the disturbed area to 10,000 square feet.

Passed this 9th day of November, 2016 by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**RESOLUTION OF SUPPORT – SMARTSCALE APPLICATIONS – APPROVED  
UNDER CONSENT AGENDA**

**WHEREAS**, this resolution supports the following Frederick County SmartScale Applications for the following projects:

1. Route 37 Extension from Tasker Road to Route 522
2. (Variation of Project 1) Route 37 Extension from Tasker Road To Future Warrior Drive location combined with construction of Warrior Drive from that location to current terminus of Warrior Drive.

3. Exit 317 NB exit ramp relocation to location where Redbud Road currently ties into Route 11 North combined with the rerouting of Redbud Road to Snowden Bridge Boulevard.
4. Route 277 from Double Church Road to Warrior Drive, widening and access management.
5. Route 11 North, widening from Snowden Bridge Boulevard to Old Charlestown Road.
6. Sulphur Springs Road, reconstruction and widening from Route 50 to the Landfill.
7. Intersection of Senseny Road and Crestleigh Drive, turns lanes on Senseny.
8. Intersection of Route 277 and Warrior Drive, extend the eastbound right turn lane on Route 277 and pedestrian safety improvements along the southern part of Warrior Drive.
9. Intersection of Papermill Road and Route 522, extend right turn lane on eastbound Papermill Road.

**WHEREAS**, the Virginia Department of Transportation (hereafter referred to as the DEPARTMENT) has adopted procedures for evaluating and scoring projects consistent with SmartScale requirements; and

**WHEREAS**, the DEPARTMENT has requested applications to be submitted by localities to be considered for inclusion in the DEPARTMENT'S Six-Year Improvement Program for Fiscal Years 2018 through 2023; and

**WHEREAS**, projects will be evaluated for inclusion in the Six-Year Improvement Program through screening and scoring process to be undertaken by the DEPARTMENT; and

**WHEREAS**, each of the projects for which the County Frederick is applying play important roles in the County's long-range transportation plans and near term traffic safety concerns; and

**WHEREAS**, the County of Frederick is an eligible entity to apply for transportation funding under House Bill 2;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Frederick County Board of Supervisors is supportive of each of these applications for inclusion into the Six-Year Improvement Program fiscal years 2018 through 2023.

**ADOPTED**, this 9th day of November 2016.

This resolution was approved under the consent agenda.

#### **BOARD LIAISON REPORTS**

Supervisor Dunn stated it was his intent to have voted no on both Shawneeland Sanitary District Advisory Committee appointments based upon the merits of the process and not the merits of the individual. He asked that the minutes reflect his intent.

The Board was amenable to this request.

### **CITIZEN COMMENTS**

**Alan Morrison**, Gainesboro District, expressed appreciation to Supervisor Hess for his service as a member of the Board of Supervisors. He then reported that he attended the work session between Frederick County Public Schools and the Board of Supervisors. He stated that he liked the process, but during the meeting several red flags were raised. He noted the graphs presented took small changes and made them look dramatic. He spoke about the proposed 4<sup>th</sup> high school and stated that the only option the school board presented to the Board of Supervisors was a new school at a cost of over \$90 million. He concluded by saying a lot of the comparisons made tonight were inappropriate.

**Ruth Perrine**, Back Creek District, stated she was sorry to see Supervisor Hess go, but she was pleased to see that what he was doing was best for his wife and family. She reported briefly on the work of the Clowser House Committee. She concluded by wishing Supervisor Hess the best.

### **BOARD OF SUPERVISORS COMMENTS**

Vice-Chairman Fisher thanked Supervisor Hess for his service and stated it was a pleasure “having you sit next to me”.

Supervisor Lofton praised Supervisor Hess for his understanding of the problems that citizens go through and for his incessant and untiring work for his constituents. He concluded by saying he enjoyed working with him.

Supervisor Wells echoed Supervisor Lofton's comments and wished Supervisor Hess the best.

Supervisor Slaughter echoed everything that had been said. She stated that Supervisor Hess would be truly missed. She concluded by saying that one of the best parts of this group was listening to Supervisor Hess's invocations.

Supervisor Dunn agreed that Supervisor Hess's prayers were thoughtful and he was sorry to see him go.

Chairman DeHaven stated, on behalf of the community and Board, it was an honor to serve with Supervisor Hess and he had served with distinction. He went on to say the Board now had the task of finding a replacement and he would like to follow the process used in the past, which included an ad in The Winchester Star and posting on social media. He stated candidates would be sought for the interim appointment and the deadline to apply would be November 28, 2016 at 5:00 p.m.

Upon a motion by Supervisor Lofton, seconded by Supervisor Wells, the Board approved the use of the process outlined.

The above motion was approved by the following recorded vote:

Charles S. DeHaven, Jr.	Aye
Blaine P. Dunn	Aye
Gene E. Fisher	Aye
Robert A. Hess	Aye
Gary A. Lofton	Aye
Judith McCann-Slaughter	Aye
Robert W. Wells	Aye

**ADJOURN**

**UPON A MOTION BY SUPERVISOR FISHER, SECONDED BY SUPERVISOR SLAUGHTER, THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS**

**BOARD, THIS MEETING IS HEREBY ADJOURNED. (8:18 P.M.)**

C



**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:** January 4, 2017  
**RE:** Committee Appointments

Listed below are the vacancies/appointments due through February, 2017. 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**

Lord Fairfax Community College Board

Tara L. Woolever – County Representative  
118 Plankwood Court  
Stephens City, VA 22655  
Term Expires: 06/30/20  
Four year term

**(Ms. Woolever has resigned.)**

**JANUARY 2017**

Historic Resources Advisory Board

Christopher Oldham – Member-At-Large Representative  
155 Sterrett Lane  
Clearbrook, VA 22624  
Home: (540)667-1145  
Term Expires: 01/12/17  
Four year term

*(The Historic Resources Advisory Board is comprised of nine members, one member from each magisterial district and three members at large.)*



**FEBRUARY 2017**

Planning Commission

Charles E. Triplett – Gainesboro District Representative  
150 Lone Willow Lane  
Gore, VA 22637  
Home: (540)877-1380  
Term Expires: 02/22/17  
Four year term

**(Per Supervisor Ewing, Mr. Triplett is willing to continue serving.)**

Old Dominion ASAP Policy Board (ASAP) and Community Criminal Justice Board (CCJB)

Brenda G. Garton – Frederick County Representative  
Term Expires: 02/22/17  
Three year term

**(The Board of Supervisors at their meeting of 02/11/15 appointed the county administrator position to serve on these boards.)** *(By-Laws of both boards ensures that each jurisdiction is represented on both boards by a single appointee.)*

BGG/tjp

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: Brenda G. Garton, County Administrator  
FROM: Roderick B. Williams, County Attorney  
DATE: January 5, 2017  
RE: Commissioner of Revenue Refund Requests

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

1. Aqua Virginia, Inc. – \$3,028.91
2. Brian Omps Towing & Repair LLC – \$4,235.45
3. Capital Meats, Inc. – \$8,274.07
4. Rutherford LLC – \$2,674.20
5. Valley Proteins, Inc. – \$36,738.77

A handwritten signature in black ink, appearing to be "Roderick B. Williams", written over a 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: January 4, 2017

RE: Refund – Aqua Virginia, Inc.

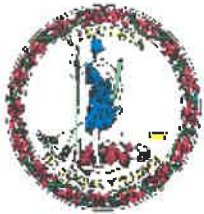
I am in receipt of the Commissioner's request, dated January 3, 2017, to authorize the Treasurer to refund Aqua Virginia, Inc. the amount of \$3,028.91, for adjustment of real estate taxes in 2016. This refund resulted from an audit by the State Corporation Commission and notification to the County in December that the original filing received in September 2016 had been adjusted by the Commission.

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.

A handwritten signature in black ink, appearing to be "Roderick B. Williams", written over a horizontal line.

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)



January 3, 2017

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

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Exoneration – Aqua Virginia, Inc.

*E. Murphy*

Please approve a refund of \$3,028.91 for adjustment to real estate taxes for 2016 in the name of Aqua Virginia, Inc. This refund resulted from an audit by the State Corporation Commissioner and notification to us by them in December of an adjustment to the original SCC filing we received in September 2016.

To comply with requirements for the Treasurer to apply this refund board action is required.

The Commissioner's staff 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 \$3,028.91.

MEMORANDUM OF CORRECTED ASSESSMENT BY COMMISSIONER OF THE REVENUE OF  
UNPAID LOCAL LEVIES

(COMMISSIONER OF THE REVENUE MUST BE GOVERNED STRICTLY BY LAW PERTAINING TO THE  
ABATEMENT OF TAXES)

THE MEMORANDUM MUST BE PREPARED BY COMMISSIONER OF THE REVENUE. ONE COPY  
MUST BE DELIVERED TO THE COUNTY OR CITY TREASURER OR CITY COLLECTOR, ONE  
COPY TO TAXPAYER AND ONE COPY MUST BE RETAINED BY THE COMMISSIONER.

AQUA VIRGINIA, INC

FREDERICK COUNTY

DIST: FREDERICK COUNTY

RONNIE LYNCH CONTROLLER

2414 GRANITE RIDGE RD

DATE 1/03/2017

ROCKVILLE VA

23146

BILL NUMBER : 110002

ACCOUNT# / SEQ# : 5230

SUBJECT OF								TOTAL TAX
TAXATION	YEAR	PAGE	LINE	VALUE	LOCAL LEVY	PENALTY	AND PEN.	
ORIGINAL ASSESSMENT	PS	2016	3 5	\$8,751,853	\$23,151.80	\$ .00	\$23,151.80	
ABATEMENT		2016	3 5	\$0	\$3,028.91	\$ .00	\$3,028.91	
CORRECTED ASSESSMENT		2016	3 5	\$8,751,853	\$20,122.89	\$ .00	\$20,122.89	

REASON: ADJ VALUE

\_\_\_\_\_  
Ellen E. Murphy  
COMMISSIONER OF THE REVENUE

\* This may not reflect your total tax - Please contact the Treasurer's Office  
(540) 665-5607



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: January 4, 2017

RE: Refund – Brian Omps Towing & Repair LLC

I am in receipt of the Commissioner's request, dated December 30, 2016, to authorize the Treasurer to refund Brian Omps Towing & Repair LLC the amount of \$4,235.45, for adjustment of personal property taxes in 2016. This refund resulted from taxes paid on vehicles sold by the company during the taxation period.

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)



December 30, 2016

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

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Exoneration -- Brian Omps Towing & Repair LLC.

*E. Murphy*

Please approve a refund of \$4,235.45 for proration of personal property taxes for 2016 in the name of Brian Omps Towing & Repair LLC. This refund is for adjustment to personal property taxes on vehicular personal property sold.

To comply with requirements for the Treasurer to apply this refund board action is required.

The Commissioner's staff 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 \$4,235.45.



Customer Name: XXXXXXXXXX Total Transactions: 20  
 Customer Transactions: 4

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2016	1	00063760057	\$398.57-	\$ .00	\$398.57-
-	PP2016	2	00063760061	\$1,317.57-	\$ .00	\$1,317.57-
-	PP2016	3	00063760069	\$1,241.73-	\$ .00	\$1,241.73-
-	PP2016	4	00063760071	\$1,277.58-	\$ .00	\$1,277.58-

F3=Exit    F14=Show Map#    Total Paid : \$4,235.45  
 F15=Show Balance    F18=Sort-Entered    F21=CmdLine  
 F20=Attach

*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: January 4, 2017

RE: Refund – Capital Meats, Inc.

I am in receipt of the Commissioner's request, dated December 30, 2016, to authorize the Treasurer to refund Capital Meats, Inc. the amount of \$8,274.07, for adjustment of personal property taxes and license fees from 2013 to 2016. This refund resulted from taxes paid on vehicles that had been sold or moved out of Frederick County, but not reported as such to the Commissioner of the Revenue.

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.

A handwritten signature in black ink, appearing to be "R. Williams", written over a horizontal line.

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)**



December 30, 2016

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

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Exoneration – Capital Meats Inc.

A handwritten signature in blue ink that reads "E. Murphy".

Please approve a refund of \$8,274.07 for personal property taxes and license fees for 2013 - 2016 in the name of Capital Meats, Inc. This refund is for adjustment to personal property taxes and license fees on vehicular personal property because of proration and not previously reported as sold or moved out to Frederick County.

To comply with requirements for the Treasurer to apply this refund board action is required.

The Commissioner's staff 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 \$8,274.07.

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2013	1	00078090001	\$78.37-	\$ .00	\$78.37-
-	PP2013	2	00078090002	\$78.37-	\$ .00	\$78.37-
-	PP2013	3	00078090017	\$15.68-	\$ .00	\$15.68-
-	PP2013	4	00078090018	\$15.67-	\$ .00	\$15.67-
-	PP2013	5	00078090029	\$49.21-	\$ .00	\$49.21-
-	PP2013	6	00078090030	\$49.21-	\$ .00	\$49.21-
-	PP2013	7	00078090031	\$49.21-	\$ .00	\$49.21-
-	PP2013	8	00078090032	\$49.21-	\$ .00	\$49.21-
-	PP2013	9	00078090041	\$9.82-	\$ .00	\$9.82-
-	PP2013	10	00078090042	\$58.93-	\$ .00	\$58.93-
-	PP2013	11	00078090043	\$51.64-	\$ .00	\$51.64-
-	PP2013	12	00078090044	\$51.64-	\$ .00	\$51.64-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2013	13	00078090053	\$52.86-	\$ .00	\$52.86-
-	PP2013	14	00078090054	\$52.85-	\$ .00	\$52.85-
-	PP2013	15	00078090065	\$20.05-	\$ .00	\$20.05-
-	PP2013	16	00078090066	\$20.05-	\$ .00	\$20.05-
-	PP2013	17	00078090069	\$54.68-	\$ .00	\$54.68-
-	PP2013	18	00078090070	\$54.67-	\$ .00	\$54.67-
-	PP2013	19	00078090075	\$52.86-	\$ .00	\$52.86-
-	PP2013	20	00078090076	\$52.85-	\$ .00	\$52.85-
-	PP2013	21	00078090093	\$55.29-	\$ .00	\$55.29-
-	PP2013	22	00078090094	\$55.28-	\$ .00	\$55.28-
-	PP2013	23	00078090109	\$71.08-	\$ .00	\$71.08-
-	PP2013	24	00078090110	\$71.08-	\$ .00	\$71.08-

*Board Approval*

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2013	25	00078090113	\$63.79-	\$ .00	\$63.79-
-	PP2013	26	00078090114	\$63.79-	\$ .00	\$63.79-
-	PP2013	27	00078090121	\$20.90-	\$ .00	\$20.90-
-	PP2013	28	00078090122	\$20.90-	\$ .00	\$20.90-
-	PP2013	29	00078090123	\$14.76-	\$ .00	\$14.76-
-	PP2013	30	00078090124	\$29.52-	\$ .00	\$29.52-
-	PP2013	31	00078090125	\$43.14-	\$ .00	\$43.14-
-	PP2013	32	00078090126	\$43.13-	\$ .00	\$43.13-
-	PP2013	33	00078090137	\$14.22-	\$ .00	\$14.22-
-	PP2013	34	00078090138	\$14.21-	\$ .00	\$14.21-
-	PP2014	35	00080490001	\$75.33-	\$ .00	\$75.33-

*Needs Board Approval*

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2014	37	00080490017	\$15.68-	\$ .00	\$15.68-
-	PP2014	38	00080490018	\$15.67-	\$ .00	\$15.67-
-	PP2014	39	00080490029	\$46.78-	\$ .00	\$46.78-
-	PP2014	40	00080490030	\$46.78-	\$ .00	\$46.78-
-	PP2014	41	00080490031	\$46.78-	\$ .00	\$46.78-
-	PP2014	42	00080490032	\$46.78-	\$ .00	\$46.78-
-	PP2014	43	00080490039	\$57.72-	\$ .00	\$57.72-
-	PP2014	44	00080490040	\$57.71-	\$ .00	\$57.71-
-	PP2014	45	00080490041	\$49.21-	\$ .00	\$49.21-
-	PP2014	46	00080490042	\$49.21-	\$ .00	\$49.21-
-	PP2014	47	00080490051	\$49.82-	\$ .00	\$49.82-
-	PP2014	48	00080490052	\$49.81-	\$ .00	\$49.81-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2014	49	00080490063	\$20.05-	\$ .00	\$20.05-
-	PP2014	50	00080490064	\$20.05-	\$ .00	\$20.05-
-	PP2014	51	00080490067	\$52.25-	\$ .00	\$52.25-
-	PP2014	52	00080490068	\$52.24-	\$ .00	\$52.24-
-	PP2014	53	00080490073	\$49.82-	\$ .00	\$49.82-
-	PP2014	54	00080490074	\$49.81-	\$ .00	\$49.81-
-	PP2014	55	00080490083	\$34.63-	\$ .00	\$34.63-
-	PP2014	56	00080490084	\$69.25-	\$ .00	\$69.25-
-	PP2014	57	00080490091	\$52.86-	\$ .00	\$52.86-
-	PP2014	58	00080490092	\$52.85-	\$ .00	\$52.85-
-	PP2014	59	00080490097	\$33.11-	\$ .00	\$33.11-
-	PP2014	60	00080490098	\$66.22-	\$ .00	\$66.22-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2014	61	00080490107	\$69.26-	\$ .00	\$69.26-
-	PP2014	62	00080490108	\$69.25-	\$ .00	\$69.25-
-	PP2014	63	00080490111	\$60.75-	\$ .00	\$60.75-
-	PP2014	64	00080490112	\$60.75-	\$ .00	\$60.75-
-	PP2014	65	00080490117	\$ .00	\$ .00	\$ .00
-	PP2014	66	00080490119	\$20.90-	\$ .00	\$20.90-
-	PP2014	67	00080490120	\$20.90-	\$ .00	\$20.90-
-	PP2014	68	00080490121	\$26.56-	\$ .00	\$26.56-
-	PP2014	69	00080490122	\$26.56-	\$ .00	\$26.56-
-	PP2014	70	00080490123	\$40.10-	\$ .00	\$40.10-
-	PP2014	71	00080490124	\$40.09-	\$ .00	\$40.09-
-	PP2014	72	00080490126	\$52.24-	\$ .00	\$52.24-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

[Redacted]

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2014	73	00080490135	\$14.22-	\$ .00	\$14.22-
-	PP2014	74	00080490136	\$14.21-	\$ .00	\$14.21-
-	PP2015	75	00081890001	\$71.69-	\$ .00	\$71.69-
-	PP2015	76	00081890002	\$71.68-	\$ .00	\$71.68-
-	PP2015	77	00081890017	\$14.10-	\$ .00	\$14.10-
-	PP2015	78	00081890018	\$14.09-	\$ .00	\$14.09-
-	PP2015	79	00081890029	\$46.17-	\$ .00	\$46.17-
-	PP2015	80	00081890030	\$46.17-	\$ .00	\$46.17-
-	PP2015	81	00081890031	\$46.17-	\$ .00	\$46.17-
-	PP2015	82	00081890032	\$46.17-	\$ .00	\$46.17-
-	PP2015	83	00081890039	\$54.68-	\$ .00	\$54.68-
-	PP2015	84	00081890040	\$54.67-	\$ .00	\$54.67-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

[Redacted]

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2015	85	00081890041	\$44.28-	\$ .00	\$44.28-
-	PP2015	86	00081890042	\$44.27-	\$ .00	\$44.27-
-	PP2015	87	00081890051	\$48.60-	\$ .00	\$48.60-
-	PP2015	88	00081890052	\$48.60-	\$ .00	\$48.60-
-	PP2015	89	00081890053	\$45.57-	\$ .00	\$45.57-
-	PP2015	90	00081890054	\$45.56-	\$ .00	\$45.56-
-	PP2015	91	00081890062	\$11.54-	\$ .00	\$11.54-
-	PP2015	92	00081890063	\$18.03-	\$ .00	\$18.03-
-	PP2015	93	00081890064	\$18.03-	\$ .00	\$18.03-
-	PP2015	94	00081890067	\$49.82-	\$ .00	\$49.82-
-	PP2015	95	00081890068	\$49.81-	\$ .00	\$49.81-
-	PP2015	96	00081890070	\$49.81-	\$ .00	\$49.81-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

[Redacted]

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2015	97	00081890071	\$48.60-	\$ .00	\$48.60-
-	PP2015	98	00081890072	\$48.60-	\$ .00	\$48.60-
-	PP2015	99	00081890081	\$66.83-	\$ .00	\$66.83-
-	PP2015	100	00081890082	\$66.82-	\$ .00	\$66.82-
-	PP2015	101	00081890089	\$51.64-	\$ .00	\$51.64-
-	PP2015	102	00081890090	\$51.64-	\$ .00	\$51.64-
-	PP2015	103	00081890092	\$8.30-	\$ .00	\$8.30-
-	PP2015	104	00081890095	\$61.36-	\$ .00	\$61.36-
-	PP2015	105	00081890096	\$61.36-	\$ .00	\$61.36-
-	PP2015	106	00081890105	\$66.83-	\$ .00	\$66.83-
-	PP2015	107	00081890106	\$66.82-	\$ .00	\$66.82-
-	PP2015	108	00081890109	\$60.15-	\$ .00	\$60.15-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2015	109	00081890110	\$60.14-	\$ .00	\$60.14-
-	PP2015	110	00081890117	\$18.81-	\$ .00	\$18.81-
-	PP2015	111	00081890118	\$18.81-	\$ .00	\$18.81-
-	PP2015	112	00081890119	\$23.89-	\$ .00	\$23.89-
-	PP2015	113	00081890120	\$23.88-	\$ .00	\$23.88-
-	PP2015	114	00081890121	\$39.49-	\$ .00	\$39.49-
-	PP2015	115	00081890122	\$39.49-	\$ .00	\$39.49-
-	PP2015	116	00081890123	\$49.82-	\$ .00	\$49.82-
-	PP2015	117	00081890124	\$49.81-	\$ .00	\$49.81-
-	PP2015	118	00081890133	\$12.78-	\$ .00	\$12.78-
-	PP2015	119	00081890134	\$12.78-	\$ .00	\$12.78-
-	PP2015	120	00081890137	\$16.16-	\$ .00	\$16.16-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2015	121	00081890138	\$32.32-	\$ .00	\$32.32-
-	PP2016	122	00083550002	\$62.42	\$6.81	\$69.23
-	PP2016	123	00083560001	\$65.01-	\$7.69-	\$72.70-
-	PP2016	124	00083560017	\$12.76-	\$1.51-	\$14.27-
-	PP2016	125	00083560029	\$41.56-	\$4.92-	\$46.48-
-	PP2016	126	00083560031	\$41.56-	\$4.92-	\$46.48-
-	PP2016	127	00083560039	\$49.21-	\$5.82-	\$55.03-
-	PP2016	128	00083560051	\$45.57-	\$5.40-	\$50.97-
-	PP2016	129	00083560053	\$43.14-	\$5.10-	\$48.24-
-	PP2016	130	00083560061	\$63.79-	\$7.55-	\$71.34-
-	PP2016	131	00083560063	\$16.28-	\$1.93-	\$18.21-
-	PP2016	132	00083560065	\$44.96-	\$5.32-	\$50.28-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2016	133	00083560067	\$44.96-	\$5.32-	\$50.28-
-	PP2016	134	00083560069	\$45.57-	\$5.40-	\$50.97-
-	PP2016	135	00083560079	\$61.97-	\$7.34-	\$69.31-
-	PP2016	136	00083560085	\$46.66-	\$5.53-	\$52.19-
-	PP2016	137	00083560087	\$44.96-	\$5.32-	\$50.28-
-	PP2016	138	00083560091	\$59.54-	\$7.04-	\$66.58-
-	PP2016	139	00083560101	\$61.97-	\$7.34-	\$69.31-
-	PP2016	140	00083560105	\$57.72-	\$6.83-	\$64.55-
-	PP2016	141	00083560111	\$69.87-	\$8.27-	\$78.14-
-	PP2016	142	00083560113	\$17.01-	\$2.01-	\$19.02-
-	PP2016	143	00083560115	\$21.51-	\$2.54-	\$24.05-
-	PP2016	144	00083560117	\$35.60-	\$4.21-	\$39.81-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2016	145	00083560119	\$44.96-	\$5.32-	\$50.28-
-	PP2016	146	00083560121	\$9.31-	\$1.10-	\$10.41-
-	PP2016	147	00083560123	\$8.30-	\$.98-	\$9.28-
-	PP2016	148	00083560125	\$11.55-	\$1.37-	\$12.92-
-	PP2016	149	00083560129	\$29.16-	\$3.45-	\$32.61-
-	PP2016	150	00083560153	\$9.92-	\$1.17-	\$11.09-
-	PP2016	151	00083560227	\$5.47-	\$.65-	\$6.12-
-	VL2013	152	00108540001	\$25.00-	\$.00	\$25.00-
-	VL2013	153	00108590001	\$25.00-	\$.00	\$25.00-
-	VL2013	154	00108650001	\$25.00-	\$.00	\$25.00-
-	VL2013	155	00108670001	\$25.00-	\$.00	\$25.00-
-	VL2013	156	00108700001	\$25.00-	\$.00	\$25.00-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	VL2014	157	00111640001	\$25.00-	\$.00	\$25.00-
-	VL2014	158	00111720001	\$25.00-	\$.00	\$25.00-
-	VL2014	159	00111770001	\$25.00-	\$.00	\$25.00-
-	VL2014	160	00111780001	\$25.00-	\$.00	\$25.00-
-	VL2014	161	00111820001	\$25.00-	\$.00	\$25.00-
-	VL2014	162	00111830001	\$25.00-	\$.00	\$25.00-
-	VL2014	163	00111880001	\$25.00-	\$.00	\$25.00-
-	VL2014	164	00111940001	\$25.00-	\$.00	\$25.00-
-	VL2014	165	00111960001	\$25.00-	\$.00	\$25.00-
-	VL2014	166	00111990001	\$25.00-	\$.00	\$25.00-
-	VL2014	167	00112080001	\$25.00-	\$.00	\$25.00-
-	VL2014	168	00112160001	\$25.00-	\$.00	\$25.00-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	VL2014	169	00112180001	\$25.00-	\$.00	\$25.00-
-	VL2014	170	00112220001	\$25.00-	\$.00	\$25.00-
-	VL2014	171	00112230001	\$25.00-	\$.00	\$25.00-
-	VL2014	172	00112240001	\$25.00-	\$.00	\$25.00-
-	VL2014	173	00112300001	\$25.00-	\$.00	\$25.00-
-	VL2015	174	00114520001	\$25.00-	\$.00	\$25.00-
-	VL2015	175	00114600001	\$25.00-	\$.00	\$25.00-
-	VL2015	176	00114650001	\$25.00-	\$.00	\$25.00-
-	VL2015	177	00114660001	\$25.00-	\$.00	\$25.00-
-	VL2015	178	00114700001	\$25.00-	\$.00	\$25.00-
-	VL2015	179	00114710001	\$25.00-	\$.00	\$25.00-
-	VL2015	180	00114760001	\$25.00-	\$.00	\$25.00-



Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	VL2015	181	00114770001	\$25.00-	\$ .00	\$25.00-
-	VL2015	182	00114820001	\$25.00-	\$ .00	\$25.00-
-	VL2015	183	00114840001	\$25.00-	\$ .00	\$25.00-
-	VL2015	184	00114860001	\$25.00-	\$ .00	\$25.00-
-	VL2015	185	00114910001	\$25.00-	\$ .00	\$25.00-
-	VL2015	186	00114950001	\$25.00-	\$ .00	\$25.00-
-	VL2015	187	00114980001	\$25.00-	\$ .00	\$25.00-
-	VL2015	188	00115030001	\$25.00-	\$ .00	\$25.00-
-	VL2015	189	00115050001	\$25.00-	\$ .00	\$25.00-
-	VL2015	190	00115090001	\$25.00-	\$ .00	\$25.00-
-	VL2015	191	00115100001	\$25.00-	\$ .00	\$25.00-
-	VL2015	192	00115110001	\$25.00-	\$ .00	\$25.00-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	VL2015	193	00115120001	\$25.00-	\$ .00	\$25.00-
-	VL2015	194	00115170001	\$25.00-	\$ .00	\$25.00-
-	VL2016	195	00116960001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	196	00117040001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	197	00117090001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	198	00117100001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	199	00117140001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	200	00117150001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	201	00117200001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	202	00117210001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	203	00117250001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	204	00117260001	\$25.00-	\$5.00-	\$30.00-

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	VL2016	205	00117270001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	206	00117280001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	207	00117290001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	208	00117340001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	209	00117370001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	210	00117380001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	211	00117400001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	212	00117450001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	213	00117470001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	214	00117500001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	215	00117510001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	216	00117520001	\$25.00-	\$5.00-	\$30.00-

TOTAL PAID 8274.07

Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 11:01:36

Customer Name: CAPITAL MEATS INC

Total Transactions: 21  
Customer Transactions: 220

options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	VL2016	217	00117530001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	218	00117540001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	219	00117570001	\$25.00-	\$5.00-	\$30.00-
-	VL2016	220	00117590001	\$25.00-	\$5.00-	\$30.00-

Multiple Pages  
F3=Exit F14=Show Map#

Total Paid :  
F15=Show Balance

\$8,274.07  
F18=Sort-Entered

F21=CmdLine  
F20=Attach



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: January 4, 2017

RE: Refund – Rutherford LLC.

I am in receipt of the Commissioner's request, dated January 3, 2017, to authorize the Treasurer to refund Rutherford LLC the amount of \$2,674.20, for adjustment of real estate taxes in 2016. This refund resulted from an appeal and new information presented by the taxpayer during assessors' hearings.

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)



January 3, 2017

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

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Exoneration – Rutherford LLC.

A handwritten signature in blue ink that reads "E. Murphy".

Please approve a refund of \$2,674.20 for adjustment to real estate taxes for 2016 in the name of Rutherford LLC. This refund resulted from an appeal and new information presented by the taxpayer during assessors hearings.

To comply with requirements for the Treasurer to apply this refund board action is required.

The Commissioner's staff 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 \$2,674.20.

MEMORANDUM OF CORRECTED ASSESSMENT BY COMMISSIONER OF THE REVENUE OF  
UNPAID LOCAL LEVIES

(COMMISSIONER OF THE REVENUE MUST BE GOVERNED STRICTLY BY LAW PERTAINING TO THE  
ABATEMENT OF TAXES)

THE MEMORANDUM MUST BE PREPARED BY COMMISSIONER OF THE REVENUE. ONE COPY  
MUST BE DELIVERED TO THE COUNTY OR CITY TREASURER OR CITY COLLECTOR, ONE  
COPY TO TAXPAYER AND ONE COPY MUST BE RETAINED BY THE COMMISSIONER.

RUTHERFORD LLC

FREDERICK COUNTY

114 N CAMERON ST

DIST: STONEWALL

WINCHESTER VA

22601

DATE 1/03/2017

BILL NUMBER : 336180001

REAL ESTATE

ACCOUNT# / SEQ# : 8049410

MAP # 43 A 111A

SUBJECT OF TAXATION							TOTAL TAX AND PEN.
YEAR	PAGE	LINE	VALUE	LOCAL LEVY	PENALTY		
2016	3363	7	\$975,000	\$2,153.70	\$0.00	\$2,153.70	
2016	3363	7	\$0	\$1,337.10	\$0.00	\$1,337.10	
2016	3363	7	\$975,000	\$816.60	\$0.00	\$816.60	

REASON: ADJ VALUE

Ellen E. Murphy  
COMMISSIONER OF THE REVENUE

\* This may not reflect your total tax - Please contact the Treasurer's Office  
(540) 665-5607

*Refund needed*

*\$2674.20*



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: January 4, 2017

RE: Refund – Valley Proteins, Inc.

I am in receipt of the Commissioner's request, dated December 30, 2016, to authorize the Treasurer to refund Valley Proteins, Inc. the amount of \$36,738.77, for adjustment of personal property taxes and license fees from 2013 to 2016. This refund resulted from taxes paid on vehicles that were sold or housed in another state and incorrectly reported to Frederick County as subject to local tax.

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)



December 30, 2016

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

FROM: Ellen E. Murphy, Commissioner of the Revenue

RE: Exoneration – Valley Proteins Inc

A handwritten signature in blue ink that reads "E. Murphy".

Please approve a refund of \$36,738.77 for personal property taxes and license fees for 2013 - 2016 in the name of Valley Proteins Inc. This refund is for adjustment to personal property filings because of proration on vehicles owned or vehicles housed in another state and incorrectly reported to Frederick County. Normally all vehicles are originally registered with Virginia DMV from the local company head office and then some transferred to other out of state company locations. A new transportation manager at the subject company improperly reported items that should not have been taxed locally.

To comply with requirements for the Treasurer to apply this refund board action is required.

The Commissioner's staff 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 \$36,738.77.

Customer Name: VALLEY PROTEINS INC  
 Total Transactions: 20  
 Customer Transactions: 61

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2013	1	00548970061	\$284.31-	\$ .00	\$284.31-
-	PP2013	2	00548970062	\$284.31-	\$ .00	\$284.31-
-	PP2013	3	00548990013	\$4.86-	\$ .00	\$4.86-
-	PP2013	4	00548990014	\$4.86-	\$ .00	\$4.86-
-	PP2013	5	00548990031	\$98.42-	\$ .00	\$98.42-
-	PP2013	6	00548990032	\$98.41-	\$ .00	\$98.41-
-	PP2013	7	00739430007	\$943.49-	\$ .00	\$943.49-
-	PP2014	8	00566360053	\$249.69-	\$ .00	\$249.69-
-	PP2014	9	00566360054	\$249.68-	\$ .00	\$249.68-
-	PP2014	10	00566360090	\$119.48-	\$ .00	\$119.48-
-	PP2014	11	00566360092	\$306.59-	\$ .00	\$306.59-
-	PP2014	12	00566360102	\$374.22-	\$ .00	\$374.22-

Multiple Pages Total Paid : \$36,738.77  
 Customer Name: VALLEY PROTEINS INC Customer Transactions: 61

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2014	13	00566360165	\$2,681.51-	\$ .00	\$2,681.51-
-	PP2014	14	00566360166	\$2,681.50-	\$ .00	\$2,681.50-
-	PP2014	15	00566380013	\$4.86-	\$ .00	\$4.86-
-	PP2014	16	00566380014	\$4.86-	\$ .00	\$4.86-
-	PP2014	17	00566380029	\$88.58-	\$ .00	\$88.58-
-	PP2014	18	00566380030	\$88.57-	\$ .00	\$88.57-
-	PP2015	19	00576550049	\$218.70-	\$ .00	\$218.70-
-	PP2015	20	00576550050	\$218.70-	\$ .00	\$218.70-
-	PP2015	21	00576550080	\$455.12-	\$ .00	\$455.12-
-	PP2015	22	00576550081	\$161.60-	\$21.04-	\$182.64-
-	PP2015	23	00576550082	\$161.59-	\$ .00	\$161.59-
-	PP2015	24	00576550083	\$414.93-	\$ .00	\$414.93-

*Needs Board Approval*

Multiple Pages Total Paid : \$36,738.77  
 F3=Exit F14=Show Map# F15=Show Balance F18=Sort-Entered F21=CmdLine  
 F20=Attach

Customer Name: VALLEY PROTEINS INC Customer Transactions: 61

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2015	25	00576550084	\$414.92-	\$ .00	\$414.92-
-	PP2015	26	00576550093	\$505.44-	\$ .00	\$505.44-
-	PP2015	27	00576550094	\$505.44-	\$ .00	\$505.44-
-	PP2015	28	00576550145	\$34.02-	\$ .00	\$34.02-
-	PP2015	29	00576550146	\$204.12-	\$ .00	\$204.12-
-	PP2015	30	00576550153	\$2,547.25-	\$ .00	\$2,547.25-
-	PP2015	31	00576550154	\$2,547.25-	\$ .00	\$2,547.25-
-	PP2015	32	00576570011	\$4.86-	\$ .00	\$4.86-
-	PP2015	33	00576570012	\$4.86-	\$ .00	\$4.86-
-	PP2015	34	00576570027	\$79.71-	\$ .00	\$79.71-
-	PP2015	35	00576570028	\$79.70-	\$ .00	\$79.70-
-	PP2015	36	00720960005	\$3,194.42-	\$ .00	\$3,194.42-

Multiple Pages Total Paid : \$36,738.77



Date: 12/09/16

Cash Register: COUNTY OF FREDERICK

Time: 08:34:35

Customer Name: VALLEY PROTEINS INC

Total Transactions: 20  
Customer Transactions: 61

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2015	37	00720960009	\$2,801.37-	\$ .00	\$2,801.37-
-	PP2015	38	00720960013	\$2,801.37-	\$ .00	\$2,801.37-
-	PP2015	39	00720960027	\$12.15-	\$ .00	\$12.15-
-	PP2016	40	00590080045	\$191.37-	\$ .00	\$191.37-
-	PP2016	41	00590080067	\$492.08-	\$ .00	\$492.08-
-	PP2016	42	00590080069	\$145.80-	\$ .00	\$145.80-
-	PP2016	43	00590080071	\$373.62-	\$ .00	\$373.62-
-	PP2016	44	00590080079	\$455.02-	\$ .00	\$455.02-
-	PP2016	45	00590080127	\$175.57-	\$ .00	\$175.57-
-	PP2016	46	00590080135	\$2,292.71-	\$ .00	\$2,292.71-
-	PP2016	47	00590080159	\$29.26-	\$ .00	\$29.26-
-	PP2016	48	00590080165	\$2,122.49-	\$ .00	\$2,122.49-

Multiple Pages

Total Paid : \$36,738.33

F3=Exit F14=Show Map# F15=Show Balance F18=Sort Entered F21=CmdLine  
Customer Name: VALLEY PROTEINS INC Customer Transactions: 61

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	PP2016	49	00590080169	\$2,122.49-	\$ .00	\$2,122.49-
-	PP2016	50	00590080173	\$2,122.49-	\$ .00	\$2,122.49-
-	PP2016	51	00590080183	\$47.38-	\$ .00	\$47.38-
-	PP2016	52	00590080185	\$21.87-	\$ .00	\$21.87-
-	PP2016	53	00590100009	\$4.86-	\$ .00	\$4.86-
-	VL2013	54	00968840001	\$10.00-	\$ .00	\$10.00-
-	VL2014	55	00778400001	\$25.00-	\$ .00	\$25.00-
-	VL2014	56	00778560001	\$25.00-	\$ .00	\$25.00-
-	VL2015	57	00799620001	\$25.00-	\$ .00	\$25.00-
-	VL2015	58	00799770001	\$25.00-	\$ .00	\$25.00-
-	VL2016	59	00818510001	\$25.00-	\$ .00	\$25.00-
-	VL2016	60	00818630001	\$25.00-	\$ .00	\$25.00-

Multiple Pages

Total Paid : \$36,738.77

Customer Name: VALLEY PROTEINS INC Customer Transactions: 61

Options: 2=Edit 4=Delete 5=View

Opt	Dept	Trans	Ticket No.	Tax Amount	Penalty/Int	Amount Paid
-	VL2016	61	00818640001	\$25.00-	\$ .00	\$25.00-

*Needs Board approval*

Multiple Pages  
F3=Exit F14=Show Map#

Total Paid : \$36,738.77  
F15=Show Balance F18=Sort-Entered

F21=CmdLine

E



Finance Department  
**Cheryl B. Shiffler**  
Director

540/665-5610  
Fax: 540/667-0370  
E-mail: cshiffle@fcva.us

**TO:** Board of Supervisors  
**FROM:** Finance Committee  
**DATE:** December 21, 2016  
**SUBJECT:** Finance Committee and Budget Work Session 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, December 21, 2016 at 8:00 a.m. A budget work session immediately followed. All members were present.  Items 6 and 9 were approved under consent agenda.

#### FINANCE COMMITTEE

1. The Sheriff requests a General Fund supplemental appropriation in the amount of \$8,536.58. This amount represents reimbursements from the Treasury Department. No local funds required. See attached memo, p. 4. The committee recommends approval.
2. The Sheriff requests a General Fund supplemental appropriation in the amount of \$5,000. This amount represents Byrne Justice Assistance Program: Naloxone for Law Enforcement Agencies grant. No local funds required. See attached information, p. 5 – 12. The committee recommends approval.
3. The Sheriff requests a General Fund supplemental appropriation in the amount of \$17,999. This amount represents the 21 Century Policing Grant. A local in-kind match of \$2,001 is required. See attached information, p. 13 – 29. The committee recommends approval.
4. The Sheriff requests a General Fund supplemental appropriation in the amount of \$3,617. This amount represents unbudgeted proceeds from the Sheriff's Sale. No local funds required. See attached memo, p. 30 – 31. The committee recommends approval.

5. The Fire & Rescue Chief requests a General Fund supplemental appropriation in the amount of \$9,662. This amount represents unbudgeted Aid-to-Localities funds received. No local funds required. See attached memo, p. 32. The committee recommends denial of the supplemental appropriation.
6.  The Fire & Rescue Chief requests a General Fund supplemental appropriation in the amount of \$5,096.40. This amount represents an auto claim. No local funds required. See attached memo, p. 33 – 34.
7. The Fire & Rescue Chief requests a General Fund supplemental appropriation in the amount of \$16,297 for expenditures and \$32,594 for revenue. This amount represents the unbudgeted portion of a Local Emergency Management Performance Grant. See attached information, p. 35 – 44. The committee recommends approval.
8. The Finance Director requests a General Fund supplemental appropriation in the amount of \$29,263.76. This amount represents unspent FY16 VJCCA funds to be returned to the state. See attached letter, p. 45. The committee recommends approval.
9.  The Landfill Manager requests a Landfill Fund supplemental appropriation in the amount of \$3,049.96. This amount represents an auto claim. No local funds required. See attached memo, p. 46 – 47.

#### **BUDGET WORK SESSION**

1. See attachments, p. 48 – 74.

#### **INFORMATION ONLY**

1. The Finance Director provides a Fund 10 Transfer Report for November 2017. See attached, p. 75.
2. The Finance Director provides financial statements for the month ending November 30, 2016. See attached, p. 76 – 86.

3. The Finance Director provides an FY 2016 Fund Balance Report ending December 14, 2016. See attached, p. 87.
4. The NRADC Superintendent discusses long range planning for the academy.

Respectfully submitted,

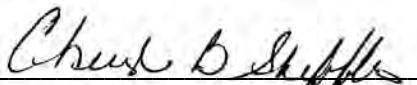
FINANCE COMMITTEE

Judith McCann-Slaughter, Chairman

Charles DeHaven

Gary Lofton

Angela Rudolph

By   
Cheryl B. Shiffler, Finance Director

FREDERICK COUNTY SHERIFF'S OFFICE

FREDERICK COUNTY  
NOV 04 2016  
FINANCE DEPARTMENT



Sheriff Lenny Millholland

Major Steve A. Hawkins

1080 COVERSTONE DRIVE  
WINCHESTER, VIRGINIA 22602

540/662-6168  
FAX 540/504-6400

TO : Cheryl Shiffler, Finance Director  
FROM : Sheriff Lenny Millholland  
SUBJECT : Reimbursements - Appropriation  
DATE : November 3, 2016

---

Frederick County Sheriff's Office has received reimbursements from the Treasury Department totaling \$8,536.58. This amount has been posted to 3-010-033010-0025. We are requesting appropriation into the following budget lines in the listed amount:

\$5,085.30 - purchase polygraph machine - 3102-5409-000-000 (budget line money was transferred out of)

\$2,567.43 - overtime paid out for cigarette case - 3102-1005-000-000

\$ 883.85 - rental car for cigarette case - 3102-5506-000-000

Thank you.

LWM/asw

C.S. 8536.58 10/19/16



# COMMONWEALTH of VIRGINIA

## Department of Criminal Justice Services

Francine C. Ecker  
Director

September 26, 2016

1100 Bank Street  
Richmond, Virginia 23219  
(804) 786-4000  
TDD (804) 786-8732

Ms. Brenda G. Garton  
County Administrator  
Frederick County  
107 North Kent Street  
Winchester, VA 22601

**Byrne Justice Assistance Program - Project Title: Naloxone for Law Enforcement Agencies**

Dear Ms. Garton:

I am pleased to advise you that grant number **17-A4038AD15** for the above-referenced grant program has been approved for a Total Award of \$5,000 in Federal Funds.

Enclosed you will find a Statement of Grant Award and a Statement of Grant Award Special Conditions. To indicate your acceptance of the award and conditions, please sign the award acceptance and return it to Janice Waddy, Grants Administrator, at the Department of Criminal Justice Services (DCJS). Please review the conditions carefully; as some require action on your part before we will disburse grant funds.

Also, enclosed are the Post Award Instructions and Reporting Requirements. Please refer to and read this information carefully as it contains details on processing financial and progress reports, as well as requesting awarded funds. **Remember all financial and progress reports, budget amendment requests and request for funds must be processed through our online Grants Management Information System (GMIS).**

We appreciate your interest in this grant program and will be happy to assist you in any way we can to assure your project's success. If you have any questions, please call Heather Smolka at (804) 371-0635.

Sincerely,

Francine C. Ecker  
Director

Enclosures

cc: The Hon. L. W. "Lenny" Millholland, Sheriff  
Ms. Cheryl B. Shiffler, Finance Director ✓ - signed copy  
Ms. Heather Smolka, DCJS Monitor

4-010-031020-5409-000-000

3-010-033010-0025 Criminal Justice Services Board • Committee on Training • Advisory Committee on Juvenile Justice and Prevention  
Advisory Committee to the Court Appointed Special Advocate and Children's Justice Act Programs  
Advisory Committee on Sexual and Domestic Violence • Private Security Services Advisory Board

(10FN)

## Department of Criminal Justice Services

1100 Bank Street, 12th Floor, Richmond, VA 23219

### Statement of Grant Award/Acceptance

**Subgrantee: Frederick County**

**Date: September 26, 2016**

**Grant Period:**

**Grant Number:**

**From:** 10/01/2016

**Through:** 09/30/2017

17-A4038AD15

Project Director	Project Administrator	Finance Officer
The Hon. L. W. "Lenny" Millholland Sheriff Frederick County 1080 Coverstone Drive Winchester, VA 22601  <b>Phone:</b> (540) 662-6168 <b>Email:</b>	Ms. Brenda G. Garton County Administrator Frederick County 107 North Kent Street Winchester, VA 22601  <b>Phone:</b> (540) 665-6382 <b>Email:</b> bgarton@fcva.us	Ms. Cheryl B. Shiffler Finance Director Frederick County 107 North Kent Street Winchester, VA 22601  <b>Phone:</b> (540) 665-5610 <b>Email:</b> cshiffler@fcva.us

### Grant Award Budget

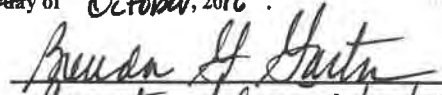
Budget Categories	DCJS Funds			Local	TOTALS
	Federal	General	Special		
Travel	\$0	\$0	\$0	\$0	\$0
Supplies/Other	\$5,000	\$0	\$0	\$0	\$5,000
Personnel	\$0	\$0	\$0	\$0	\$0
Indirect Cost	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0
Consultant	\$0	\$0	\$0	\$0	\$0
<b>Totals</b>	\$5,000	\$0	\$0	\$0	\$5,000

**This grant is subject to all rules, regulations, and criteria included in the grant guidelines and the special conditions attached thereto.**



**Francine C. Ecker, Director**

The undersigned, having received the Statement of Grant Award/Acceptance and the Conditions attached thereto, does hereby accept this grant and agree to the conditions pertaining thereto, this 20<sup>th</sup> day of October, 2016.

Signature:   
 Title: County Administrator



# STATEMENT OF GRANT AWARD SPECIAL CONDITIONS

Department of Criminal Justice Services  
1100 Bank Street, 12<sup>th</sup> Floor  
Richmond, Virginia 23219

## Edward Byrne/Justice Assistance Grant Program

Subgrantee: Frederick County

Grant Number: 17-A4038AD15

Federal Catalog Number: 16.738

Title: Naloxone for Law Enforcement Agencies

Date: September 26, 2016

The following conditions are attached to and made a part of this grant award:

1. Where the Statement of Grant Award reflects a required match contribution by the grant recipient, the recipient agrees, by accepting the award, to provide the match as shown in non-federal match.
2. By signing the Statement of Grant Award/Acceptance, the grant recipient agrees:
  - to use the grant funds to carry out the activities described in the grant application, as modified by the terms and conditions attached to this award or by subsequent amendments approved by DCJS;
  - to adhere to the approved budget contained in this award and amendments made to it in accord with these terms and conditions;
  - and to comply with all terms, conditions and assurances either attached to this award or submitted with the grant application.
3. By accepting this grant, the recipient assures that funds made available through it will not be used to replace state or local funds that would, in the absence of this grant, be made available for the same purposes.
4. Within 60 days of the starting date of the grant, the subgrantee must initiate the project funded. If not, the subgrantee must report to the DCJS, by letter, the steps taken to initiate the project, the reasons for the delay, and the expected starting date. If the project is not operational within 90 days of the start date, the subgrantee must obtain approval in writing from the DCJS for a new implementation date or the DCJS may cancel and terminate the project and redistribute the funds.
5. The subgrantee agrees to submit such reports as requested by DCJS on forms provided by DCJS. Funds from this grant will not be disbursed, if any of the required Financial or Progress reports are overdue by more than 30 days unless you can show good cause for missing the reporting deadline.
6. Grant funds are usually disbursed quarterly. Grant state and local match funds are expended and/or obligated during the grant period. All legal obligations must be liquidated no later than 90 days after the end of the grant period. All requests for reimbursement must be completed within 90 days after the end of the grant. The grant recipient agrees to submit to the DCJS a final grant financial report and return all unexpended grant funds that were received within 90-days after the end of the grant.
7. **Budget Amendment Requests must be submitted through GMIS by the Project Director, Program Administrator, or Finance Officer. This Budget Amendment form must be accompanied with a narrative. No more than two such amendments will be permitted during the grant period. The deadline for all budget amendments to be submitted will be 45 days prior to the end of the grant year.**
8. Acceptance of this grant award by the local government applicant constitutes its agreement that it assumes full responsibility for the management of all aspects of the grant and the activities funded by the grant, including assuring proper fiscal management of and accounting for grant funds; assuring that personnel paid with grant funds are hired, supervised and evaluated in accord with the local government's established employment and personnel policies; and assuring that all terms, conditions and assurances—those submitted with the grant application, and those issued with this award—are complied with.

- a. By signing the Statement of Grant Award/Acceptance, the grantee agrees to comply with all terms, conditions, certifications and assurances that are attached to and made part of this grant award.
  - b. The Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (2 pages) can be downloaded from the DCJS website at <http://www.dcjs.virginia.gov/forms/grants/usdoj.doc>.
  - c. The General Grant Conditions and Assurances, Attachment A (5 pages) can be downloaded at <http://www.dcjs.virginia.gov/forms/grants/attachmentA.doc>.
9. Any delegation of responsibility for carrying out grant-funded activities to an office or department not a part of the local government must be pursuant to a written memorandum of understanding by which the implementing office or department agrees to comply with all applicable grant terms, conditions and assurances. Any such delegation notwithstanding, the applicant acknowledges by its acceptance of the award its ultimate responsibility for compliance with all terms, conditions and assurances of the grant award.
  10. The grantee agrees to comply with the Virginia Public Procurement Act <http://eva.virginia.gov/pages/eva-vppa.htm>. Procurement transactions, whether negotiated or advertised and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition. An exemption to this regulation requires the prior approval of the DCJS and is only given in unusual circumstances. Any request for exemption must be submitted in writing to the DCJS. Permission to make sole source procurements must be obtained from DCJS in advance.
  11. The grantee may follow their own established travel rates if they have an established travel policy. If a grantee does not have an established policy, then they must adhere to state travel policy. The state allows reimbursement for actual reasonable expenses. For future reference please refer to the following IRS website for the most current mileage rate: <http://www.irs.gov/taxpros/article/0,,id=156624,00.html>: Transportation costs for air and rail must be at coach rates.
  12. Project Income: Any funds generated as a direct result of DCJS grant-funded projects are deemed project income. Project income must be reported on the Subgrantee Financial Report for Project Income provided by DCJS. Instructions for the Project Income form can be downloaded at: <http://www.dcjs.virginia.gov/forms/grants/subgrantProjectIncomeInstructions.doc>. The Project Income form can also be downloaded from the DCJS website at: <http://www.dcjs.virginia.gov/forms/grants/subgrantProjectIncome.xls>. Examples of project income might include service fees; client fees; usage or rental fees; sales of materials; income received from sale of seized and forfeited assets (cash, personal or real property included).
  13. The grantee agrees to comply with all federal and state confidentiality requirements. All grantees receiving funds to conduct research or statistical activities that involve collecting data identifiable to a private person should submit a Privacy Certificate, when required, in accordance with the requirements of 28 CFR Part 22. This requirement can be downloaded at: <http://www.ecfr.gov/cgi-bin/text-idx?SID=484ad202fefda843f58e860eebaa85b&node=28:1.0.1.1.23&rgn=div5#28:1.0.1.1.23.0.4.6>.
  14. The grantee agrees to comply with the Department of Justice's requirements of 28CFR part 46 – Protection of Human Subjects. These federal requirements can be downloaded at: <http://www.ecfr.gov/cgi-bin/text-idx?SID=484ad202fefda5843f53e860eebaa85b&node=28:2.0.1.1.4&rgn=div5>.
  15. The recipient agrees to assist the Department of Justice in complying with the National Environmental Policy Act (NEPA), and other related federal environmental impact analyses requirements in the use of these grant funds. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds. Recipient understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the recipient, subrecipient, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:
    - a. New construction;
    - b. Minor renovation or remodeling of a property either (i) listed on or eligible for listing on the National Register of Historic Places or (ii) located within a 100-year flood plain;
    - c. A renovation, lease, or any other proposed use of a building or facility that will either (i) result in a change in its basic prior use or (ii) significantly change its size; and
    - d. Implementation of a new program involving the use of chemicals other than chemicals that are (i) purchased as an incidental component of a funded activity and (ii) traditionally used, for example, in office, household, recreational, or education environments.

16. The subgrantee agrees that it and all its contractors will comply with the following federal civil rights laws as applicable:
- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in the delivery of services (42 U.S.C. § 2000d), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart C;
  - The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D;
  - Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G;
  - Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35;
  - Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54;
  - The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I; and
  - The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit organizations from using DOJ funding for inherently religious activities (28 C.F.R. Part 38).
  - The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, which prohibits discrimination in both employment and the delivery of services or benefits based on race, color, national origin, religion, and sex in JJDPA-funded programs or activities (42 U.S.C. § 5672(b)).
  - Section 1407 of the Victims of Crime Act (VOCA), as amended, which prohibits discrimination in both employment and the delivery of services or benefits on the basis of race, color, national origin, religion, sex, and disability in VOCA-funded programs or activities. (42 U.S.C. § 10604).
  - The grantee agrees to meet the civil rights training requirements through viewing the online training modules offered through the Office on Civil Rights at <http://ojp.gov/about/ocr/ocr-training-videos/video-ocr-training.htm>. The grantee must review these training modules at least once per grant cycle and must view the civil rights overview, standard assurances modules, and the module on the obligations to provide services to limited English proficient (LEP) individuals.
17. The subgrantee agrees that in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.
18. **Scheduled Audit** - The grantee agrees to forward a copy of the scheduled audit of this grant award. Please forward to DCJS – Attention: FINANCE.
19. **Prior to DCJS disbursing funds, the Grantee must comply with the following special conditions:**
- a) By November 1, 2016 resubmit the following federal forms with County Administrator's signature: 1) Grant Application cover page to reflect the County Administrator in the Project Administrator position with the County Administrator's signature, 2) Attachment A, Grant Conditions and Assurances, and 3) The Certifications Regarding Lobbying, Debarment, Suspension, etc.



# COMMONWEALTH of VIRGINIA

## Department of Criminal Justice Services

Francine C. Ecker  
Director

1100 Bank Street  
Richmond, Virginia 23219  
(804) 786-4000  
TDD (804) 786-8732

### NOTICE

To: Grants Project Administrator

From: Janice Waddy, DCJS Grants Administrator

Re: Post Award Instructions and Reporting Requirements  
**PLEASE READ VERY CAREFULLY.**

**GRANT AWARD AND SPECIAL CONDITIONS:**

Please review your Award and Special Conditions very carefully. *Pay attention to the last Special Condition listed. This Special Condition may require additional documentation from you before grant funds can be released.* Sign and date the grant award acceptance and submit any Special Condition documentation to:

**Grants Administration  
Department of Criminal Justice Services  
1100 Bank Street, 12<sup>th</sup> Floor  
Richmond, Virginia 23219**

**REPORTING REQUIREMENTS**

By accepting the accompanying grant award, you are agreeing to submit on-line quarterly progress and financial reports for this grant throughout the grant period, as well as final reports to close the grant. **No eligible current recipient of funding will be considered for continuation funding if, as of the continuation application due date, any of the required Financial and Progress reports for the current grant are more than thirty (30) days overdue.** For good cause, submitted in writing by the grant recipient, DCJS may waive this provision.

Financial reports and *progress reports*\* are due no later than the close of business on the 12<sup>th</sup> working day after the end of the quarter (*\*except Pre- and Post-Incarceration Services reports which are due by the last working day of the end of the following month*). Also, *V-STOP progress reports are submitted on a semi-annual schedule 12<sup>th</sup> working day after 6/30 and 12/31 quarters.*) Reports are required even if no expenditures have occurred during the quarter. **Requests for Funds will not be honored from grant recipients who do not fulfill this reporting obligation.** A schedule of due dates is also attached for your reference.

□ **PROGRESS REPORTS**

Refer to our website: <http://www.dcjs.virginia.gov/> for submitting progress reports through the online Grants Management Information System (GMIS). In order to use this web-based system, if you have not previously done so, you must obtain a user name and password set up by your Finance Officer, whose name and contact information is listed on the attached Statement of Grant Award/Acceptance. *Paper copies of progress reports are no longer accepted. You are required to use the online system to submit your progress reports.*

***\*FOR THE BYRNE/JAG PROGRAM: PLEASE NOTE, INFORMATION ON SUBMITTING QUARTERLY PROGRESS REPORTS WILL BE SEND AT A LATER DATE.***

□ **FINANCIAL REPORTS**

Refer to our website for submitting financial reports through the online Grants Management Information System (GMIS). In order to use this web-based system, if you have not previously done so, you must obtain a user name and password set up by your Finance Officer, whose name and contact information is listed on the attached Statement of Grant Award/Acceptance. *Paper copies of financial reports are no longer accepted. You are required to use the online system in reporting your expenditures.* The address is: <http://www.dcjs.virginia.gov/grantsAdministration/gmis/index.cfm?menuLevel=4>

□ **REQUESTING GRANT FUNDS**

Refer to our website for requesting funds through the Grants Management Information System (GMIS). In order to use this web-based system, if you have not previously done so, you must obtain a user name and password set up by your Finance Officer, whose name and contact information is listed on the attached Statement of Grant Award/Acceptance.

*\*Please note, you can access this system using the same password assigned for the online financial reporting system. Paper copies of request for funds are no longer accepted. You are required to use the online system for requesting funds.*

□ **BUDGET AMENDMENTS**

Budgets can be amended in most DCJS grant programs with prior approval. Please review your special conditions carefully to determine the requirements and procedures for amending budgets. Refer to our website for the online Grants Management Information System.

*\*Please note again that you can access this system using the same password assigned for the online financial reporting system.*

***Paper copies of budget amendments are no longer accepted. You are required to use the online system for submitting budget amendments.***

If you have any questions, please contact Virginia Sneed at (804) 786-5491 or by e-mail at [virginia.sneed@dcjs.virginia.gov](mailto:virginia.sneed@dcjs.virginia.gov).

**PROJECTED DUE DATES  
FINANCIAL & PROGRESS REPORTS**

*Reports are due by the 12th working day following the close of the quarter covered in the report.*

*Financial reports are required even if no expenditures have occurred.*

<i><b>QUARTER ENDING</b></i>	<i><b>DUE DATE</b></i>
9/30/2016	10/19/2016
12/31/2016	1/20/2017
3/31/2017	4/18/2017
6/30/2017	7/19/2017
9/30/2017	10/18/2017
12/31/2017	1/19/2018

Please contact the appropriate DCJS staff person if you need assistance with the following:

- Financial Reports and Request for Funds – DCJS Fiscal Services Manager, Bill Dodd, at 804/371-0638 or [bill.dodd@dcjs.virginia.gov](mailto:bill.dodd@dcjs.virginia.gov)
- GMIS – Complete and send an email to [grantsweb@dcjs.virginia.gov](mailto:grantsweb@dcjs.virginia.gov) citing the error message received, to request assistance from the GMIS IT Specialist, DeAndrea Williams.
- Progress Reports and Other Requests – your assigned DCJS Grant Program Monitor.

general programs 6/15

## Sharon Kibler

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**From:** Sharon Kibler  
**Sent:** Wednesday, December 14, 2016 1:41 PM  
**To:** Sharon Kibler  
**Subject:** FW: Grant  
**Attachments:** SKMBT\_C45216110214150.pdf; SKMBT\_C45216110214101.pdf;  
SKMBT\_C45216110214100.pdf; SKMBT\_C45216110214091.pdf;  
SKMBT\_C45216110214081.pdf; SKMBT\_C45216110214090.pdf

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**From:** Aleck Beeman  
**Sent:** Wednesday, November 02, 2016 2:39 PM  
**To:** Cheryl Shiffler  
**Subject:** Grant

Cheryl;

Attached is the grant we talked about. The total grant is for \$20000. We will receive \$17999 and our in-kind match will be \$2001 which is personnel costs that will come from our current budget. The grant period is from January 1, 2017 to December 31, 2017. If you have any questions please contact me.

Thanks,  
Aleck

Captain Aleck Beeman  
Administrative Services Division  
Frederick County Sheriff's Office  
1080 Coverstone Drive  
Winchester, VA 22602  
540-662-6168  
[abeeman@fcva.us](mailto:abeeman@fcva.us)

# ITEMIZED BUDGET

1. Personnel/Employees				DCJS FUNDS		APPLICANT MATCH		TOTAL
a. Name of Employees	Position Titles	Annual Salary Rate	Hours Devoted	FEDERAL	STATE	CASH	IN-KIND	
Jared Nail	Investigator	64292.8	25				\$773	\$773
Patti Willaims	Clerk	45489.6	25				\$547	\$547
Greg Lambert	Deputy	52478.4	27				\$681	\$681
								\$0
								\$0
								\$0
<b>TOTAL</b>				\$0	\$0	\$0	\$2,001	\$2,001
<b>b. Fringe Benefits</b>								\$0
FICA % =								\$0
RETIREMENT =								\$0
OTHER (Itemize) =								\$0
<b>TOTAL</b>				\$0	\$0	\$0	\$0	\$0
<b>TOTAL PERSONNEL (A+B)</b>				\$0	\$0	\$0	\$2,001	\$2,001

2. Consultants (including Travel and Subsistence)		DCJS FUNDS		APPLICANT MATCH		TOTAL
		FEDERAL	STATE	CASH	IN-KIND	
<b>a. Individual Consultants</b>						
Type	Training for Law Enforcement					\$0
Hours Devoted:						\$0
<b>TOTAL</b>		\$0	\$0	\$0	\$0	\$0
<b>b. Organizations and Associations</b>						
Type:						\$0
Fee:						\$0
Time Devoted:						\$0
<b>TOTAL</b>		\$0	\$0	\$0	\$0	\$0
<b>c. Consultants' Subsistence and Travel</b>						
Number of Days:						\$0
Rate/Day:						\$0
<b>TOTAL</b>		\$0	\$0	\$0	\$0	\$0
<b>TOTAL CONSULTANTS (a+b+c)</b>		\$0	\$0	\$0	\$0	\$0

3. Travel and Subsistence for Project Personnel			DCJS FUNDS		APPLICANT MATCH		TOTAL
			FEDERAL	STATE	CASH	IN-KIND	
a.	Local Milage = No. of Miles X Rate Per mile	X					\$0
b.	Non Local Milage = No. of Miles X Rate Per mile	X					\$0
c.	Subsistence = number of days X rate per day	X					\$0
d.	Air or other fares						\$0
<b>TOTAL TRAVEL:</b>			\$0	\$0	\$0	\$0	\$0



## ITEMIZED BUDGET Continued

4. Equipment				DCJS FUNDS		APPLICANT MATCH		TOTAL
Type	Quantity	Unit Price	Purchase or Rental	FEDERAL	STATE	CASH	IN-KIND	
Project Lifesavor band kit	10	350	Purchase		\$3,500			\$3,500
Project Lifesavor Receiver	1	1800	Purchase		\$1,800			\$1,800
Exterior Lockbox	50	40	Purchase		\$2,000			\$2,000
Uniforms for Explorers	10	200	Purchase		\$2,000			\$2,000
Tent/Tables/Chairs	1,3,5	250/50/20	Purchase		\$500			\$500
<b>TOTAL EQUIPMENT:</b>				\$0	\$9,800	\$0	\$0	\$9,800

5. Supplies and Other Expenses				DCJS FUNDS		APPLICANT MATCH		TOTAL
Type	Quantity	Price		FEDERAL	STATE	CASH	IN-KIND	
Program for Edler Support	1	4,500			\$4,500			\$4,500
i2 Training for statistics	1	1,500			\$1,500			\$1,500
Print crime prevention material in Spanish	1	1,500			\$1,500			\$1,500
Crime prevention material for youth	1	699			\$699			\$699
								\$0
								\$0
								\$0
								\$0
								\$0
								\$0
								\$0
<b>TOTAL SUPPLES AND OTHER:</b>				\$0	\$8,199	\$0	\$0	\$8,199

6. Indirect Cost			DCJS FUNDS		APPLICANT MATCH		TOTAL
			FEDERAL	STATE	CASH	IN-KIND	
							\$0
<b>TOTAL INDIRECT COST</b>			\$0	\$0	\$0	\$0	\$0

<b>GRAND TOTAL:</b>	\$0	\$17,999	\$0	\$2,001	\$20,000
<b>7. Cash Funds</b>	0	0	0	0	0
Cash funds from sources other than grant program supporting this project- (itemize).					
Do not add to requested Project Budget Summary accounts.)					



**U.S. DEPARTMENT OF JUSTICE  
OFFICE OF JUSTICE PROGRAMS  
OFFICE OF THE COMPTROLLER**

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**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND  
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restriction's on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

**1. LOBBYING**

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grantor cooperative agreement over \$100,000 as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions:

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements<sup>1</sup> and subcontracts) and that all subrecipients shall certify and disclose accordingly.

**2. DEBARMENT, SUSPENSION, AND OTHER  
RESPONSIBILITY MATTERS  
(DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and Implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(C) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE  
(GRANTEES OTHER THAN INDIVIDUALS)**

As required by the drug-Free Workplace Act of 1988, and implemented at 28 CFR Parts 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620---

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about---

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will---

- (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;
  - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted---
    - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
    - (g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
- B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check  if there are workplaces on file that are not identified here.

Section 67.630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check  if the State has elected to complete OJP form 4061/7.

**DRUG-FREE WORKPLACE  
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620---

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

Frederick County Sheriff's Office 1000 Coverstone Drive Winchester, VA

2. Application Number and/or Project Name

3. Grantee IRS/Vendor number

Reaching Out to Citizens in Frederick County 54-6001290

4. Typed Name and Title of Authorized Representative

Brenda Garton, Frederick County Administrator

5. Signature

6. Date

*Brenda H. Garton*

11/2/2016

## GENERAL GRANT CONDITIONS AND ASSURANCES

The applicant, for federal funds administered by DCJS, gives assurances and certifies with respect to the grant that it will comply with the following requirements:

1. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Department of Criminal Justice Services shall prescribe shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this grant.
2. **REPORTS:** Each applicant shall submit such reports as the DCJS shall reasonably request. Financial and progress reports shall be submitted to the DCJS on the **12th working day** following the close of each quarter unless otherwise informed.
3. **GRANT CLOSEOUT:** The last quarterly report of a project using federal funds must indicate any unpaid obligations, which exist at the expiration of the grant. The applicant has 90 days to liquidate any unpaid obligations and submit a final financial report.
4. **UNUSED FUNDS:** Any funds that have been requested, but unexpended at the end of the grant period will be refunded by check made payable to the **Treasurer, Commonwealth of Virginia**, and will accompany the final financial report when it is submitted to DCJS. (Most state agencies must use DPB form 27 and an IAT to return unused grant funds.) The check should be mailed to the attention of the Finance Department, Department of Criminal Justice Services, 1100 Bank Street, 12<sup>th</sup> Floor, Richmond, VA, 23219.
5. **INSPECTION AND AUDIT:** The applicant agrees to comply with the organizational audit requirements of OMB Circular A-133, "Audits of State, Local Governments and Non-Profit Institutions." In conjunction with the beginning date of the award, the audit report period of the local government entity to be audited under the single audit requirement is the start-date of the project through the end-date of the project as noted on the Statement of Grant Award/Acceptance. The audit report shall be submitted no later than one (1) year from the end-date of the grant award as stated on the Statement of Grant Award/Acceptance, and for each audit cycle thereafter covering the entire award period as originally approved or amended. The management letter must be submitted with the audit report. A copy of all audits must be forwarded to the Finance Department, Department of Criminal Justice Services.
6. The applicant will comply, where applicable, with the following:
  - National Environment Policy Act of 1969 (42 U.S.C. § 4321);
  - Flood Plain Management and Wetland Protection Procedures (28 CFR 63);
  - National Historic Preservation Act (16 USC 470);
  - Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970. (42 U.S.C. § 4601 et seq.);
  - Clean Air Act, P. L. 88-206, 42 USC 1857, et seq;
  - Safe Drinking Water Act, P. L. 93-523, 42 USC 3001, et seq;
  - Endangered Species Act of 1973, P. L. 93-205, 16 USC 1531, et seq;



- Wild and Scenic Rivers Act, P. L. 90-542, 16 USC 1271, et seq;
  - Fish and Wildlife Coordination Act, P. L. 85-624, 16 USC 661, et seq;
  - Historical and Archaeological Data Preservation Act, P. L. 93-291, 16 USC 2469, et seq;
  - Coastal Zone Management Act of 1979, P. L. 92-583, 16 USC 1451, et seq. and the Coastal Barrier Resources Act of 1982 (P.L. 97-348);
  - Animal Welfare Act of 1970, P. L. 91-579, 7 USC 2131, et seq;
  - Impoundment Control Act of 1974, P. L. 93-344, 31 USC 1401, et seq; and
  - The Fair Labor Standards Act, if applicable.
7. **POLITICAL ACTIVITY:** The restrictions of the Hatch Act, Pub. L. 93-433, 5 USC Chapter III, (as amended), concerning the political activity of government employees are applicable to applicant staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns except they may not be candidates for office.
8. **DISCRIMINATION PROHIBITED:** No person shall, on the grounds of race, religion, color, national origin, sex, or handicap be excluded from participation in, be denied the benefits or be otherwise subjected to discrimination under or denied employment in connection with, grants awarded pursuant to the Justice Assistance Act of 1984, and the implementing regulations 28 CFR Part 42, Subparts C, D, E, and G, or any project, program, activity, or subgrant supported or benefiting from the grant. The applicant must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and its implementing regulations 28 CFR 41.101 et seq. The applicant must further comply with Section 504 of the Rehabilitation Act of 1973, as amended, and its implementing regulations; the Age Discrimination Act of 1973, as amended, and its implementing regulations and Title IX of the Education Amendments of 1972; Title 11 of the Americans with Disabilities Act (ADA)(1990); (42 USC. 12131-12134 & 28 CFR 35).
9. **EQUAL EMPLOYMENT OPPORTUNITY PROGRAM:** Each applicant certifies that it has executed and has on file, an Equal Employment Opportunity Program which conforms to the provisions of 28 CFR Section 42.302 or that in conformity with the foregoing regulation; no Equal Employment Opportunity Program is required.

The applicant organization having 50 or more employees who would receive amounts of \$500,000 or more, or grants which in the aggregate exceed \$500,000 or more, in any fiscal year must submit a copy of their Equal Employment Opportunity Plan (EEOP) to the DCJS for review. For continuation grant funding that exceed these amounts in any fiscal year the applicant must submit a statistical update from the previous year's plan.

10. The applicant assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the DCJS.

11. **RELEASE OF INFORMATION:** All records, papers and other documents kept by recipients of DCJS funds, and their contractors, relating to the receipt and disposition of such funds, are required to be made available to the DCJS. These records and other documents submitted to DCJS and its applicants pursuant to other provisions of the Act, including plans and application for funds, are required to be made available to DCJS under the terms and conditions of the Federal Freedom of Information Act, 5 USC 552.
12. **INFORMATION SYSTEMS:** With respect to programs related to criminal justice information systems, the applicant agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of the integrity and accuracy of data collection. The applicant further agrees:
  - That all computer programs (software) developed with funds provided by this grant will be made available to the DCJS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
  - To provide a complete copy of the computer programs and documentation, upon request, to the DCJS. The documentation will include but not be limited to system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
  - That whenever possible all application programs will be written in standardized programming languages (i.e., ANSI, Cobol, FORTRAN, Basic, etc.) for use on general operating systems (e.g., DOS, CP/M, UNIX, etc.) that can be utilized on at least three different manufacturers computers of similar size and configuration.
  - To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Department of Criminal Justice Services should be contacted to determine availability of software prior to any development effort.
13. **CONFIDENTIALITY OF RESEARCH INFORMATION:** Research information identifiable to an individual, which was obtained through a project funded wholly or in part with DCJS grant funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).
14. **CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES:** The applicant agrees to be in compliance with all policies as expressed under the Code of Federal Regulations, 28 CFR 23, concerning the operation of criminal intelligence systems funded with DCJS funds.
15. **COPYRIGHT:** Except as otherwise provided in the conditions of the award, the author is free to arrange for copyright without approval when publication or similar materials are developed from work under a DCJS supported project. Any such copyright materials shall be subject to the DCJS's right to reproduce them, translate them, publish them, use and dispose of them, and to authorize others to do so for government purposes. In addition, communications in primary scientific or professional journals publishing initial reports or research or other activities and supported in whole or in part by the DCJS project funds may be copyrighted by the journal with the understanding that individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty, a single copy of any such article for their own use. State employees who

16. **PATENTS:** If any discovery or invention arises or is developed in course of or as a result of work performed under this grant, the applicant shall refer the discovery or invention to DCJS. The applicant hereby agrees that determination of rights to inventions made under this grant shall be made by the DCJS or its duly authorized official representative, who shall have the sole and exclusive powers to determine whether or not and where patent application should be filed and to determine the disposition of all rights in such inventions, including title which may issue thereon. The determination of the DCJS or its duly authorized representative shall be accepted as final. In addition, the applicant hereby agrees and otherwise recognizes that the DCJS shall acquire at least an irrevocable non-exclusive royalty-free license to practice and have practiced throughout the world for governmental purposes any invention made in the course of or under this grant. The grant shall include provisions appropriate of effectuating the purpose of this condition in all contracts of employment, consultant's agreements, or contracts.
17. The applicant assures that funds made available under this grant will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would be, in the absence of these funds, made available for drug law enforcement activities.
18. Confidential expenditures for services, evidence and/or information must comply with the requirements stated in the Administrative Guide and Application Procedures Manual.
19. **BIO MEDICAL EXPERIMENTATION:** The applicant assures that no grant funds will be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation.
20. The applicant agrees to complete a **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion**, prior to finalizing any financial agreements pursuant to 28 CFR 67.510 (Code of Federal Regulations). This includes consultants under any award.
21. The applicant must state the percentage of the total cost of this program supported by federal funds and the dollar amount of federal funds for this program. This statement shall be on all press releases, requests for proposals; bid solicitation and other documents describing the program whether funded in-whole or in-part with federal funds.
22. The grantee agrees that any publication (written, visual, or sound, but excluding press releases newsletters, and issue analyses) issued by the grantee or by any Applicant describing programs or projects funded in-whole or in-part with Federal Funds, shall contain the following statement:

This project was supported by the Department of Criminal Justice Services (DCJS) grant # \_\_\_\_\_, with funds made available to the Commonwealth of Virginia from the Office of \_\_\_\_\_, U.S. Department of Justice.

Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the Virginia Department of Criminal Justice Services or the United States Department of Justice.

The applicant also agrees that one copy of any such publication will be submitted to the DCJS to be placed on file and distributed as appropriate to other potential applicants or

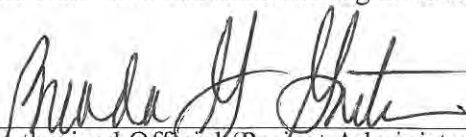


interested parties. DCJS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the applicant.

23. Applicants with federal grants that procure goods or services that have an aggregate value of \$500,000 or more must specify in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) a) the amount of Federal funds that will be used to finance the acquisition; and b) expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition. This complies with Public Law 102-141, section 623 (formally the Stevens Amendment).

#### **CERTIFICATION**

I certify that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of all other federal and state laws and rules and regulations that apply to this award.

  
\_\_\_\_\_  
Authorized Official (Project Administrator)

11/2/16  
\_\_\_\_\_  
Date

**Project Narrative**  
**Frederick County Sheriff's Office**  
**Reaching out to Citizens in Frederick County**

**Need Statement**

The Frederick County Sheriff's Office is the full service law enforcement agency for Frederick County, Virginia. Frederick County's population is approximately 83,000 people according to the 2015 census estimate. Frederick County is 415 square miles of suburban, rural, commercial, and agricultural developments, which surrounds Winchester City, the county seat. There are two incorporated towns in Frederick County, Stephens City and Middletown. Four major highways including Interstate 81 pass through Frederick County. The Frederick County Sheriff's Office responded to over 67,000 calls for service in 2015.

Frederick County like other localities has struggled with balancing its budget and still meeting the needs of the citizens. One of the unmet needs is providing more community interaction with the citizens of Frederick County via crime prevention presentations and brochures. Like other localities throughout the state and country, Frederick County is struggling to allocate needed resources because of the drug abuse (heroin) issue. The following populations need more crime prevention attention in Frederick County. The Latino community, the high school community, and the senior citizen community currently do not receive the needed attention to address their needs.

The Sheriff's Office currently attends community events throughout the county. A need that has been determined is for the proper equipment to attend these functions. The Sheriff's Office needs new tables and chairs to take to the functions and would like to have a nice pop up tent with our logo on the tent. The tent would help identify the Frederick County Sheriff's Office as being a participant in the function. Currently we do not have a way to identify the Sheriff's Office as a participant.

The Latino population is increasing in Frederick County, but it is an underserved population. Frederick County Sheriff's Office has not had the funds to do outreach programs in the Latino community. The Sheriff's Office would like to be able to reach out to this underserved community and offer them the same crime prevention information we offer to the English speaking population. This would be the foundation to establish a trusting relationship between the Latino community and the Sheriff's Office.

The Frederick County Sheriff's Office currently has School Resource Officers in 3 high schools and 4 middle schools in Frederick County. We also have a D.A.R.E. officer that teaches the program in the 11 elementary schools. The School Resource Officers teach Virginia rules in the high schools; however, we do not have any brochures to hand out to the students. Another issue is the amount of mental health issues that have been reported to School Resource Officers. Frederick County Public Schools averages 4 deaths per year from suicide and traffic accidents. The Sheriff's Office would like to provide information to students on current crimes, mental health, and driving safely.

Another community service the Frederick County Sheriff's Office provides is sponsoring an Explorer Program. This program allows young people between the ages of 14 and 21 to explore a career in law enforcement. They meet twice a month and do training similar to the basic law enforcement academy. The requested funding for this program will allow the Sheriff's Office to purchase new uniforms for the Explorers, which will help identify them when they are doing community events for the Sheriff's Office. This exposure helps recruit other Explorers and their interaction with other people their age creates a positive perception of the Sheriff's Office.

The senior population is also growing in Frederick County. We have two large senior residential communities in Frederick County that accept residents continually. There are also numerous senior

residents who live alone in the county in their own residence. Additionally, law enforcement agencies in Virginia have been tasked with search and rescue. The Sheriff's Office has seen an increase in calls for search and rescue resources, including missing senior citizens. Frederick County Sheriff's Office currently has Project Lifesaver, but we do not have enough band kits to meet the demand, especially for lower income seniors and families with autistic children.

Everyone knows that equipment can malfunction or fail at the most inopportune time. Two receivers are the minimum needed to do a good search for a missing person with a Project Lifesaver transmitter. Three receivers would ensure that at least two are working or three would allow more territory to be covered locating the missing person faster. This is always crucial in inclement weather when location time could mean life or death to the missing child or senior citizen.

In January 2016 the Sheriff's Office started our own program to assist senior citizens in Frederick County with quality of life issues, including crime prevention. We have put on several seminars on scams, senior abuse, and medical awareness. These seminars have been attended consistently by approximately 30 senior citizens. The Sheriff's Office also participates in the Triad/Salt program where we also reach out to senior citizens within the Frederick County/Clarke County/Winchester City community. We also provide speakers and brochures for these events.

Another issue that the Sheriff's Office has experience is gaining entry into senior citizens residence to check their welfare. We received 709 "Check the Welfare" calls for service in 2015. Approximately half of these calls were for senior citizens. On most of these calls the deputies have difficulty gaining entrance into the residence to check on the resident. Numerous times deputies will have to force entry into the residence to check on the person because they live alone. Providing lockboxes to the senior citizens who live alone and cannot afford one will help us better serve this segment of our population.

The Frederick County Sheriff's Office has the I2 program, but does not have a trained analyst to operate this program. The I2 program is a program that allows the operator to track different types of crimes or events. This would be useful in determining the correct response to criminal incidents, arrest data, traffic stops, or use of force issues.

In conclusion, the Frederick County Sheriff's Office believes there is a need to provide additional services to the underserved Latino community, the high school community and the senior citizen community in Frederick County. The funds from this grant would be used to further educate and assist these underserved populations while building a trusting relationship.

## **Project Description**

### **Latino Community Outreach**

The Sheriff's Office will purchase the brochures written in Spanish and actively seek times to interact with the Latino community. We do have several areas in the county where there is a high concentration of Latinos residing. We plan to do some community events in those areas. The tables, chairs, and tent would be used to set up an area where we could distribute the brochures and interact with the community. We believe that reaching out to the Latino community will facilitate the development of a trusting relationship that will encourage the community to engage in crime prevention within their community. The I2 program would be used to provide relevant information to the Latino community about crime trends and other issues.

### **High School Community Outreach**

The Sheriff's Office would like to provide information to students on current crimes, mental health, and safe driving. The brochures would be distributed to students at schools throughout the county to reinforce what they were taught by the School Resource Officers. The brochures would be given out in the spring and fall of 2017 to the students. The brochures would not be given to the same class both

times so as to reach more students.

The uniforms for the Explorers would be purchased and issued to them immediately. Most of our Explorers are high school students and interact with other students daily. We would also allow them to speak at community events about our program.

#### Senior Citizen Community Outreach

The Frederick County Sheriff's Office will purchase brochures and medical information cards and distribute them at community function, seminars, and events as soon as they are received. They will also be distributed at the two annual Triad/Salt events.

The lockboxes will also be installed at residences where a need to have one has been identified. This will immediately allow access to senior citizen residences where the senior live alone. This will help alleviate one of the biggest concerns voiced by senior citizens living alone; no one will be able to get into their residence to help them in a time of need.

The Project Lifesaver receiver and transmitters will be ordered and the transmitters will be allocated as needed to people who suffer from Alzheimer's and Autism who are considered high risks. This equipment is also used in Search and Rescue training where we have a deputy take a transmitter and wander off in the woods or a residential area and the team locates the missing deputy.

#### Project Timeline

The Sheriff's Office will begin using the requested funds immediately upon receiving the funds to purchase the requested equipment and supplies. Once the equipment and supplies are purchased then the Sheriff's Office will start attending more community events and will host at least one community event for the Latino community in Frederick County. All funds will be expended by December 31, 2017.

Currently the Sheriff's Office has a monthly seminar for senior citizens on current issues. The purchased brochures would be handed out at these meetings. Also Triad/Salt has a spring and fall event where the brochures could be given out to seniors. The new tables, chairs and tent would be used at all of these functions.

The Sheriff's Office will purchase the lockboxes and identify needy senior citizens that need a lockbox installed on their residence. Once identified the lockbox will be installed and the combination will be placed in our CAD system so that the Sheriff's Office or Fire and Rescue can enter the residence whenever an emergency occurs or the person's welfare needs to be checked.

The School Resource Officers interact with the students daily and participate in teaching and events at their assigned school continuously. Once the brochures are purchased they can be given out during these interactions with the students to supplement the message that was just taught.

There are several I2 training classes scheduled for 2017. The crime analyst would enroll in one of these scheduled classes to receive the training in the use of this program.



# **Reaching Out to Citizens in Frederick County**

## **Budget Narrative**

### **Personnel**

In-Kind matching funds for personnel: 77 hours=\$2001.00

The salaries of three Sheriff's Office personnel who directly work with the programs funds are being requested for:

1. Jared Nail-Explorer Program (\$773.00)
2. Patti Williams-Elderly Assistance Program (\$547.00)
3. Greg Lambert-Project Lifesaver. (\$681.00)

These three people already perform duties related to the above mentioned programs and the purchased supplies and equipment will enhance their ability to reach out to more citizens of Frederick County.

### **Equipment**

Amount Requested: \$9800.00

The equipment will be used as follows:

- The project Lifesaver band kit will allow us to sign up 10 more flight risk individuals to the Project Lifesaver program. (\$3500.00)
- We would like to purchase another PL1-5000 receiver from Project Lifesaver to track missing individuals. We currently have 2 receivers now, but a third one will allow us to cover more area, thus locating the missing person faster. (\$1800.00)
- The exterior lockbox program will allow us to place a spare house key in an exterior lockbox of a senior citizen that resides alone. This will allow the Sheriff's Office and Fire and Rescue to enter the residence in emergency cases without damaging doors or windows to gain entry. (\$2000.00)
- The Explorer program is a visible part of the Sheriff's Office at different events. Purchasing uniforms for the Explorers will promote unity within the program and attract new recruits for the program. The Explorer program provides positive interaction with the Sheriff's Office and young adults. The uniforms would be pants, shirts, belts, and boots. (\$2000.00)
- Purchasing a tent and tables and chairs will allow the Sheriff's Office to provide a better environment when we attend different community functions. The tent will provide protection from the sun and rain. The tables and chairs will allow us more space to do fingerprinting and provide crime prevention literature to the community. (\$500.00)

### **Supplies and Other Expences**

Amount Requested: \$8199.00


- Obtain and distribute brochures on Elder Abuse/ Exploitation which will raise awareness of issues and provide local support information. (\$2500.00)
- Refrigerator cards which list crucial medical and emergency information about a resident to receive emergency aid faster from emergency personnel dispatched to the residence. (\$2000.00)
- Promote Law enforcement in the community by purchasing crime prevention brochures written in Spanish for our Latino community and youth oriented brochures to encourage youth to noncriminal behavior. (\$699.00)
- I2 Training. Allow the Sheriff's Office full time crime analyst to attend i2 Information training to assist with tracking all types of incidents occurring throughout the county. (\$1500.00)

# Grant Application

Department of Criminal Justice Services, 1100 Bank Street, Richmond, Virginia 23219-3640

<b>Grant Program:</b>	21 Century Policing Grant	<b>Congressional District(s)</b>	10
<b>Applicant:</b>	Frederick County Sheriff's Office	<b>Faith Based Organization?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Applicant Federal ID Number:</b>	54-6001290	<b>Best Practice?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Jurisdiction(s) Served</b>	Frederick County, Virginia		
<b>Program Title:</b>	Reaching out to Citizens in Frederick County Virginia.	<b>Certified Crime Prevention Community?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Grant Period:</b>	January 1, 2017- December 31 <sup>st</sup> , 2017	<b>DUNS NUMBER:</b>	118098222
<b>Type of Application:</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation of Grant Number _____ <input type="checkbox"/> Revision of Grant Number _____		<input checked="" type="checkbox"/> Rural <input type="checkbox"/> Urban <input type="checkbox"/> Suburban

	<b>Project Director</b>	<b>Project Administrator</b>	<b>Finance Officer</b>
<b>Name:</b>	Aleck Beeman	Brenda Garton	Cheryl B. Shiffler
<b>Title:</b>	Captain	County Administrator	Finance Director
<b>Address including Zip+4:</b>	1080 Coverstone Drive Winchester VA 22602-4369	107 North Kent Street Winchester, VA 22601-5039	107 North Kent Street Winchester, VA 22601-5039
<b>Phone:</b>	540-662-6168	540-667-8273	540-665-5610
<b>Fax:</b>	540-504-6400	540-667-0370	540-667-0370
<b>E-Mail:</b>	abeeman@fcva.us	bgarton@fcva.us	cshiffle@fcva.us

**Signature of Project Administrator:** 

**Brief Project Description:**  
 Improve the quality of life and safety of the citizens of Frederick County by increasing the Law Enforcement's connection to the community. Projects include increasing resources for elder protection and access, and improving the explorer program to give youth in the county and opportunity to explore the field of Law Enforcement.

Project Budget	DCJS Funds		Local Match	Total Requested
	Federal	State		
Personnel			2001.00	
Consultants		1,800.00		
Travel				
Equipment		8000.00		
Supplies/Other		8199.00	2001.00	
Indirect Costs				
<b>Total Requested</b>		<b>17999.00</b>	<b>2,001.00</b>	<b>20000.00</b>

4-010-031020-5413-000-004  
 3-010-024040-0030 (10BN)

# FREDERICK COUNTY SHERIFF'S OFFICE



Sheriff Lenny Millholland

Major Steve A. Hawkins

1080 COVERSTONE DRIVE  
WINCHESTER, VIRGINIA 22602

540/662-6168  
FAX 540/504-6400



TO : Angela Whitacre, Treasurer's Office  
FROM : Sheriff Lenny Millholland  
SUBJECT : Proceeds from Sheriff's Sale  
DATE : October 25, 2016

---

Attached please find a check in the amount of \$19,617.17. This check represents our department's proceeds from the public auction held September 21, 2016.

We are requesting this amount be posted to 3010-015020-0007 (1014)

A copy of this memo will be sent to Finance for appropriation into our budget.

Thank you.

LWM/asw

Cc: Finance - appropriate into 3102-1007-000-001 (Career Development)

<b>FREDERICK COUNTY SHERIFFS OFFICE</b> <b>CIVIL FEES</b> 540-662-6168 1080 COVERSTONE DR WINCHESTER, VA 22602	01-09	555 68-251/514 06
Pay to the Order of <u>Treasurer of Frederick County</u>	Date <u>10/13/16</u>	\$ <u>19,617.17</u>
<u>Nineteen thousand Six hundred seventeen - 17/100</u>		Dollars
For <u>Sheriff Sale Proceeds</u>	<u>Angela Whitacre</u>	MP
<u>30</u>	<u>8555</u>	



**Sharon Kibler**

---

**From:** Angela Williamson  
**Sent:** Thursday, October 27, 2016 3:46 PM  
**To:** Sharon Kibler  
**Subject:** Memo to Treasurer - Proceeds from Sheriff's Sale

Sharon,

We sent a check attached to a memo to the Treasurer's Office on 10/25/16 with a copy going to Finance for appropriation. The check was for \$19,617.17. On the Cc to Finance we requested this amount be appropriated into 3102-1007-000-001 (Career Development). I have since been informed that one of the vehicles sold at the auction was purchased with State forfeiture funds and the amount we received from the sale of that vehicle needs to be put back into the revenue line for State Forfeited Assets. I have sent an email to Angela Whitacre requesting \$9,000 (amount of vehicle sale) be posted to the State Forfeiture revenue line. Can you please change the amount to appropriate into 3102-1007-000-001 to \$10,617.17?

Please let me know if I need to do a memo for this to happen.

Thanks!

Angie

*Angela S. Williamson*  
*Administrative Assistant*  
*Frederick County Sheriff's Office*  
*540-504-6581*

<7,000> budgeted revenue

\$ 36,17.17 E/A request



FIRE AND RESCUE DEPARTMENT

1080 Coverstone Drive  
Winchester, VA 22602

Dennis D. Linaburg  
Fire Chief



**MEMORANDUM**

**TO:** Cheryl Shiffler, Director  
Finance Department

**FROM:** Dennis D. Linaburg, Chief  
Fire and Rescue Department

**SUBJECT:** Request for Revenue Funds

**DATE:** November 4, 2016

The FY14 Aid-to-Localities funds have been received with an overage of \$9,662.00. I respectfully request these funds be transferred from 3-010-024040-013 (Emergency Services Fire Programs) for us to move forward with distributing the funds to the eleven volunteer companies.

**Total Request: \$9,662.00**

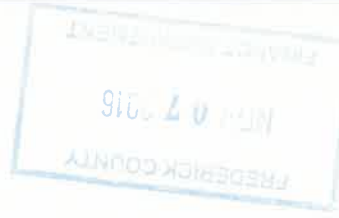
I request these funds be placed into line item 4-010-032020-5604-049, Fire Programs. If you have any questions or need additional information regarding this request, please do not hesitate to contact me so I may further discuss this with you.

DDL:msn  
CC: file

C.S. 9/20/16




Dennis D. Linaburg  
Fire Chief



**M E M O R A N D U M**

**TO:** Cheryl Shiffler, Director  
Finance Department

**FROM:** Dennis D. Linaburg, Chief   
Fire and Rescue Department

**SUBJECT:** Request for Supplemental Appropriation

**DATE:** October 31, 2016

*\$5096.40*

Attached please find a copy of Check No. 229984 received in the amount of ~~\$5,596.40~~ for the auto claim dated September 17, 2016 involving Travis Orrison. This amount represents the appraiser's estimate minus the \$500 deductible. The actual invoice for repairs will be paid through our line item 3505-3004-002 Repair and Maintenance – Vehicles.

At this time, I am requesting a supplemental appropriation in the amount of \$5,596.40 to our Repair and Maintenance – Vehicles line item for the repairs to the department's 2014 Chevy Tahoe.

If you have any questions or need additional information, please do not hesitate to contact me.

/attachments

DDL:mhn

*C.S. 10/19/16*



**VACoRP**

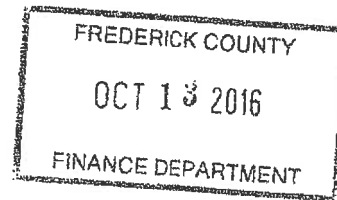
1315 Franklin Road, SW  
Roanoke, Virginia 24016

540.345.8500

toll free 888.822.6772

fax 540.345.5330

toll free 877.212.8599



October 6th, 2016

Frederick County  
Attention: Jennifer Place  
107 North Kent Street  
Winchester, VA 22601

**Virginia Association of Counties Group Self-Insurance Risk Pool**

Participant: Frederick County

Claim Number: 0342016165720

Date of Loss: 9/17/2016

Dear Jennifer Place

Enclosed please find VACoRP property damage check in the amount of \$5,096.40 to cover the repair cost to the 2014 Chevrolet Tahoe. This amount was determined by S&S Appraisal. The estimate came to \$5,096.40 after the \$500.00 policy deductible was applied.

If you should have any questions regarding this payment, please do not hesitate to contact our office.

Sincerely,

Jason Pierce  
Claims Associate

Enclosure  
check



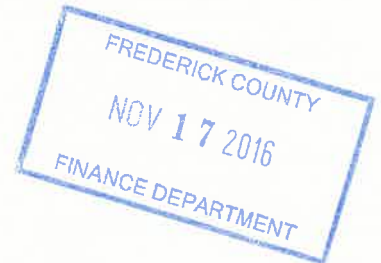
COUNTY OF FREDERICK, VIRGINIA

FIRE AND RESCUE DEPARTMENT


1080 Coverstone Drive  
Winchester, VA 22602

Dennis D. Linaburg  
Fire Chief

MEMORANDUM



**TO:** Cheryl Shiffler, Director  
Finance Department

**FROM:** Dennis D. Linaburg, Chief  
Fire and Rescue Department 

**SUBJECT:** Request for Supplemental Appropriation

**DATE:** November 15, 2016

Our Department has been awarded a Local Emergency Management Performance Grant to purchase Crisis Track to assist with damage assessments in real time and an iFlow to be placed along Back Creek for monitoring. The total purchase price for these items will be \$16,297.00, with a state reimbursement of \$32,594.00, which includes the Deputy Emergency Management Coordinator's salary.

**Total Request: \$16,297.00**

At this time, I am requesting \$5,800 be placed into line item 4-010-035050-5401-000, Office Supplies, and \$10,497.00 to be placed into line item 4-010-035050-8009-000, Miscellaneous Equipment.

If you have any questions or need additional information regarding this request, please do not hesitate to contact me so I may further discuss this will you.

DDL:msn  
CC: file

3-010-024040-0026  
(1075)



Virginia Department of Emergency Management  
 10501 Trade Court  
 Richmond, VA 23236

GRANT AGREEMENT

1. SUBRECIPIENT NAME AND ADDRESS:

Frederick County  
 107 N. Kent Street  
 Winchester, VA 22601

4. SUBAWARD DATE: November 8, 2016

5. PROJECT PERIOD: FROM 07/01/2016 TO 06/30/2017  
 BUDGET PERIOD: FROM 07/01/2016 TO 06/30/2017

6. TOTAL AMOUNT OF THIS SUBAWARD \$32,594.00

2. SUBRECIPIENT DUNS Number:

14-2844365

SUBRECIPIENT EIN:

54-6001290

7. FEDERAL AMOUNT OF THIS SUBAWARD \$16,297.00

8. SUBRECIPIENT NON-FEDERAL COST SHARE REQUIREMENT \$16,297.00

9. INDIRECT COST RATE (If applicable): N/A

3. PASS-THROUGH ENTITY: Virginia Department of Emergency Management  
 SUBAWARD NAME: **FY 2016 Local Emergency Management Performance Grant**  
 CFDA: 97.042 - Emergency Management Performance Grant (EMPG) Program  
 U.S. Department of Homeland Security (DHS)  
 Federal Emergency Management Agency (FEMA)

10. STANDARD TERMS AND CONDITIONS & SPECIAL CONDITIONS

The above subaward is approved subject to the FY 2016 Department of Homeland Security (DHS) Standard Terms and Conditions and VDEM Special Conditions as set forth on the attached pages.

11. STATUTORY AUTHORITY FOR GRANT

The project is supported under *The Robert T. Stafford Disaster Relief and Emergency Assistance act (Public Law 93-288)*.

12. METHOD OF PAYMENT

Commonwealth of Virginia Cardinal Accounting System

AGENCY APPROVAL

SUBRECIPIENT ACCEPTANCE

13. TYPED NAME AND TITLE OF APPROVING VDEM OFFICIAL

Jeffrey D. Stern Ph.D.  
 State Coordinator

14. TYPED NAME AND TITLE OF AUTHORIZED SUBRECIPIENT OFFICIAL

Brenda Garton  
 County Administrator

15. SIGNATURE OF APPROVING VDEM OFFICIAL

16. SIGNATURE OF AUTHORIZED SUBRECIPIENT OFFICIAL

DATE Nov. 9, 2016



Virginia Department of  
Emergency Management  
10501 Trade Court  
Richmond, VA 23236

GRANT AGREEMENT

Page 2 of 3

Subaward Name: FY 2016 Local Emergency Management Performance Grant Subaward Date: November 8, 2016

**SPECIAL CONDITIONS**

1. The Subrecipient shall comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at [2 CFR Part 200](#), and adopted by DHS at [2 CFR Part 3002](#) and the Department of Homeland Security FY 2016 Emergency Management Performance Grant Program Notice of Funding Opportunity ([NOFO](#)).
2. The Subrecipient agrees to permit the pass-through entity and auditors to have access to its records and financial statements as necessary for the pass-through entity to meet the requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at [2 CFR Part 200](#).
3. The Subrecipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of FEMA.
4. The Subrecipient shall comply with the indirect costs provisions of [2 CFR§ 200.414](#). With the exception of subrecipients who have never received a negotiated indirect cost rate as described in 2 C.F.R. § 200.414(f), subrecipients must have an approved indirect cost rate agreement with their cognizant federal agency to charge indirect costs to this subaward.
5. In the event VDEM determines that changes are necessary to the award document after an award has been made, including changes to the period of performance or terms and conditions, the Subrecipient will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate Subrecipient acceptance of the changes to the award.
6. Subrecipients proposing projects that have the potential to impact the environment, including but not limited to the construction of communication towers, modification or renovation of existing buildings, structures, and facilities, or new construction including replacement of facilities, **must** participate in the FEMA Environmental Planning and Historic Preservation (EHP) review process. Subrecipients must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground-disturbing activities occur during project implementation, the Subrecipient must ensure monitoring of ground disturbance, and if any potential archeological resources are discovered, the Subrecipient will immediately cease construction in that area and notify FEMA and the State Historic Preservation Office. Any construction activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for FEMA funding.
7. The Subrecipient agrees that federal funds under this award will be used to supplement, not supplant, state or local funds for emergency preparedness.





Virginia Department of Emergency Management

10501 Trade Court  
Richmond, VA 23236

GRANT AGREEMENT

Page 3 of 3

Subaward Name: **FY 2016 Local Emergency Management Performance Grant** Subaward Date: **November 8, 2016**

8. The Subrecipient agrees that all publications created with funding under this grant shall prominently contain the following statement: "This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."

9. The Subrecipient agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security."

10. The Subrecipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

11. The Subrecipient must submit a Quarterly Progress Report for every quarter of the period of performance, including partial calendar quarters, as well as for periods where no grant activity occurs. Reports are due within fifteen (15) days following the end of the quarter. A Final Progress Report is due thirty (30) days after the end date of the performance period. Failure to provide this information may result in VDEM withholding grant funds from further obligation and expenditure and prevent future awards to the Subrecipient.

12. National Incident Management System (NIMS) Implementation Compliance

In accordance with HSPD-5, the adoption of the NIMS is a requirement to receive federal preparedness assistance through grants, contracts, and other activities. No federal funds will be released to the primary grantee and any other entity participating and benefiting in this project if this requirement has not been met. In the event of a Corrective Action Plan submitted, VDEM/SAA will determine if the Subrecipient has made sufficient progress to disburse funds.

13. All conferences and workshops using federal preparedness funds must pertain to the project being funded. The Subrecipient agrees to submit a Trip Report when using federal funds to attend a conference or workshop. The Trip Report template can be found at [www.vaemergency.gov](http://www.vaemergency.gov) under Grant Information. These reports must be remitted with your request for reimbursement. Failure to do so will result in a delay of payment until received.

14. The Subrecipient agrees that under program guidelines, travel expenses are allowable for approved training, planning, administrative, and exercise activities following local, state, and federal guidelines. Prior to traveling for these activities outside of contiguous United States (OCOUS) as well as to Canada and Mexico, preapproval is required by the state and FEMA through the SAA office.

Please reference [2 CFR 200.403](http://www.fda.gov/oc/2011/04/20110403), in regard to reasonableness when considering requests for travel of this type. Where applicable, you should also reference the following regarding travel: the Western Hemisphere Travel Initiative ([http://www.dhs.gov/files/programs/gc\\_1200693579776.shtm](http://www.dhs.gov/files/programs/gc_1200693579776.shtm)).



## FY 2016 DHS Standard Terms and Conditions

The FY 2016 DHS Standard Terms and Conditions apply to all new Federal financial assistance awards funded in FY 2016. The terms and conditions of DHS financial assistance awards flow down to subrecipients, unless a particular award term or condition specifically indicates otherwise.

### **DHS Specific Acknowledgements and Assurances**

All recipients, sub-recipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy, records, accounts, and other documents and sources of information related to the award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations *and* other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS financial assistance office and the DHS Office of [Civil Rights and Civil Liberties](#) (CRCL) by e-mail at [crcl@hq.dhs.gov](mailto:crcl@hq.dhs.gov) or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS financial assistance office and the CRCL office by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

#### **Acknowledgment of Federal Funding from DHS**

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

#### **Activities Conducted Abroad**

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

#### **Age Discrimination Act of 1975**

All recipients must comply with the requirements of the *Age Discrimination Act of 1975* ([Title 42 U.S. Code, § 6101 et seq.](#)), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

#### **Americans with Disabilities Act of 1990**

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. ([42 U.S.C. §§ 12101–12213](#)).

## FY 2016 DHS Standard Terms and Conditions

### Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) respectively.

### Civil Rights Act of 1964 – Title VI

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* ([42 U.S.C. § 2000d et seq.](#)), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. DHS implementing regulations for the Act are found at [6 C.F.R., Part 21](#) and [44 C.F.R. Part 7](#).

### Civil Rights Act of 1968

All recipients must comply with [Title VIII of the Civil Rights Act of 1968](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex ([42 U.S.C. § 3601 et seq.](#)), as implemented by the Department of Housing and Urban Development at [24 C.F.R. Part 100](#). The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (See [24 C.F.R. § 100.201](#)).

### Copyright

All recipients must affix the applicable copyright notices of [17 U.S.C. §§ 401 or 402](#) and an acknowledgment of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards.

### Debarment and Suspension

All recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders [12549](#) and [12689](#), and [2 C.F.R. Part 180](#). These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

### Drug-Free Workplace Regulations

All recipients must comply with the *Drug-Free Workplace Act of 1988* ([41 U.S.C. § 701 et seq.](#)), which requires all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at [2 C.F.R. Part 3001](#).

### Duplication of Benefits

Any cost allocable to a particular Federal award provided for in [2 C.F.R. Part 200, Subpart E](#) may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude a recipient from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal award.

## FY 2016 DHS Standard Terms and Conditions

### **Education Amendments of 1972 ( *Equal Opportunity in Education Act*)- Title IX**

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 ([20 U.S.C. § 1681 et seq.](#)), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. DHS implementing regulations are codified at [6 C.F.R. Part 17](#) and [44 C.F.R. Part 19](#)

### **Energy Policy and Conservation Act**

All recipients must comply with the requirements of [42 U.S.C. § 6201](#) which contain policies relating to energy efficiency that is defined in the state energy conservation plan issued in compliance with this Act.

### **False Claims Act and Program Fraud Civil Remedies**

All recipients must comply with the requirements of [31 U.S.C. § 3729- 3733](#) which prohibits the submission of false or fraudulent claims for payment to the Federal Government. See [31 U.S.C. § 3801-3812](#) which details the administrative remedies for false claims and statements made.

### **Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

### **Federal Leadership on Reducing Text Messaging while Driving**

All recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in [E.O. 13513](#), including conducting initiatives described in Section 3(a) of the Order when on official Government business or when performing any work for or on behalf of the federal government.

### **Fly America Act of 1974**

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under [49 U.S.C. § 41102](#)) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* ([49 U.S.C. § 40118](#)) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, [amendment](#) to Comptroller General Decision B-138942.

### **Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, [15 U.S.C. § 2225a](#), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, [15 U.S.C. § 2225](#).

### **Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

## FY 2016 DHS Standard Terms and Conditions

<b>Lobbying Prohibitions</b>	All recipients must comply with <a href="#">31 U.S.C. § 1352</a> , which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.
<b>Non-supplanting Requirement</b>	All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources.
<b>Notice of Funding Opportunity Requirements</b>	All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the terms and conditions of your award. All recipients must comply with any such requirements set forth in the program NOFO.
<b>Patents and Intellectual Property Rights</b>	Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.
<b>Procurement of Recovered Materials</b>	All recipients must comply with Section 6002 of the <a href="#">Solid Waste Disposal Act</a> , as amended by the <a href="#">Resource Conservation and Recovery Act</a> . The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at <a href="#">40 C.F.R. Part 247</a> that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.
<b>Reporting Subawards and Executive Compensation</b>	All recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at <a href="#">2 C.F.R. Part 170, Appendix A</a> , the full text of which is incorporated here by reference in the terms and conditions of your award.
<b>SAFECOM</b>	All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the <a href="#">SAFECOM</a> Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.
<b>Terrorist Financing</b>	All recipients must comply with <a href="#">E.O. 13224</a> and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the Order and laws.
<b>Trafficking Victims Protection Act of 2000</b>	All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the <a href="#">Trafficking Victims Protection Act of 2000</a> , (TVPA) as amended ( <a href="#">22 U.S.C. § 7104</a> ). The award term is located at <a href="#">2 CFR § 175.15</a> , the full text of which is incorporated here by reference in the terms and conditions of your award.
<b>Rehabilitation Act of 1973</b>	All recipients must comply with the requirements of Section 504 of the <a href="#">Rehabilitation Act of 1973</a> , <a href="#">29 U.S.C. § 794</a> , as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.



## FY 2016 DHS Standard Terms and Conditions

### Reporting of Matters Related to Recipient Integrity and Performance

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal assistance office exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at [2 C.F.R. Part 200, Appendix XII](#), the full text of which is incorporated here by reference in the terms and conditions of your award.

### Universal Identifier and System of Award Management (SAM)

All recipients are required to comply with the requirements set forth in the government-wide Award Term regarding the System for Award Management and Universal Identifier Requirements located at [2 C.F.R. Part 25, Appendix A](#), the full text of which is incorporated here by reference in the terms and conditions of your award.

### USA Patriot Act of 2001

All recipients must comply with requirements of the [Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act \(USA PATRIOT Act\)](#), which amends [18 U.S.C. §§ 175–175c](#).

### Use of DHS Seal, Logo, and Flags

All recipients must obtain permission from their financial assistance office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including the use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

### Whistleblower Protection Act

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at [10 U.S.C § 2409](#), [41 U.S.C. 4712](#), and [10 U.S.C. § 2324](#), [41 U.S.C. §§ 4304](#) and [4310](#).



**COMMONWEALTH OF VIRGINIA**  
**Virginia Department of Emergency Management**  
**10501 Trade Court, Richmond, VA 23236**

**GRANT ADJUSTMENT NOTICE**

1. SUBGRANTEE NAME AND ADDRESS (INCLUDING ZIP CODE) Frederick County 1080 Coverstone Drive Winchester, VA 22602	4. GRANT NUMBER 7226
2. GRANTEE FIN NUMBER 54-6001426	5. ADJUSTMENT NUMBER 1
3. PROJECT TITLE FY2016 Local Emergency Management Performance Grant	6. DATE November 8, 2016
7. GRANT ADMINISTRATOR Kerry Stuver	

**SECTION I. CURRENT GRANT INFORMATION**

8. CURRENT GRANT AMOUNT \$16,297.00	9. CURRENT PERFORMANCE PERIOD 7/1/16 - 6/30/17
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**SECTION II. DEOBLIGATIONS & REOBLIGATIONS**

10. DEOBLIGATION / REOBLIGATION AMOUNT	11. ADJUSTED AWARD AMOUNT
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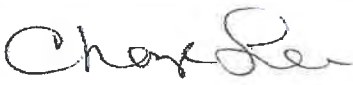
**SECTION II. CHANGES**

12. CHANGE GRANT MANAGER FROM _____ TO _____
13. CHANGE GRANT PERIOD FROM _____ TO _____

**SECTION III. IMPORTANT INFORMATION**

14.  
 Per the Environmental and Historical Preservation (EHP) requirements for this grant program, **\$10,497 of the project is on hold** pending the EHP Review and Approval of the Specialized Hazard Detection Equipment that requires installation. No obligations or encumbrances for this equipment shall be made until VDEM receives approval for the item(s). Following the EHP approval, an additional Grant Adjustment Notice will be issued to release the funds for your County.

The sub-grantee is reminded to submit all program/financial status reports to facilitate the drawdown of funds.

15. TYPED NAME OF DESIGNATED OFFICIAL <p align="center"><b>Cheryl J. Lee</b>  <b>VDEM Grants Director</b></p>	16. SIGNATURE OF DESIGNATED OFFICIAL 
--	--



COMMONWEALTH OF VIRGINIA

Andrew K. Block, Jr.  
Director

Department of Juvenile Justice



October 3, 2016

*To Cheryl S*  
*10/14/16*  
*[signature]*

Peter Roussos, VJCCCA Plan Contact  
CSU Director  
26 Rouss Ave.  
Winchester, VA 22601

Dear Mr. Roussos:

The VJCCCA FY16 end of the year financial certification form for your locality has been received and the expenditure report has been reviewed. According to the report, Frederick/Winchester/Clarke expended \$99,094.24 of its total approved budget of \$128,358.00. The breakdown of funds expended is as follows:

Required Maintenance of Effort:	\$0.00	
State Funds Expended:	\$99,094.24	State Funds Provided to the Locality: \$128,358.00
Optional Local Funds:	\$0.00	- \$99,094.24
		-----
TOTAL EXPENDITURES:	\$99,094.24	<b>OWED TO THE STATE:</b> \$29,263.76

State funds in the amount of \$128,358.00 were provided to the locality. **Because the state funds were not totally expended, we request that the balance of \$29,263.76 be returned to the state.** Please make your check payable to Treasurer, Commonwealth of Virginia and mail it to:

Department of Juvenile Justice  
c/o Petty Cash Cashier  
PO Box 1110  
Richmond, VA 23218-1110

Additional funds for FY17 may not be released to your locality until the FY16 expended funds are returned. We thank you for the prompt report and all that your locality does for its youth and families before the Court Service Unit.

Sincerely,  
*[Signature]*  
Beth Mohler Stinnett  
VJCCCA Program Manager

- cc: David L. Ash, County Administrator – Clarke County
- Eden Freeman, City Manager – City of Winchester
- Brenda Garton, County Administrator – Frederick County ✓
- Dee Kirk, Region Program Manager



## MEMORANDUM

**TO:** Sharon Kibler  
**FROM:** Steve Frye, Landfill Manager  
**THROUGH:** Harvey E. Strawsnyder, Director of Public Works  
**SUBJECT:** Auto Claim Reimbursement Funds Allocation  
**DATE:** December 14, 2016

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We received a check in the amount of \$3049.96 for an auto claim dated November 16, 2016. This was to repair the 2012 Ford F-250, Claim# 169544. The amount represents the vehicle appraisal minus the \$500 deductible.

We would like to request the funds be appropriated to line item 12-4204-3004-02 in which we will use to repair the vehicle.

Please feel free to call or contact me if you have any further questions or concerns regarding this matter.

Sincerely,

Steve Frye  
540-665-5658  
[Sfrye@fcva.us](mailto:Sfrye@fcva.us)

bln

1209 - 3-012-018990-0001  
c.s.





**VACoRP**

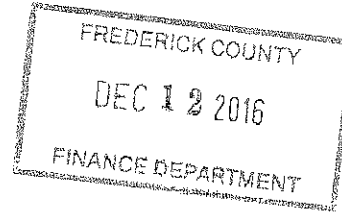
1315 Franklin Road, SW  
Roanoke, Virginia 24016

540.345.8500

toll free 888.822.6772

fax 540.345.5330

toll free 877.212.8599



December 7, 2016

Frederick County  
Attention: Jennifer Place  
107 North Kent Street  
Winchester, VA. 22601

Virginia Association of Counties Self-Insurance Risk Pool  
Member: Frederick County  
Claim Number: 0342016169544  
Date of Loss: 11/16/2016

Dear Ms. Place:

Enclosed please find VACoRP property damage check in the amount of \$3,049.96 to cover the damage of the 2012 Ford F-250 Pick-up XL that was damaged on 11/16/2016. This amount was determined by the S&S Appraisal Services, LLC estimate of \$3,549.96 after the \$500.00 policy deductible was applied.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Mullen".

Jared Mullen  
Claims Specialist

Enclosure:  
Check, estimate

## **Budget Worksession**

**December 21, 2018**

- 1. Discussion with the Commissioner of the Revenue on Reassessment. Pg. 50.**
- 2. Proposed Budget Calendar (includes Reassessment deadlines) Pg. 51.**
- 3. General Fund Expenditure Budget Summary. Pg. 52 - 66.**
- 4. New Position Requests. Pg. 67 - 69.**
- 5. Capital Request Summary. Pg. 70 - 73.**
- 6. Budget Summary – Other Funds. Pg. 74.**
- 7. Other**

## Sharon Kibler

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**From:** Cheryl Shiffler  
**Sent:** Wednesday, December 14, 2016 2:14 PM  
**To:** Sharon Kibler  
**Subject:** FW: Real Estate numbers for 2017  
**Attachments:** 2017\_Reassessment\_Local\_Report\_2\_EM (2).xlsx

**Importance:** High

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**From:** Ellen Murphy  
**Sent:** Wednesday, December 14, 2016 12:28 PM  
**To:** Cheryl Shiffler  
**Subject:** Real Estate numbers for 2017  
**Importance:** High

The attached Excel sheet shows 2017 Reassessment/Real Estate Revenue estimate for 2017 and reflects the current tax rate of \$0.60 per \$100.– The Board of Equalization will not meet until late January or early February 2017 and may impact this slightly. There will also be on-going adjustments such as increases for 2017 supplements and possible other appeals or abatements but we do not expect anything at this time that will make a significant difference. This has been run numerous times to ascertain accuracy.

Please let me know if you need anything else. I will be at the Finance meeting should anyone have questions. Ellen

*Ellen E. Murphy*  
Commissioner of the Revenue  
Frederick County, Virginia  
Phone (540) 665-5681  
Fax (540) 667-6487  
[emurphy@fcva.us](mailto:emurphy@fcva.us)

# Frederick County Reassessment For 2017

	TAXABLE	2017 EST BOOK	VS Prior Values	TAXABLE	2016 ACTUAL BOOK
	1	\$ 34,940,600	8.70% up	1	\$ 32,144,500
	2	\$ 6,906,229,400	11.44% up	2	\$ 6,197,283,200
	3	\$ 80,463,600	4.27% up	3	\$ 77,170,000
	4	\$ 1,823,150,300	4.90% up	4	\$ 1,738,044,000
	5	\$ 573,722,900	4.56% up	5	\$ 548,685,900
	6	\$ 400,241,300	1.91% up	6	\$ 392,753,000
	Less 2016 Land Use Value	\$ (473,915,217)	0.00%		\$ (473,915,217)
	Subtotal	\$ 9,344,832,883	9.78%		\$ 8,512,165,383
	<b>Less New Construction Value</b>	<b>\$ (112,064,100)</b>			
	Total	\$ 9,232,768,783	8.47% UP	Total	\$ 8,512,165,383
	TAX @ \$0.60/\$100	\$ 55,396,612.70	8.47%	TAX @ \$0.60/\$100	\$ 51,072,992.30
	<b>REVENUE</b>	<b>\$ 55,396,612.70</b>	<b>8.47% UP</b>		<b>\$ 51,072,992.30</b>
	<b>2017 REASSESSMENT SHOWS A REVENUE INCREASE OF</b>		<b>8.47%</b>		
	<b>ESTIMATED REVENUE INCREASE IN TAX DOLLARS AT 2016 TAX RATE:</b>			<b>\$ 4,323,620.40</b>	
<b>Notes:</b>					
Land Use is estimated at 2016 values					
Actual Land Use values for 2017 have not been finalized, and may be slightly higher because of new applicants although agricultural per acre values will be down from 2016 due to crop issues.					
<b>Tax on new construction (value deducted above) would be \$672,385 in addition to other taxes shown - amounts shown are reduced by new construction because advertisement for increase does NOT include new construction by state code</b>					
FYI - Exempt properties increased in value for the most part due to an increase in commercial Construction rates and reported costs of actual construction					
Totals above do NOT include exempt property values.					

## Budget Calendar FY 2017-2018

December 21, 2016	Finance Committee Meeting. Preliminary Budget and Reassessment discussions. Discuss Public Hearing requirements and seek direction on Scenario discussions.
December 2016 – January 2017	County Administrator budget meetings with Departments
January 18, 2017	Finance Committee/Budget Worksession. Discussion on what to advertise for Reassessment Public Hearing.
January 25, 2017	Joint budget meeting with School Board and Board of Supervisors; School Board presents School Board budget to Board of Supervisors
February 1, 2017	Board of Supervisors Budget Worksession. Final Discussion on what to advertise for Reassessment.
February 4, 2017	Reassessment Advertisement in newspaper.
February 8, 2017	Board of Supervisors Budget Worksession
February 21, 2017	School Board budget public hearing
February 22, 2017	Board of Supervisors Budget Worksession
March 1, 2017	Board of Supervisors Budget Worksession
March 8, 2017	Budget Worksession – <b>Final Worksession before budget advertisement.</b> * Public Hearing on Reassessment.
March 13, 2017	Budget Public Hearing Advertisement in newspaper
March 22, 2017	FY 2017 – 2018 Budget Public Hearing
April 12, 2017	FY 2017 – 2018 Budget Adoption
May-July, 2017	Preparation of Adopted Budget Document and submission of budget for award
July 1, 2017	Implementation of Fiscal Year 2017 – 2018

\*Dates in red are regularly scheduled Finance Committee meetings

**FY 2017-2018 BUDGET SUMMARY - GENERAL FUND**

<u>Dept Code</u>	<u>Department</u>	<u>2016-2017 Original Budget</u>	<u>2017-2018 Proposed Budget</u>	<u>Difference</u>	<u>% Change</u>	<u>Budget Changes</u>	<u>Increase (Decrease)</u>
1101	Board of Supervisors	276,084	317,115	41,031	14.86%	Salaries and Fringes includes add'l P/T receptionist for lobby & Committee Members pay increases Professional Services Repair & Maintenance - Equipment Maintenance Service Contracts Advertising Central Stores - Copies Office Supplies Other Operating Supplies Travel Social Media archiving component for FOIA tracking system	22,716   5,250 (250) (50) 2,600 1,000 (1,000) 2,000 3,265 5,500
1201	County Administrator	783,119	834,158	51,039	6.52%	Salaries and Fringes Professional Services Surety Bonds Office Supplies Travel Dues and Assoc. Memberships	48,514 (8,000) 25 500 8,000 2,000
1202	County Attorney	369,483	381,717	12,234	3.31%	Salaries and Fringes includes \$1,632 to reclassify Legal Secretary to Senior Legal Secretary Professional Services Printing and Binding Office Supplies Other Operating Supplies Travel Dues & Assoc. Memberships	13,609  150 50 (2,125) 100 150 300
1203	Human Resources	512,719	561,681	48,962	9.55%	Salaries and Fringes - inc. \$6,000 education/tuition ass. Professional Services - Other Other Contractual Services - Training Office Supplies	35,939 (93) 12,000 (3,000)

Dept Code	Department	2016-2017 Original Budget	2017-2018 Proposed Budget	Difference	% Change	Budget Changes	Increase (Decrease)
						Books and Subscriptions Other Operating Supplies Travel Dues & Assoc. Memberships Lease/Rent of Equipment	538 2,129 500 849 100
1208	Independent Auditor	66,000	66,000	0	0.00%		
1209	Commissioner of Revenue	1,319,548	1,388,703	69,155	5.24%	Salaries and Fringes - includes \$33,160 salary adjustments for 11 employees (w/fringes) Repair & Maintenance - Equipment Printing and Binding Other Contractual Services Gasoline Postage and Telephone Motor Vehicle Insurance Office Supplies Books and Subscriptions Travel Dues & Assoc. Memberships	72,155 (100) 700 (3,000) (200) (2,000) 700 800 100 100 (100)
1210	Reassessment	335,915	334,863	(1,052)	-0.31%	Salaries and Fringes - includes \$2,812 salary adjustment for 1 employee (\$3,397 w/fringes) Repair & Maintenance - Vehicle Maintenance Service Contracts Printing and Binding Other Contractual Services Gasoline Postage and Telephone Motor Vehicle Insurance Office Supplies Books & Subscriptions IT Equipment	(1,452) (800) 3,000 (1,000) 200 400 (8,000) (100) (1,700) (100) 8,500
1213	Treasurer	1,300,085	1,383,966	83,881	6.45%	Salaries and Fringes <b>INCLUDES 2 NEW CASHIERS - MID-YEAR HIRE \$54,451</b>	80,487

Dept Code	Department	2016-2017 Original Budget	2017-2018 Proposed Budget	Difference	% Change	Budget Changes	Increase (Decrease)
						Prof. Services - DMV Stops Repair & Maintenance - Equipment Advertising Postage & Telephone Surety Bonds Office Supplies Books and Subscriptions Dues & Assoc. Memberships	(4,500) (500) 1,000 5,000 (6) 2,000 200 200
1214	Finance	819,236	877,286	58,050	7.09%	Salaries and Fringes Central Stores - Copies Postage and Telephone Surety Bonds Office Supplies - includes scanner replacement Dues and Assoc. Memberships IT Equipment - OpenGov software	24,875 1,000 (300) (25) 6,000 (500) 27,000
1220	Information Technology	1,259,830	1,658,898	399,068	31.68%	Salaries and Fringes-includes \$7,350 education/tuition ass. Professional Services Repair & Maintenance - GIS Equip. Repair & Maintenance - Network Equipment Maintenance Service Contracts Maintenance Service Contracts - GIS Printing and Binding Other Contractual Services - Microsoft Office365 Gasoline Postage and Telephone Internet Access Office Supplies Office Supplies - GIS Office Supplies - Refresh Program Total = \$65,000 Books and Subscriptions - Network Other Operating Supplies - GIS Other Operating Supplies - Network Travel Dues & Assoc. Memberships IT Equipment Lease/Rent of Equipment - Data Center Refresh lease	48,166 (28,450) (1,000) (6,000) 95,520 (132,100) (480) 160,000 350 7,150 10,000 7,000 1,360 10,514 (250) (12,200) 800 12,990 (700) 118,604 107,794



Dept Code	Department	2016-2017 Original Budget	2017-2018 Proposed Budget	Difference	% Change	Budget Changes	Increase (Decrease)
1222	M. I. S.	614,890	602,045	(12,845)	-2.09%	Salaries and Fringes Maintenance Service Contracts Central Stores - Copies Postage and Telephone Internet Access Office Supplies	16,612 (9,727) 50 (3,900) (11,880) (4,000)
1224	Other	2,575,442	3,086,767	511,325	19.85%	Professional Services - Lobbying Maintenance Service Contracts Other Contractual Services - Lease for employee parking Fire Insurance General Liability Insurance Line of Duty - possible increase in premium Other Expenses - Includes retiree health insurance expense Blue Ridge Legal Services - NEW REQUEST MPO Bluemont Concert Series - NEW REQUEST CLEAN, Inc. - increase in contribution request Airport Operating Contribution - Total = \$129,897 CSA Fund transfer - Total = \$1,691,949 Our Health - increase in contribution request FY 2018 request is \$25,000; rent = \$26,265	14,000 (750) 5,376 2,000 5,000 2,000 23,000 5,547 (1,500) 8,000 5,000 10,161 428,491 5,000
1301	Electoral Board	125,427	117,153	(8,274)	-6.60%	Salaries and Fringes - increase in Election Officials Repair & Maintenance - Equipment - old machines Maintenance Service Contracts Other Contractual Services Postage & Telephone Office Supplies Dues & Assoc. Memberships	1,102 (5,000) (22,000) 17,560 (780) 814 30
1302	Registrar	181,083	209,863	28,780	15.89%	Salaries and Fringes - includes \$22,004 salary supplement request for Registrar Postage and Telephone	28,280 500

<u>Dept Code</u>	<u>Department</u>	<u>2016-2017 Original Budget</u>	<u>2017-2018 Proposed Budget</u>	<u>Difference</u>	<u>% Change</u>	<u>Budget Changes</u>	<u>Increase (Decrease)</u>
2101	Circuit Court	65,500	71,500	6,000	9.16%	Increase in payment to City of Winchester	6,000
2102	General District Court	21,053	49,991	28,938	137.45%	Requested supplements to staff salaries: 11 employees x \$2,400 yearly supplement each = \$26,400 Office Supplies	28,446 492
2105	J & D Court	25,563	48,183	22,620	88.49%	Requested supplements to staff salaries: 9 employees x \$2,400 yearly supplement each = \$21,600 Other Contractual Services	23,252 (632)
2106	Clerk of Circuit Court	771,869	813,805	41,936	5.43%	Salaries and Fringes Supreme Court TTF Grant	37,766 4,170
2108	Law Library	12,000	12,000	0	0.00%		
2201	Commonwealth Attorney	1,456,539	1,484,818	28,279	1.94%	Salaries and Fringes - includes \$3,203 increase for Legal Secretary & \$2,369 increase for Secretary; includes \$3,500 education/tuition assistance Professional Services Maintenance Service Contracts Gasoline Postage and Telephone Uniforms Books and Subscriptions Other Operating Supplies Travel Travel - Witnesses Dues & Assoc. Memberships	33,279 (1,000) 3,500 (200) (1,000) (300) (3,500) (1,000) 2,000 (2,000) (1,500)
2202	Victim Witness	135,053	220,504	85,451	63.27%	Salaries and Fringes - inc. new Secretary hired 10/2016 Postage and Telephone Office supplies Travel	62,218 500 19,038 3,520



Dept Code	Department	2016-2017 Original Budget	2017-2018 Proposed Budget	Difference	% Change	Budget Changes	Increase (Decrease)
						1 F150 Animal Control \$31,500	
3202	Volunteer Fire Depts.	908,095	938,095	30,000	3.30%	Fire Program	30,000
3203	Ambulance & Rescue	395,200	396,800	1,600	0.40%	Lord Fairfax EMS Council - increase in request	1,600
3301	Public Safety Contributions	5,684,415	5,534,605	(149,810)	-2.64%	NRADC Contribution - total = \$5,258,365 Juvenile Detention Center contribution = \$276,240	(41,547) (108,263)
3303	Juvenile Court Probation	149,555	159,211	9,656	6.46%	Salaries and Fringes	9,656
3401	Inspections	1,195,978	1,347,379	151,401	12.66%	Salaries and Fringes <b>INCLUDES 1 NEW INSPECTOR \$73,908</b> Maintenance Service Contracts Gasoline Postage & Telephone Motor Vehicle Insurance Office Supplies Uniforms Books & Subscriptions Travel Dues & Assoc. Memberships Motor Vehicles - 1 Pickup or SUV for replacement Lease/Rent of Equipment	115,235  1,950 1,490 800 1,100 2,000 150 990 250 90 28,000 (654)
3505	Fire and Rescue	10,402,352	16,713,447	6,311,095	60.67%	Salaries and Fringes <b>INCLUDES 27 NEW FIREFIGHTERS, 2 TRAINING OFFICERS TOTALING \$1,622,394</b> Overtime = \$1,278,000, \$73,469 over present level Career Dev. \$33,966 increase, \$2,500 education/tuition ass. Repair and Maintenance - Equip., includes LifePak maint. Repair and Maintenance - Vehicle inc. new vehicle equip. Maintenance Service Contracts Other Contractual Services: physicals/tests new employees	2,149,993    75,850 27,250 125 13,400

Dept Code	Department	2016-2017 Original Budget	2017-2018 Proposed Budget	Difference	% Change	Budget Changes	Increase (Decrease)
						Postage and Telephone Internet Access Medical and Lab Supplies Repair & Maintenance Supplies Vehicle & Powered Equip. Supplies - includes equipment for new vehicles Police Supplies Uniforms - includes uniforms for new hires Books and Subscriptions Other Operating Supplies-10 treadmills, SCBA cylinder replacement, equip. for new FM's, LEMPG Grant Travel Haz Mat Response Unit - Virginia HAZMAT Grant Radio Equipment - includes equip. for new vehicles Motor Vehicles 1 2017 Chevrolet Tahoe 4WD - (BATT 10-2) \$37,000 1 2017 Ford F250 4WD (Replace FM10-6) - \$31,000 1 2017 Ford F150 SuperCrew Cab 4WD (New FM's) - \$34,000 1 2017 Chevrolet Tahoe 4WD - (Replace TR 10) \$37,000 1 2017 Ford F250 Crew Cab 4WD (New TR) - \$31,000 1 2017 Ford F250 4WD (Replacement TR10-1) - \$31,000 Replacement of Engine 10 (Used) - \$200,000 Miscellaneous Equipment 2 Thermal Imaging Cameras \$16,000 SCBA Grant (AFG up to \$1 million) \$3,000,000 BullEx Bullseye System \$11,000 Hydraulic Extraction Equipment \$60,000	(7,048) 9,828 (10,963) 5,500 134,400 3,828 226,529 2,500 95,987 2,416 55,000 38,500 401,000 3,087,000
3506	Public Safety Comm.	1,409,021	1,471,964	62,943	4.47%	Salaries and Fringes Maintenance Service Contracts Contractual Services Internet Access Other Operating Supplies Travel IT Equipment - Vesta 911 Equipment SMS, 5 yr ITS service, TXT 2 911 recurring fee & related services & installation Lease/Rent of Equipment	33,278 19,303 454 358 2,000 2,940 70,000 (65,390)

<u>Dept Code</u>	<u>Department</u>	<u>2016-2017 Original Budget</u>	<u>2017-2018 Proposed Budget</u>	<u>Difference</u>	<u>% Change</u>	<u>Budget Changes</u>	<u>Increase (Decrease)</u>
4102	Road Administration	28,500	18,500	(10,000)	-35.09%		(10,000)
4104	Street Lights	43,200	38,160	(5,040)	-11.67%	Reduction in expenditures/revenues	(5,040)
4201	General Engineering	386,747	434,806	48,059	12.43%	Salaries and Fringes Maintenance Service Contracts Postage & Telephone Motor Vehicle Insurance Motor Vehicles - 1 Pickup Replacement	17,182 297 280 300 30,000
4203	Refuse Collection	1,376,967	1,416,512	39,545	2.87%	Salaries and Fringes Repair & Maintenance - Vehicle Repair & Maintenance - Bldg. & Grounds Maintenance Service Contracts Printing and Binding Other Contractual Services - Hauling contract - 3.8% anticipated increase Gasoline Electrical Services Postage and Telephone Property Insurance Motor Vehicle Insurance Office Supplies Laundry Supplies Repair & Maintenance Supplies Vehicle & Powered Equipment Supplies Vehicle Fuels and Lubricants Other Operating Supplies Travel Dues & Assoc. Memberships Construction Equipment: 1 packer & 1 recycling container	19,554 200 (54,900) 250 655 45,024  (336) 3,276 264 550 100 (350) (409) (475) 200 (44) 6,366 800 20 18,800
4204	Refuse Disposal	569,160	589,464	20,304	3.57%	Based on FY 2016 average for refuse disposal plus a factor for rate increase, population, and waste increases of 6%	20,304

<u>Dept Code</u>	<u>Department</u>	<u>2016-2017 Original Budget</u>	<u>2017-2018 Proposed Budget</u>	<u>Difference</u>	<u>% Change</u>	<u>Budget Changes</u>	<u>Increase (Decrease)</u>
4205	Litter Control	24,387	31,017	6,630	27.19%	Salaries and Fringes (P/T) Repair & Maintenance - Vehicle Gasoline Postage and Telephone Motor Vehicle Insurance Vehicle and Powered Equipment Supplies Educational Supplies	7,195 (300) 275 (100) (390) (100) 50
4301	Maintenance	611,857	671,749	59,892	9.79%	Salaries and Fringes Central Stores - Copies Gasoline Postage and Telephone Motor Vehicle Insurance Motor Vehicle - 1 Pickup Replacement	26,492 (250) (1,000) (500) 150 35,000
4304	County Office Buildings	1,190,578	1,427,918	237,340	19.93%	Professional Services Repair & Maintenance - Equipment - CAB Repair & Maintenance - Bldg. & Grounds - CAB & Courthouse includes carpet replacement in Social Services Repair & Maintenance - Bldg. & Grounds - Millwood Maintenance Service Contracts - Millwood Printing and Binding - CAB Printing and Binding - PSB Other Contractual Services - Millwood Materials and Supplies - PSB Materials and Supplies - Bowman Library Office Supplies - CAB Agricultural Supplies - CAB Agricultural Supplies - PSB Repair & Maint. Supplies - CAB Repair & Maint. Supplies - PSB Powered Equipment Supplies - PSB County Share - JJC - Total = \$500,000 Machinery & Equipment - Heat Pump Replacement 2nd & 3rd floors - South Building	(7,560) 1,500 113,500 1,500 (4,000) (150) (150) 500 (2,000) (500) (1,000) (400) (400) (1,000) (2,000) (500) 100,000 40,000
4305	Animal Shelter	621,991	665,698	43,707	7.03%	Salaries and Fringes	29,287

Dept Code	Department	2016-2017 Original Budget	2017-2018 Proposed Budget	Difference	% Change	Budget Changes	Increase (Decrease)
						Professional Health Services Professional Services - Other Repair & Maintenance - Equipment Other Contractual Services Motor Vehicle Insurance Office Supplies Medical & Lab Supplies Laundry Supplies Repair & Maintenance Supplies Other Operating Supplies	10,750 210 2,100 560 100 200 2,000 (3,700) 1,200 1,000
5101	Health Department	393,867	398,774	4,907	1.25%	Increase in contribution request	4,907
5205	Northwestern Comm. Serv.	343,440	377,784	34,344	10.00%	Increase in contribution request	34,344
5305	Area Agency on Aging	63,000	65,000	2,000	3.17%	Increase in contribution request	2,000
5306	Property Tax Relief	520,000	540,000	20,000	3.85%		20,000
5316	Social Services Admin.	5,357,062	5,608,041	250,979	4.69%	Salaries and Fringes <b>INCLUDES NEW POSITION \$53,424</b> Advertising Insurance Training Travel Contribution - The Laurel Center - increase in request Dues & Assoc. Memberships Motor Vehicles - replacement vehicle Lease/Rent of Building	185,479  1,000 3,500 2,000 1,000 2,000 1,000 25,000 30,000
5317	Public Assistance	2,023,552	2,190,967	167,415	8.27%	AFDC - Foster Care Adoption Subsidy Fostering Futures IVE FC Special Needs Adoption	200,000 20,000 10,000 (100,000)



Dept Code	Department	2016-2017 Original Budget	2017-2018 Proposed Budget	Difference	% Change	Budget Changes	Increase (Decrease)
						Adoption Incentive Payment Family Preservation Adult Services ILF Education & Training Independent Living - Basic Promoting Safe & Stable Families VIEW Purchased Services	3,000 11,247 27,854 (3,100) (1,586) (2,000) 2,000
6401	Community College	78,819	76,320	(2,499)	-3.17%	Decrease in contribution request	(2,499)
7101	Parks Administration	707,341	1,927,658	1,220,317	172.52%	Salaries & Fringes-4 positions relocated from 7103 & 7104 Professional Services Maintenance Service Contracts Postage Telephone Property Insurance - moved from 7103 Motor Vehicle Insurance - moved from 7103 Surety Bonds Office Supplies Books & Subscriptions Other Operating Supplies Travel Youth Center Improvements - Snowden Bridge Construction \$300,000 Abrams Creek Design and Easements \$61,000 Indoor Aquatic Center Design \$480,000 Lease/Rent of Equipment	397,970 (43,000) 250 2,340 1,767 156 14,850 12 2,000 11 7,311 (5,250) 700 841,000 200
7103	Parks Maintenance	1,062,790	0	(1,062,790)	-100.00%	Split into other Parks departments	(1,062,790)
7104	Recreation Centers	2,707,142	2,927,443	220,301	8.14%	Salaries and Fringes <b>INCLUDES 1 NEW RECREATION TECHNICIAN \$46,495</b> INCREASE IN P/T HELP \$95,220; SUPT MOVED TO 7101 Printing and Binding Contractual Services Trips & Excursions	84,446 700 (13,492) 20,060

Dept Code	Department	2016-2017 Original Budget	2017-2018 Proposed Budget	Difference	% Change	Budget Changes	Increase (Decrease)
						Contracted Rental Food Supplies Medical and Lab. Supplies Laundry/Janitorial Supplies Uniforms Educational & Rec. Supplies Other Operating Supplies Awards Treadmills - replace eight due to age Motor Vehicles - Van to replace van and bus	18,195 4,556 106 900 4,203 (3,112) 11,544 5,803 26,392 60,000
7109	Clearbrook Park	388,922	1,464,354	1,075,432	276.52%	Salaries and Fringes - 7 F/T positions moved from 7103 Repair & Maintenance - Equipment Repair & Maintenance - Vehicle Repair & Maintenance - Bldg. & Grounds Other Contractual Services Electrical Services Heating Services Fire Insurance Agricultural Supplies Laundry Supplies Repair & Maintenance Supplies Vehicle & Powered Equipment Supplies Uniforms Recreation Supplies Other Operating Supplies Road & Street Materials Machinery & Equipment - Mower Z Turn \$15,000 Tractor 50 HP 4 Wheel Drive \$33,500 1 Work Carts to replace old golf cart \$11,000 Motor Vehicles - 1 pickup truck to replace old truck Improvements - Slide Spray Ground \$312,000 Frederick Heights Trail/Parking \$197,000	429,257 (8,193) 5,964 (9,000) 34,800 1,192 300 1,225 19,042 (944) 8,420 (3,178) (2,280) 1,812 (1,488) 3 59,500 30,000 509,000
7110	Sherando Park	410,398	1,491,437	1,081,039	263.41%	Salaries and Fringes - 6 F/T positions moved from 7103 Repair & Maintenance - Equipment Repair & Maintenance - Bldg. & Grounds Other Contractual Services	362,226 (6,984) 8,250 38,350

Dept Code	Department	2016-2017 Original Budget	2017-2018 Proposed Budget	Difference	% Change	Budget Changes	Increase (Decrease)
						Electrical Services Heating Services Water and Sewage Services Fire Insurance Agricultural Supplies Laundry Supplies Repair & Maintenance Supplies Vehicle & Powered Equipment Supplies Uniforms Recreation Supplies Other Operating Supplies Road & Street Materials Machinery & Equipment - Soccer Goals 2 pair \$11,000 Utility work cart - diesel to replace pickup truck \$12,000 Main pool circulation pump/motor \$8,000 Infield Drag replacement \$12,000 Motor Vehicles - Replacement pickup truck Improvements - Rose Hill Playground \$100,000 Slide Spray Ground \$312,000 Sherando Construction Design for Area 4 \$176,663 Lease/Rent of Equipment	300 (2,200) (4,037) 428 27,374 4,883 (16,326) (530) (3,280) 1,368 11,468 886 43,000  30,000 588,663  (2,800)
7302	Handley Library	942,357	1,087,901	145,544	15.44%	Increase in contribution request	145,544
8101	Planning	1,076,086	1,132,823	56,737	5.27%	Salaries and Fringes - includes \$5,000 inc. for Zoning Insp. Motor Vehicle Insurance Office Supplies Other Operating Supplies Motor Vehicles - 4WD vehicle	27,601 500 3,436 (1,500) 26,700
8102	EDA Transfer - Fund 31	570,245	607,557	37,312	6.54%	Salaries and Fringes - reduction in part-time; <b>INCLUDES NEW RESEARCH MANAGER POSITION \$70,205</b> Professional Services - Website Development Fire Insurance Motor Vehicle Insurance Crime Insurance Public Officials Liability Insurance	57,609  2,000 1,800 350 (225) (350)

<u>Dept Code</u>	<u>Department</u>	<u>2016-2017 Original Budget</u>	<u>2017-2018 Proposed Budget</u>	<u>Difference</u>	<u>% Change</u>	<u>Budget Changes</u>	<u>Increase (Decrease)</u>
						General Liability Insurance Books and Subscriptions Other Operating Supplies	300 (9,372) 2,000
8104	Zoning Board	6,368	6,013	(355)	-5.57%		(355)
8106	Building Appeals Board	550	561	11	2.00%	FICA budgeted	11
8107	NSVRC	45,915	70,351	24,436	53.22%	Increase in request	24,436
8203	Soil/Water Conservation	7,000	11,250	4,250	60.71%	Increase in contribution request	4,250
8301	Extensions	242,000	251,716	9,716	4.01%	Salaries and Fringes Professional Services - Other - Tech Agent Salaries	7,600 2,116
9201	School Transfers COLA/Transfers/Debt Service	91,010,648 4,976,677	91,010,648 4,503,648	0 (473,029)	0.00% -9.50%		(473,029)

**Total General Fund                    163,306,583    177,463,447    14,156,864**

**Capital Items Total \$7,086,711**

**46 New Full-Time General Fund Positions - Total \$2,539,567**

**FY 2017-2018 NEW POSITION REQUESTS - GENERAL FUND**

<u>Dept Code</u>	<u>Department</u>	<u>New Position Plus Fringes</u>	<u>Amount</u>
1213	Treasurer	<b>1 Cashier (mid-year hire)</b> <b>1 Cashier (mid-year hire)</b> FICA VRS Health/Dental Life Worker's Compensation Disability <b>(Mid-year hires; 1/2 year salaries &amp; fringes)</b>	18,360 18,360 2,809 3,378 10,780 481 33 250
		2 Positions Total Cost	54,451
3102	Sheriff	<b>Deputy I - Patrol 11 x \$37,536</b> <b>Investigator</b> FICA VRS Health/Dental Life Worker's Compensation	412,896 51,102 35,496 42,688 129,360 6,078 11,275
	1 Deputy position salary + fringes = 56,044	12 Positions Total Cost	688,895
3401	Inspections	<b>Inspector</b> FICA VRS Health/Dental Life Worker's Compensation Disability	52,000 3,978 4,784 10,780 681 1,378 307
		1 Position Total Cost	73,908
3505	Fire and Rescue	<b>Firefighter - 27 x \$36,800</b> <b>Training Officer</b> <b>Training Officer</b> FICA VRS Health/Dental Life Worker's Compensation	993,600 36,800 36,800 81,641 98,182 312,620 13,980 48,771
	1 Firefighter position salary + fringes = 55,945	29 Positions Total Cost	1,622,394
5316	Social Services	<b>New Position</b> Fringes	35,000 18,424

<u>Dept Code</u>	<u>Department</u>	<u>New Position Plus Fringes</u>	<u>Amount</u>
		1 Position Total Cost	53,424
7104	Recreation Centers	<b>Recreation Technician</b>	29,500
		FICA	2,257
		VRS	2,714
		Health/Dental	10,780
		Life	386
		Worker's Compensation	684
		Disability	174
		1 Position Total Cost	46,495

**46 General Fund Positions Total Cost 2,539,567**

**FY 2017-2018 NEW POSITION REQUESTS - OTHER FUNDS**

<u>Fund Code</u>	<u>Fund</u>	<u>New Position Plus Fringes</u>	<u>Amount</u>
30	EMS Revenue Recovery	<b>EMS Billing Specialist</b>	29,500
		FICA	2,257
		VRS	2,714
		Health/Dental	10,780
		Life	386
		Worker's Compensation	27
		Disability	200
		1 Position Total Cost	45,864
31	EDA	<b>Research Manager</b>	50,000
		FICA	3,825
		VRS	4,600
		Health/Dental	10,780
		Life	655
		Worker's Compensation	45
		Disability	300
		1 Position Total Cost	70,205

**FY 2017-2018 CAPITAL REQUEST SUMMARY - GENERAL FUND**

<u>Department</u>	<u>Line Item</u>	<u>Description</u>	<u>Amount</u>	<u>Total per Department</u>
1101 - Board of Supervisors	8007	Social media archiving component for FOIA tracking system	5,500	5,500
1210 - Reassessment	8007	IT Equipment - No backup information provided	8,500	8,500
1214 - Finance	8007	OpenGov software	27,000	27,000
1220 - Information Technology	8007	IT Equipment - no backup information provided	118,604	118,604
3102 - Sheriff	8001 8005 8005 8005 8005	One K9 to replace current K9 DAX that is due to retire Motor Vehicles: 19 replacement, 12 new = 31 total 16 police interceptors @ \$28,800 14 police interceptor SUV's @ 31,318 1 F150 pickup (Animal Control)	8,800  460,800 438,452 31,500	939,552
3401 - Inspections	8005	Motor Vehicles - one pick up or SUV replacement	28,000	28,000
3505 - Fire and Rescue	8003 8005 8005 8005 8005 8005 8005 8005	Radio Equipment - includes equip. for new vehicles 1 2017 Chevrolet Tahoe 4WD - (BATT 10-2) 1 2017 Ford F250 4WD (Replace FM10-6) 1 2017 Ford F150 SuperCrew Cab 4WD (New FMs) 1 2017 Chevrolet Tahoe 4WD - (Replace TR 10) 1 2017 Ford F250 Crew Cab 4WD (New TR) 1 2017 Ford F250 4WD (Replacement TR10-1) Replacement of Engine 10 (Used)	38,500 37,000 34,000 31,000 37,000 31,000 31,000 200,000	



<u>Department</u>	<u>Line Item</u>	<u>Description</u>	<u>Amount</u>	<u>Total per Department</u>
	8009	2 Thermal Imaging Cameras	16,000	
	8009	SCBA Grant (AFG up to \$1 million)	3,000,000	
	8009	BullEx Bullseye System	11,000	
	8009	Hydraulic Extraction Equipment	60,000	
				3,526,500
3506 - Public Safety Communications	8007	Vesta 911 Equipment SMS ITS Service - 5 years TXT 2 911 recurring fee Services, engineering, training and installation	70,000	70,000
4201 - General Engineering	8005	4x4 truck to replace high mileage truck	30,000	30,000
4203 - Refuse Collection	8006	1 receiver can - current can in disrepair	9,100	
	8006	1 recycling can - current can in disrepair	9,700	18,800
4301 - Maintenance	8005	1 pickup replacement	35,000	35,000
4304 - County Office Buildings	8001	Heat Pump Replacement - 2nd & 3rd Floors - South Building	40,000	40,000
5316 - Social Services Admin.	8005	Motor Vehicles - new vehicle replacement	25,000	25,000
7101 - Parks Administration	8900	Snowden Bridge Construction	300,000	
	8900	Abrams Creek Design and Easements	61,000	
	8900	Indoor Aquatic Center Design	480,000	

<u>Department</u>	<u>Line Item</u>	<u>Description</u>	<u>Amount</u>	<u>Total per Department</u>
				841,000
7104 - Recreation Centers	8001 8005	Treadmills - replace eight due to age Van - replace 1999 van and 1994 bus	26,392 60,000	86,392
7109 - Clearbrook Park	8001 8001 8001 8005 8900 8900	Mower Z Turn - Replacement Utility/Work Cart - replace golf cart Tractor 50 HP 4 wheel drive Pickup - Replacement Clearbrook Park Slide Spray Ground Frederick Heights Trail/Parking	15,000 11,000 33,500 30,000 312,000 197,000	598,500
7110 - Sherando Park	8001 8001 8001 8001 8005 8900 8900 8900	Work Cart - Replace pickup truck Main Pool Circulation Pump/Motor Infield Drag Self-Propelled - replacement 2 Soccer Goals Pickup - Replacement Rose Hill Playground Sherando Park Slide Spray Ground Sherando construction design for Area 4	12,000 8,000 12,000 11,000 30,000 100,000 312,000 176,663	661,663
8101 - Planning	8005	Vehicle - 4 WD replacement	26,700	26,700

**Total Capital Requests - General Fund      7,086,711**

<u>Department</u>	<u>Line Item</u>	<u>Description</u>	<u>Amount</u>	<u>Total per Department</u>
<b>CAPITAL REQUESTS - OTHER FUNDS:</b>				
Fund 11 - NRADC	8001	Floor Model Mixer	5,500	
	8001	Steamer	17,000	
	8001	Ice Maker	7,000	
	8005	15 Passenger Van	45,000	74,500
Fund 12 - Landfill	8003	Radio replacement - as needed	5,000	
	8005	1 ton dump truck (litter buggy)	60,000	
	8005	SUV/truck replacement for Public Works Director	35,000	
	8006	Caterpillar 963 Track Loader for MSW landfill (Spring 18)	375,000	
	8006	Caterpillar 963 Track Loader for CDD landfill (Summer 17)	375,000	
	8006	100 HP farm tractor	85,000	
	8006	8' rotary cutter	6,000	
	8007	IT Equipment - upgrades	5,000	
	8009	New tools for shop	10,000	
	8009	New specialty tools for gas plant	10,000	
	8900	Blasting of MSW Phase 3 cell A	1,500,000	
	8900	Litter fence for new cell	80,000	
	8900	Gas wellfield expansion	150,000	
	8900	Leachate holding pond - additional storage capacity needed	1,500,000	4,196,000

**FY 2017-2018 BUDGET SUMMARY - OTHER FUNDS**

<u>Dept Code</u>	<u>Fund</u>	<u>2016-2017 Original Budget</u>	<u>2017-2018 Proposed Budget</u>	<u>Difference</u>	<u>% Change</u>
11	NRADC	21,161,388	22,037,706	876,318	4.14%
12	Landfill	7,035,435	9,732,241	2,696,806	38.33%
13	Division of Court Services	704,994	651,446	(53,548)	-7.60%
16	Shawneeland	942,848	957,660	14,812	1.57%
17	Airport	1,802,568	1,555,958	(246,610)	-13.68%
29	Lake Holiday	779,998	779,998	0	0.00%
30	Revenue Recovery	1,802,974	1,593,084	(209,890)	-11.64%
31	EDA	577,495	631,607	54,112	9.37%

DATE	DEPARTMENT/GENERAL FUND	REASON FOR TRANSFER	FROM	TO	ACCT	CODE	AMOUNT
11/1/2016	SHERIFF	PROMOTIONS 11/16	3102	1002	000	008	1,609.10
	SHERIFF		3102	1001	000	015	(1,609.10)
	SHERIFF		3102	1002	000	079	1,649.69
	SHERIFF		3102	1001	000	015	(1,649.69)
	SHERIFF		3102	1002	000	003	1,447.25
	SHERIFF		3102	1002	000	088	(1,447.25)
	SHERIFF		3102	1002	000	085	1,449.08
	SHERIFF		3102	1002	000	088	(1,449.08)
	SHERIFF		3102	1002	000	005	1,479.20
	SHERIFF		3102	1001	000	015	(1,479.20)
	FIRE AND RESCUE		3505	1001	000	016	(3,813.60)
	FIRE AND RESCUE		3505	1001	000	019	3,813.60
	FIRE AND RESCUE		3505	1001	000	058	(3,815.84)
	FIRE AND RESCUE		3505	1001	000	027	3,815.84
	FIRE AND RESCUE		3505	1007	000	001	(2,686.00)
	FIRE AND RESCUE		3505	1001	000	026	2,686.00
	FIRE AND RESCUE		3505	1007	000	001	(2,684.56)
	FIRE AND RESCUE		3505	1001	000	082	2,684.56
	FIRE AND RESCUE		3505	1007	000	001	(2,680.85)
	FIRE AND RESCUE		3505	1001	000	097	2,680.85
	FIRE AND RESCUE		3505	1007	000	001	(2,657.41)
	FIRE AND RESCUE		3505	1001	000	125	2,657.41
	FIRE AND RESCUE		3505	1007	000	001	(2,684.57)
	FIRE AND RESCUE		3505	1001	000	010	2,684.57
	FIRE AND RESCUE		3505	1007	000	001	(2,787.43)
	FIRE AND RESCUE		3505	1001	000	091	2,787.43
	FIRE AND RESCUE		3505	1007	000	001	(2,692.37)
	FIRE AND RESCUE		3505	1001	000	128	2,692.37
11/16/2016	MAINTENANCE ADMINISTRATION	REPAIRS TO 2007 FORD F150	4301	3004	000	002	2,500.00
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	3002	000	000	(2,500.00)
11/16/2016	BOARD OF SUPERVISORS	COVER DEFICIT	1101	5506	000	000	(1,000.00)
	BOARD OF SUPERVISORS		1101	5413	000	000	1,000.00
11/22/2016	TREASURER	KIWANIS DUES	1213	3002	000	001	(120.00)
	TREASURER		1213	5801	000	000	120.00
11/22/2016	COUNTY OFFICE BUILDINGS/COURTHOUSE	REFUSE REMOVAL FROM MILLWOOD FIRE STATION	4304	5403	000	021	(500.00)
	COUNTY OFFICE BUILDINGS/COURTHOUSE		4304	3010	000	021	500.00
11/28/2016	ELECTORAL BOARD AND OFFICIALS	PAY ELECTORAL BOARD FY2017	1301	5401	000	000	(30.00)
	ELECTORAL BOARD AND OFFICIALS		1301	5801	000	000	30.00
11/30/2016	COUNTY ADMINISTRATOR	TEMPORARY RECEPTIONIST	1201	1003	000	000	2,600.00
	COUNTY ADMINISTRATOR		1201	2001	000	000	198.00
	COUNTY ADMINISTRATOR		1201	2011	000	000	2.00
	TRANSFERS/CONTNGENCY		9301	5890	000	000	(2,800.00)
11/30/2016	HUMAN RESOURCES	TRAVEL FUNDS	1203	3007	000	000	(100.00)
	HUMAN RESOURCES		1203	5506	000	000	100.00

County of Frederick  
 General Fund  
 November 30, 2016

ASSETS	FY17 <u>11/30/216</u>	FY16 <u>11/30/2015</u>	Increase <u>(Decrease)</u>
Cash and Cash Equivalents	72,391,505.91	76,067,691.07	(3,676,185.16) *A
Petty Cash	1,555.00	1,555.00	0.00
Receivables:			
Taxes, Commonwealth, Reimb. P/P	24,483,687.97	17,254,334.84	7,229,353.13 *B
Streetlights	10,178.78	4,007.80	6,170.98
Miscellaneous Charges	20,147.12	20,232.34	(85.22)
Due from Fred. Co. San. Auth.	734,939.23	734,939.23	0.00
Prepaid Postage	2,554.21	4,173.88	(1,619.67)
GL controls (est.rev / est. exp)	<u>(8,797,696.70)</u>	<u>(13,418,524.42)</u>	<u>4,620,827.72</u> (1) Attached
<b>TOTAL ASSETS</b>	<b><u>88,846,871.52</u></b>	<b><u>80,668,409.74</u></b>	<b><u>8,178,461.78</u></b>
LIABILITIES			
Performance Bonds Payable	1,288,546.58	446,668.04	841,878.54
Taxes Collected in Advance	111,543.99	152,971.25	(41,427.26) *C
Deferred Revenue	<u>24,510,053.88</u>	<u>17,274,961.65</u>	<u>7,235,092.23</u> *D
<b>TOTAL LIABILITIES</b>	<b>25,910,144.45</b>	<b>17,874,600.94</b>	<b>8,035,543.51</b>
EQUITY			
Fund Balance			
Reserved:			
Encumbrance General Fund	328,252.80	233,248.27	95,004.53 (2) Attached
Conservation Easement	4,779.85	4,779.85	0.00
Peg Grant	205,675.38	137,071.75	68,603.63
Prepaid Items	949.63	949.63	0.00
Advances	734,939.23	734,939.23	0.00
Employee Benefits	93,120.82	93,120.82	0.00
Courthouse Fees	312,512.63	269,039.57	43,473.06
Historical Markers	17,386.10	17,330.76	55.34
Animal Shelter	335,530.02	335,530.02	0.00
Proffers	3,610,003.96	2,042,419.80	1,567,584.16 (3) Attached
Parks Reserve	9,810.01	6,932.25	2,877.76
E-Summons Funds	78,763.75	38,816.25	39,947.50
VDOT Revenue Sharing	436,270.00	436,270.00	0.00
Undesignated Adjusted Fund Balance	<u>56,768,732.89</u>	<u>58,443,360.60</u>	<u>(1,674,627.71)</u> (4) Attached
<b>TOTAL EQUITY</b>	<b><u>62,936,727.07</u></b>	<b><u>62,793,808.80</u></b>	<b><u>142,918.27</u></b>
<b>TOTAL LIAB. &amp; EQUITY</b>	<b><u>88,846,871.52</u></b>	<b><u>80,668,409.74</u></b>	<b><u>8,178,461.78</u></b>

**NOTES:**

\*A Cash decrease includes an increase in expenditures and decreases in revenue, transfers, and fund balance (refer to the comparative statement of revenues, expenditures, transfers and change in fund balance).

\*B Tax payments of \$6 million were unavailable from mortgage companies until 12/16.

\*C Prepayment of taxes.

\*D Deferred revenue includes taxes receivable, street lights, misc.charges, dog tags, and motor vehicle registration fees.

**BALANCE SHEET**

(1) GL Controls	FY17	FY16	Inc/(Decrease)
Est.Revenue	159,836,408	147,595,237	12,241,170
Appropriations	(70,373,478)	(67,785,799)	(2,587,679)
Est.Tr.to Other fds	(98,588,879)	(93,461,211)	(5,127,668)
Encumbrances	328,253	233,248	95,005
	(8,797,697)	(13,418,524)	4,620,828

**(2) General Fund Purchase Orders 11/30/16**

DEPARTMENT	Amount	
HR	4,061.72	Furniture
County Office Buildings	33,768.00	Tracer System HVAC Controls
	12,260.00	Parking Lot Repair County Administration Building
	115,400.00	(2)Roof Top Units /Heat Pump Replacements
Fire & Rescue	16,675.81	Security Cameras
	933.60	(1) Washer/Extractor
	2,545.00	Hazmat Shower(FEMA)
	5,573.20	Badges, Emblems,Patches, etc.
	49,513.03	Uniforms
General District Court	10,193.00	Textbooks-Medical and Trauma Life Support
	5,800.00	Disaster Management Software Subscription
General Fund Departments	2,732.80	(14) Mesh Back Chairs
	1,113.11	PC Refresh
Inspections	20,983.00	KIP Scanner
	5,160.00	Unity Software Laserfiche
Parks	15,900.05	Program & Staff Shirts
Sheriff	6,164.50	Ammunition
	13,559.98	Body Armor
	156.00	Uniforms
	5,760.00	(2) Apple Computers
<b>Total</b>	<b>328,252.80</b>	

(3)Proffer Information	SCHOOLS	PARKS	FIRE & RESCUE	Designated Other Projects	TOTAL
Balance @11/30/2016	953,404.62	535,958.54	470,228.70	1,650,412.10	3,610,003.96

**Designated Other Projects Detail**

Administration	256,929.10			
Bridges	2,500.00			
Historic Preservation	126,000.00	12/11/14 Board Action designated \$50,000 for final debt payment		
Library	134,968.00	on the Huntsberry property.		
Rt.50 Trans.Imp.	10,000.00			
Rt. 50 Rezoning	25,000.00			
Rt. 656 & 657 Imp.	25,000.00			
RT.277	162,375.00			
Sheriff	57,950.00			
Solid Waste	12,000.00			
Stop Lights	52,445.00			
BPG Properties/Rt.11 Corridor	330,000.00			
Blackburn Rezoning	452,745.00			
Clearbrook Bus.Ctr.Rezoning	2,500.00			
<b>Total</b>	<b>1,650,412.10</b>			

**Other Proffers 11/30/16**

(4) Fund Balance Adjusted	
Ending Balance 11/30/2016	39,664,370.01
Revenue 11/16	49,394,537.34
Expenditures 11/16	(29,232,338.68)
Transfers 11/16	(3,057,835.78)
<b>11/16 Adjusted Fund Balance</b>	<b>56,768,732.89</b>

County of Frederick  
 Comparative Statement of Revenues, Expenditures  
 and Changes in Fund Balance  
 November 30, 2016

<b>REVENUES:</b>	<u>Appropriated</u>	FY17 11/30/2016 <u>Actual</u>	FY16 11/30/2015 <u>Actual</u>	YTD Actual <u>Variance</u>
General Property Taxes	109,067,433.00	26,071,901.25	29,200,314.75	(3,128,413.50) <b>(1)</b>
Other local taxes	34,831,980.00	8,518,385.07	7,718,530.30	799,854.77 <b>(2)</b>
Permits & Privilege fees	1,283,923.00	932,132.21	1,062,320.99	(130,188.78) <b>(3)</b>
Revenue from use of money and property	159,359.00	145,745.56	87,455.75	58,289.81 <b>(4)</b>
Charges for Services	2,710,296.00	1,133,929.67	1,016,972.36	116,957.31
Miscellaneous	505,583.88	267,551.17	137,107.88	130,443.29
Recovered Costs	1,568,266.00	895,898.50	765,678.72	130,219.78 <b>(5)</b>
Proffers		726,896.02	1,053,624.21	(326,728.19) <b>(5)</b>
Intergovernmental:				
Commonwealth	9,673,567.00	10,677,283.31	9,633,597.01	1,043,686.30 <b>(6)</b>
Federal	36,000.00	24,814.58	35,187.69	(10,373.11) <b>(7)</b>
Transfers		0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<u>159,836,407.88</u>	<u>49,394,537.34</u>	<u>50,710,789.66</u>	<u>(1,316,252.32)</u>
<b>EXPENDITURES:</b>				
General Administration	10,977,288.32	5,347,316.91	4,070,243.52	1,277,073.39
Judicial Administration	2,657,453.84	1,059,179.65	880,376.70	178,802.95
Public Safety	34,544,739.42	14,275,319.89	13,569,810.31	705,509.58
Public Works	5,254,435.67	1,822,836.45	1,673,133.65	149,702.80
Health and Welfare	8,712,321.00	3,323,564.24	3,114,580.86	208,983.38
Education	78,819.00	39,409.50	28,000.00	11,409.50
Parks, Recreation, Culture	6,449,560.86	2,821,891.13	2,606,910.84	214,980.29
Community Development	1,965,491.14	542,820.91	546,491.71	(3,670.80)
<b>TOTAL EXPENDITURES</b>	<u>70,640,109.25</u>	<u>29,232,338.68</u>	<u>26,489,547.59</u>	<u>2,742,791.09 <b>(8)</b></u>
<b>OTHER FINANCING SOURCES ( USES):</b>				
Operating transfers from / to	98,322,248.13	3,057,835.78	5,547,854.24	(2,490,018.46) <b>(9)</b>
 <b>Excess (deficiency)of revenues &amp; other sources over expenditures &amp; other uses</b>	 (9,125,949.50)	 17,104,362.88	 18,673,387.83	 1,569,024.95
 <b>Fund Balance per General Ledger</b>		<u>39,664,370.01</u>	<u>39,769,972.77</u>	<u>(105,602.76)</u>
 <b>Fund Balance Adjusted to reflect Income Statement @11/30/2016</b>		56,768,732.89	58,443,360.60	(1,674,627.71)



<b>(1)General Property Taxes</b>	<b>FY17</b>	<b>FY16</b>	<b>Increase/Decrease</b>
Real Estate Taxes	12,445,519	17,850,922	(5,405,404)
Public Services Current Taxes	212,361	242,581	(30,220)
Personal Property	12,960,158	10,670,077	2,290,080
Penalties and Interest	333,672	290,034	43,638
Credit Card Chgs./Delinq.Advertising	(24,670)	(16,608)	(8,063)
Adm.Fees For Liens&Distress	144,862	163,307	(18,446)
	26,071,901	29,200,315	(3,128,414)

**(2) Other Local Taxes**

Local Sales and Use Tax	3,422,707.09	3,248,445.83	174,261.26
Communications Sales Tax	318,797.59	326,838.00	(8,040.41)
Utility Taxes	1,050,807.79	852,796.95	198,010.84
Business Licenses	801,339.47	620,881.97	180,457.50
Auto Rental Tax	41,114.14	44,996.27	(3,882.13)
Motor Vehicle Licenses Fees	289,202.80	253,588.30	35,614.50
Recordation Taxes	715,512.63	676,913.82	38,598.81
Meals Tax	1,615,160.05	1,491,559.21	123,600.84
Lodging Tax	254,350.93	185,779.88	68,571.05
Street Lights	7,592.58	12,859.26	(5,266.68)
Star Fort Fees	1,800.00	3,870.81	(2,070.81)
<b>Total</b>	<b>8,518,385.07</b>	<b>7,718,530.30</b>	<b>799,854.77</b>

**(3)Permits&Privileges**

Dog Licenses	21,127.00	16,858.00	4,269.00
Land Use Application Fees	5,150.00	7,000.00	(1,850.00)
Transfer Fees	1,461.60	1,413.00	48.60
Development Review Fees	141,297.00	263,657.14	(122,360.14)
Building Permits	599,177.77	567,639.04	31,538.73
2% State Fees	10,736.44	9,666.09	1,070.35
Electrical Permits	38,075.00	50,346.00	(12,271.00)
Plumbing Permits	10,658.40	10,602.00	56.40
Mechanical Permits	36,032.00	63,824.00	(27,792.00)
Sign Permits	2,675.00	2,376.72	298.28
Commercial Burning Permits	75.00	25.00	50.00
Blasting Permits	120.00	150.00	(30.00)
Land Disturbance Permits	65,297.00	67,314.00	(2,017.00)
Residential Pump and Haul Fee	50.00	-	50.00
Septic Haulers Permit	-	300.00	(300.00)
Transfer Development Rights	200.00	1,150.00	(950.00)
<b>Total</b>	<b>932,132.21</b>	<b>1,062,320.99</b>	<b>(130,188.78)</b>

**(4) Revenue from use of**

Money	124,550.94	62,554.50	61,996.44
Property	21,194.62	24,901.25	(3,706.63)
<b>Total</b>	<b>145,745.56</b>	<b>87,455.75</b>	<b>58,289.81</b>

(5) Recovered Costs	FY17	FY16	Increase/Decrease
	11/30/2016	11/30/2015	
Recovered Costs Treasurer's Office	33,861.00	42,164.00	(8,303.00)
Worker's Comp	500.00	500.00	-
Purchasing Card Rebate	161,675.29	124,206.59	37,468.70
Recovered Costs-IT/GIS	20,000.00	313.98	19,686.02
Fire & Rescue Fee Recovery	145,574.24	176,796.56	(31,222.32)
Recovered Cost Fire Companies	120,674.40	38,672.90	82,001.50
Reimbursement Circuit Court	4,171.29	5,855.49	(1,684.20)
Reimb.Public Works/Planning Clean Up	1,100.00	1,736.25	(636.25)
Clarke County Container Fees	36,358.16	27,991.16	8,367.00
City of Winchester Container Fees	27,226.66	25,776.19	1,450.47
Refuse Disposal Fees	52,741.17	39,642.32	13,098.85
Recycling Revenue	32,006.59	34,522.40	(2,515.81)
Fire & Rescue Merchandise(Resale)	-	1,050.00	(1,050.00)
Container Fees Bowman Library	784.06	583.52	200.54
Litter-Thon/Keep VA Beautiful Grant	750.00	500.00	250.00
Restitution Victim Witness	3,784.92	7,337.16	(3,552.24)
Reimb.of Expenses Gen.District Court	15,746.69	10,447.55	5,299.14
Reimb.Task Force	22,395.61	34,066.48	(11,670.87)
Sign Deposits- Planning	-	100.00	(100.00)
Westminster Canterbury Lieu of Taxes	13,967.40	12,456.00	1,511.40
Grounds Maintenance Frederick Co.Schools	135,347.57	129,382.99	5,964.58
Comcast PEG Grant	41,389.00	35,732.25	5,656.75
Fire School Programs	17,145.00	9,424.25	7,720.75
Clerks Reimbursement to County	4,070.15	5,409.10	(1,338.95)
Sheriff Reimbursement	4,629.30	1,011.58	3,617.72
Subtotal Recovered Costs	895,898.50	765,678.72	130,219.78
Proffer-Other	-	483,090.46	(483,090.46)
Proffer Lynnhaven	43,918.03	10,134.93	33,783.10
Proffer Redbud Run	70,994.00	32,270.00	38,724.00
Proffer Canter Estates	44,967.67	36,791.73	8,175.94
Proffer Village at Harvest Ridge	12,312.00	7,695.00	4,617.00
Proffer Southern Hills	29,460.00	19,640.00	9,820.00
Proffer Snowden Bridge	249,349.32	252,420.09	(3,070.77)
Proffer Meadows Edge Racey Tract	241,728.00	181,296.00	60,432.00
Proffer Cedar Meadows	34,167.00	29,286.00	4,881.00
Proffer Westbury Commons	-	1,000.00	(1,000.00)
Subtotal Proffers	726,896.02	1,053,624.21	(326,728.19)
Grand Total	1,622,794.52	1,819,302.93	(196,508.41)

\*1 Transportation Costs for Blackburn Commerce Ctr.& Clearbrook Business Ctr.

(6) Commonwealth Revenue	11/30/2016	11/30/2015		
	FY17	FY16	Increase/Decrease	
Motor Vehicle Carriers Tax	18,955.14	37,721.45	(18,766.31)	
Mobile Home Titling Tax	79,829.01	58,618.97	21,210.04	
Recordation Taxes	186,735.96	180,462.40	6,273.56	
P/P State Reimbursement	6,526,528.18	6,526,528.26	(0.08)	
Shared Expenses Comm.Atty.	177,662.56	117,911.16	59,751.40	*1
Shared Expenses Sheriff	759,010.62	582,630.52	176,380.10	*1
Shared Expenses Comm.of Rev.	70,636.05	53,090.44	17,545.61	*1
Shared Expenses Treasurer	52,856.07	39,397.34	13,458.73	*1
Shared Expenses Clerk	158,509.40	98,089.07	60,420.33	*1
Public Assistance Grants	2,053,970.51	1,504,050.22	549,920.29	*1
Litter Control Grants	15,152.00	15,687.00	(535.00)	
Emergency Services Fire Program	219,662.00	214,535.00	5,127.00	
DMV Grant Funding	5,098.06	8,880.11	(3,782.05)	
State Grant Emergency Services	-	14,838.80	(14,838.80)	
Sheriff State Grants	9,927.01	-	9,927.01	
JJC Grant Juvenile Justice	197,980.00	64,180.00	133,800.00	*2
Rent/Lease Payments	111,841.55	80,361.35	31,480.20	
Spay/Neuter Assistance - State	187.78	171.00	16.78	
Wireless 911 Grant	22,439.15	22,268.40	170.75	
State Forfeited Asset Funds	10,012.46	12,033.52	(2,021.06)	
F&R OEMS Reimbursement	289.80	2,142.00	(1,852.20)	
Total	10,677,283.31	9,633,597.01	1,043,686.30	

\*1 Timing of funds received 12/15 in prior year.

\*2 \$133,800 transferred to NRADC after closing 11/16

**County of Frederick**  
**General Fund**  
**November 30, 2016**

<b>(7) Federal Revenue</b>	FY17	FY16	Increase/Decrease
Federal Forfeited Assets	-	10,612.69	(10,612.69)
Housing Illegal Aliens-Federal	-	12,581.00	(12,581.00)
Federal Funds Sheriff	18,339.58	8,983.00	9,356.58
Emergency Services Grant	6,475.00	3,011.00	3,464.00
<b>Total</b>	<b>24,814.58</b>	<b>35,187.69</b>	<b>(10,373.11)</b>

**(8) Expenditures**

Expenditures increased \$2,742,791.09. **General Administration** increased \$1,277,073.39 and includes the timing of the Comprehensive Services Fund transfer for \$1,263,458 due to projected increase of expenses. Funds were not transferred until January in the previous year. **Public Safety** increased \$705,509.58 and reflects an increase of the local contribution to the Jail of \$98,307. Additionally, the year to date salaries and fringe benefits increased \$633,954.27 impacted by the addition of seven deputy and sixteen firefighter positions. The Transfers decreased \$2,490,018.46. See chart below:

<b>(9) Transfers Decreased \$2,490,018.46</b>	FY17	FY16	Increase/Decrease
Transfer to School Operating	1,574,432.38	705,004.31	869,428.07 *1
Transfer to School Construction	0.00	3,200,000.00	(3,200,000.00)
Transfer to Debt Service County	1,492,545.86	1,264,623.73	227,922.13
Transfer to School Operating Capital	0.00	314,746.72	(314,746.72)
Operational Transfers	-9,142.46	63,479.48	(72,621.94) *2
<b>Total</b>	<b>3,057,835.78</b>	<b>5,547,854.24</b>	<b>(2,490,018.46)</b>

\*1 Increase in FY17 School Operating Fund Transfer

\*2 Timing of Insurance Charge Outs

County of Frederick  
 FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER  
 November 30, 2016

ASSETS	FY2017 <u>11/30/2016</u>	FY2016 <u>11/30/2015</u>	Increase <u>(Decrease)</u>
Cash	7,007,843.21	5,668,964.95	1,338,878.26 *1
GL controls(est.rev/est.exp)	<u>(813,734.18)</u>	<u>(746,804.84)</u>	<u>(66,929.34)</u>
<b>TOTAL ASSETS</b>	<b><u>6,194,109.03</u></b>	<b><u>4,922,160.11</u></b>	<b><u>1,271,948.92</u></b>
LIABILITIES			
Accrued Operating Reserve Costs	<u>2,395,005.00</u>	<u>2,258,904.00</u>	<u>136,101.00</u>
<b>TOTAL LIABILITIES</b>	<b><u>2,395,005.00</u></b>	<b><u>2,258,904.00</u></b>	<b><u>136,101.00</u></b>
EQUITY			
Fund Balance Reserved			
Encumbrances Undesignated Fund Balance	67,870.24	31,347.50	36,522.74
	<u>3,731,233.79</u>	<u>2,631,908.61</u>	<u>1,099,325.18 *2</u>
<b>TOTAL EQUITY</b>	<b><u>3,799,104.03</u></b>	<b><u>2,663,256.11</u></b>	<b><u>1,135,847.92</u></b>
<b>TOTAL LIABILITY &amp; EQUITY</b>	<b><u>6,194,109.03</u></b>	<b><u>4,922,160.11</u></b>	<b><u>1,271,948.92</u></b>

**NOTES:**

\*1 cash increased \$1,338,878.26. Refer to the following page for comparative statement of revenues and expenditures and changes in fund balance.

\*2 Fund balance increased \$1,099,325.18. The beginning balance was \$3,860,407.45 and includes adjusting entries, budget controls for FY17(\$746,029), the first bond payment for the security system upgrade(\$105,475.42), and the year to date revenue less the expenditures of \$722,330.76.

<b>Current Unrecorded Accounts Receivable-</b>	<u>FY2017</u>
Prisoner Billing:	28,645.15
Compensation Board Reimbursement 11/16	<u>460,960.75</u>
<b>Total</b>	<b>489,605.90</b>

County of Frederick  
 Comparative Statement of Revenues, Expenditures  
 and Changes in Fund Balance  
 11/30/2016

**FUND 11 NORTHWESTERN REGIONAL ADULT DETENTION CENTER**

<b>REVENUES:</b>	<u>Appropriated</u>	FY2017 11/30/2016 <u>Actual</u>	FY2016 11/30/2015 <u>Actual</u>	YTD Actual <u>Variance</u>
Credit Card Probation	-	60.55	63.14	(2.59)
Interest		7,373.04	3,228.42	4,144.62
Supervision Fees	38,896.00	11,529.62	16,241.00	(4,711.38)
Drug Testing Fees	1,000.00	-	-	-
Work Release Fees	414,868.00	125,179.79	130,494.02	(5,314.23)
Federal Bureau Of Prisons	0.00	946.00	165.00	781.00
Local Contributions	6,988,314.00	3,494,157.00	3,247,553.00	246,604.00
Miscellaneous	6,500.00	20,281.74	1,779.80	18,501.94
Phone Commissions	420,000.00	71,335.40	77,146.36	(5,810.96)
Food & Staff Reimbursement	112,000.00	14,176.16	19,751.98	(5,575.82)
Elec.Monitoring Part.Fees	85,000.00	36,372.05	36,081.87	290.18
Share of Jail Cost Commonwealth	1,250,000.00	348,291.51	374,043.68	(25,752.17)
Medical & Health Reimb.	75,000.00	24,595.63	30,161.01	(5,565.38)
Shared Expenses CFW Jail	5,200,000.00	1,762,143.63	1,282,376.45	479,767.18
State Grants	276,233.00	14,267.00	73,340.94	(59,073.94)
Local Offender Probation	247,636.00	0.00	68,238.00	(68,238.00)
Bond Proceeds	0.00	2,197.44	0.00	2,197.44
Transfer From General Fund	5,299,912.00	2,649,956.00	2,551,649.00	98,307.00
<b>TOTAL REVENUES</b>	<b>20,415,359.00</b>	<b>8,582,862.56</b>	<b>7,912,313.67</b>	<b>670,548.89</b>
<b>EXPENDITURES:</b>	<b>21,296,963.42</b>	<b>7,860,531.80</b>	<b>7,764,829.60</b>	<b>95,702.20</b>
<b>Excess(Deficiency)of revenues over expenditures</b>		<b>722,330.76</b>	<b>147,484.07</b>	<b>574,846.69</b>
<b>FUND BALANCE PER GENERAL LEDGER</b>		<b><u>3,008,903.03</u></b>	<b><u>2,484,424.54</u></b>	<b><u>524,478.49</u></b>
<b>Fund Balance Adjusted To Reflect Income Statement 11/30/2016</b>		<b>3,731,233.79</b>	<b>2,631,908.61</b>	<b>1,099,325.18</b>

County of Frederick  
Fund 12 Landfill  
November 30, 2016

ASSETS	FY2017 11/30/2016	FY2016 11/30/2015	Increase (Decrease)
Cash	33,956,364.00	32,883,563.87	1,072,800.13
Receivables:			
Accounts Receivable			
Fees	539,694.23	679,737.74	(140,043.51) *1
Accounts Receivable Other	1,841.56	2,589.86	(748.30)
Allow.Uncollectible Fees	(84,000.00)	(84,000.00)	0.00
Fixed Assets	45,498,224.85	44,899,611.07	598,613.78
Accumulated Depreciation	(27,824,334.18)	(26,818,616.30)	(1,005,717.88)
GL controls(est.rev/est.exp)	<u>(1,693,621.76)</u>	<u>(696,048.00)</u>	<u>(997,573.76)</u>
<b>TOTAL ASSETS</b>	<b><u>50,394,168.70</u></b>	<b><u>50,866,838.24</u></b>	<b><u>(472,669.54)</u></b>
<b>LIABILITIES</b>			
Accounts Payable	-	-	
Accrued VAC.Pay and Comp TimePay	183,021.61	191,362.47	(8,340.86)
Accrued Remediation Costs	12,516,507.64	12,233,415.93	283,091.71 *2
Retainage Payable	26,133.20	0.00	26,133.20
Deferred Revenue Misc.Charges	<u>1,841.56</u>	<u>2,589.86</u>	<u>(748.30)</u>
<b>TOTAL LIABILITIES</b>	<b><u>12,727,504.01</u></b>	<b><u>12,427,368.26</u></b>	<b><u>300,135.75</u></b>
<b>EQUITY</b>			
Fund Balance			
Reserved:			
Encumbrances	796,582.64	35,422.00	761,160.64 *3
Land Acquisition	1,048,000.00	1,048,000.00	0.00
New Development Costs	3,812,000.00	3,812,000.00	0.00
Environmental Project Costs	1,948,442.00	1,948,442.00	0.00
Equipment	3,050,000.00	3,050,000.00	0.00
Undesignated			
Fund Balance	<u>27,011,640.05</u>	<u>28,545,605.98</u>	<u>(1,533,965.93) *4</u>
<b>TOTAL EQUITY</b>	<b><u>37,666,664.69</u></b>	<b><u>38,439,469.98</u></b>	<b><u>(772,805.29)</u></b>
<b>TOTAL LIABILITY AND EQUITY</b>	<b><u>50,394,168.70</u></b>	<b><u>50,866,838.24</u></b>	<b><u>(472,669.54)</u></b>

**NOTES:**

\*1 Landfill receivables decreased \$140,043.51. Landfill fees at 11/16 were \$507,963.78 compared to \$463,649.23 at 11/15 for an increase of \$44,314.55. Delinquent fees at 11/16 were \$28,492.13 compared to \$211,953.35 at 11/15 for a decrease of \$183,461.22.

\*2 Remediation increased \$283,091.71 and includes \$252,368.00 for post closure and \$30,723.71 interest.

\*3 The encumbrance balance at 11/30/16 was \$796,582.64 and includes \$118,050.19 for CDD Landfill partial closure of Area 1, Phase 1, \$651,874 for a Cat 826 K compactor, and a 2017 Ford F150 for \$26,658.45.

\*4 Fund balance decreased \$1,533,965.93. The beginning balance was \$27,678,717.24 and includes adjusting entries budget controls for FY17(\$645,965), carry forward funds of (\$15,000) for chiller repair on the landfill gas treatment skid, (\$200,000) carry forward funds for the partial closure of Area 1, CDD landfill, and \$193,887.81 year to date revenue less expenditures.

Note that FY16 budget controls (\$75,138.00) compared to FY17(\$645,965) for a difference of \$570,827.00 reduction in fund balance.

County of Frederick  
 Comparative Statement of Revenue, Expenditures  
 and Changes in Fund Balance  
 November 30, 2016

<b>FUND 12 LANDFILL REVENUES</b>	<u>Appropriated</u>	FY17 11/30/2016 <u>Actual</u>	FY16 11/30/2015 <u>Actual</u>	YTD Actual <u>Variance</u>
Credit Card Charges	0.00	1,522.71	1,605.30	(82.59)
Interest on Bank Deposits	60,000.00	31,556.15	20,030.27	11,525.88
Salvage and Surplus	0.00	49,026.55	38,017.95	11,008.60
Sanitary Landfill Fees	5,516,450.00	2,322,660.54	2,258,439.76	64,220.78
Charges to County	0.00	212,969.79	170,180.34	42,789.45
Charges to Winchester	0.00	58,370.48	49,340.62	9,029.86
Tire Recycling	120,000.00	53,969.99	29,931.12	24,038.87
Reg. Recycling Electronics	66,000.00	22,459.00	19,898.00	2,561.00
Greenhouse Gas Credit Sales	10,000.00	0.00	0.00	0.00
Miscellaneous	60,000.00	169.00	161.00	8.00
Wheel Recycling	70,000.00	0.00	0.00	0.00
Charges for RTOP	0.00	0.00	2,439.86	(2,439.86)
Renewable Energy Credits	116,262.00	90,346.60	56,361.76	33,984.84
Landfill Gas To Electricity	370,758.00	151,151.37	165,821.41	(14,670.04)
Waste Oil Recycling		0.00	1,717.07	(1,717.07)
<b>TOTAL REVENUES</b>	<b>6,389,470.00</b>	<b>2,994,202.18</b>	<b>2,813,944.46</b>	<b>180,257.72</b>
Operating Expenditures	5,535,435.10	1,252,328.66	1,217,087.45	35,241.21
Capital Expenditures	3,344,239.30	1,547,985.71	706,884.75	841,100.96
<b>TOTAL Expenditures</b>	<b>8,879,674.40</b>	<b>2,800,314.37</b>	<b>1,923,972.20</b>	<b>876,342.17</b>
<b>Excess(deficiency)of revenue over expenditures</b>		<b>193,887.81</b>	<b>889,972.26</b>	<b>(696,084.45)</b>
<b>Fund Balance Per General Ledger</b>		<b>26,817,752.24</b>	<b>27,655,633.72</b>	<b>(837,881.48)</b>
<b>FUND BALANCE ADJUSTED</b>		<b>27,011,640.05</b>	<b>28,545,605.98</b>	<b>(1,533,965.93)</b>



**County of Frederick, VA**  
**Report on Unreserved Fund Balance**  
**December 14, 2016**

**Unreserved Fund Balance, Beginning of Year, July 1, 2016** **44,322,798**

**Prior Year Funding & Carryforward Amounts**

C/F Clearbrook Convenience Site	(35,000)	
C/F capital contingency	(2,366,365)	
School encumbrances	(903,813)	
C/F Fire Company Capital	(218,002)	
Adjust PEG grant reserves	3,523	
C/F Rose Hill project	(13,163)	
C/F Sherando Park master plan	(4,112)	
C/F Data center refresh lease	(108,032)	
C/F Abbott grant	(514)	
C/F 3rd floor carpet	(31,203)	
C/F School operating	(670,619)	
C/F Forfeited assets	(97,298)	
Accrue FY16 auto rental tax	9,526	
		(4,435,072)

**Other Funding / Adjustments**

Victim Witness	7,241	
COR refund - General Motors	(6,308)	
COR refund - Walmart	(3,812)	
COR refund - Andres Godinez Jr.	(2,978)	
COR refund - Interstate Resuce	(9,267)	
COR refund - Toyota Lease	(3,477)	
Airport Capital budget	(157,333)	
COR refund - Plaza Pet Clinic	(3,910)	
COR refund - Lake Holiday Countyr Club	(3,605)	
COR refund - Leda Enterprises	(7,379)	
COR refund - Virginia 10 RSA	(13,203)	
COR refund - Food Lion	(19,326)	
		(223,358)

**Fund Balance, December 14, 2016** **39,664,369**

# CONSENT AGENDA

F



## 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 December 14, 2016

**DATE:** January 4, 2017

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A meeting of the Public Safety Committee was held on Wednesday December 14, 2016 at 8:30 a.m. at the Frederick County Public Safety Building, 1080 Coverstone Drive, Winchester, VA. Committee members present were: Committee Chairman Gene Fisher, Gary Lofton, Walter Cunningham, Chuck Torpy and Helen Lake. Member Blaine Dunn was not present. Also in attendance were Assistant County Attorney Erin Swisshelm, Fire & Rescue Chief Denny Linaburg, Major Steve Hawkins, Communications Director LeeAnna Pyles, Deputy County Administrator for Human Services Jay Tibbs, Deputy Fire Chief Larry Oliver, and Sheriff Lenny Millholland. The following items were discussed:

#### \*\*\*Discussion Items\*\*\*

##### 1. Departmental budget increases for FY18:

Sheriff Millholland stated that his departments significant FY18 budget increase of \$2.9 million dollars would be allotted for vehicle replacement and new personnel. In his submission, his department is looking to obtain approximately 25 cars per year to replace the existing fleet of 140 cars which currently have high mileage and maintenance costs in addition to hiring and training 12 new deputies.

Director LeeAnna Pyles has requested a \$63,000 increase for her departments FY18 budget submission. This would go to upgrade the dispatch centers current phone system in order to receive Text to 9-1-1. This is starting to become the "norm" at dispatch centers, where citizens have the ability to text in an emergency if their situation warrants. Given that Interstate 81 runs through the county and our proximity to Interstate 66, both major transportations routes, the Director would like Frederick County to have this feature available. She noted that some other localities along the I-81 corridor in our region are planning to implement this technology as well.

Chief Linaburg presented his departments FY18 budge increase request of \$6.3 million dollars to

the Committee. As in years past, personnel and training are a large part of his budget request. He is requesting for funding of 29 additional personnel. Clothing, vehicle replacements, radios and gear are factored into the increase as well. Chief Linaburg emphasized that the self-contained breathing apparatus' are coming to the "end of life" and need to be replaced. This is a vital piece of equipment for fire fighters. He advised that his office has applied for a grant that would offset some of the cost (up to \$1 million dollars) of the estimated \$3 million dollar cost. It will be spring of 2017 before there will be any announcement of the grant award.

**2. RFP study update:**

Chief Linaburg updated the Committee on the status of the Fire & Rescue Study. He advised that a committee had been established and a Request for Proposal was prepared and advertised with a number of firms responding to the FRP. He went on to say that a sub-committee has been meeting to review the proposals and they have narrowed the interview list down to 4, including PSSI, CPSM, Fitch and ESCI. Interviews will be held on Tuesday, December 20, 2016.

**3. Other Business:**

Helen Lake inquired about the dropping of radio signals out in the field. Director Pyles stated we are in the process of upgrading the Sheriff's Office radios which will cost between \$25, 000-\$30,000. It was reiterated that there are "dead" spots within the County and we are working on minimizing the issue. Major Hawkins added that his office has obtained new radios at no cost however they need batteries, antennas and programming. Fire & Rescue's Fred Kinder and Captain Karl Steudl, who is retiring at the end of January, have been working in tandem to reprogram these radios. The both of them have extensive knowledge of our radio system and it keeps the cost to a minimum. By week's end, the Sheriff's Office will test 10 of these new radios in the field.

Chief Linaburg gave kudos to Chief Henry Shiley (Co.12) who is retiring at year's end after 53 years as Chief of Middletown Volunteer Fire & Rescue Company.

**Next Meeting: Date to be set for January 11, 2017 at 8:30 a.m.**

**Adjourn:** The meeting was adjourned at 9:30 a.m.

Respectfully submitted,

Public Safety Committee

Gene Fisher  
Brenda Garton  
Sheriff Lenny Millholland  
Denny Linaburg

Gary Lofton  
Ann B. Lloyd  
Rod Williams  
Dan Cunningham

Chuck Torpy  
Walt Cunningham  
Blaine Dunn  
Helen Lake

By   
LeeAnna Pyles, Director Public Safety Communications

LP/sds

# **CONSENT AGENDA**

# G



**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** John A. Bishop, AICP, Assistant Director - Transportation *JB*  
**RE:** Transportation Committee Report for Meeting of December 19, 2016  
**DATE:** January 3, 2017

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The Transportation Committee met on December 19, 2016 at 8:30 a.m.

Members Present

Gary Lofton – Chairman (voting)  
Judith McCann-Slaughter (voting)  
Gene Fisher (voting)  
Lewis Boyer (liaison Stephens City)  
Gary Oates (liaison PC)  
James Racey(voting)

Members Absent

Mark Davis (liaison Middletown)  
Barry Schnoor (voting)

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

**NONE**

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

**1. Capital Improvement Plan Update**

Staff presented last year's Capital Improvement Plan to the Committee and noted the individual projects that are identified, as well as the balance of the Eastern Road Plan. Staff recommended that additional projects that have been called out individually in the draft update of the Eastern Road Plan should likewise be individually noted in the Capital Improvement Plan. Staff also noted that this recommendation is contingent upon what format the Board of Supervisors chooses to adopt for the Capital Improvement Plan.

The Committee reviewed and endorsed the Staff recommendation by consensus.

**2. Gainesboro School Transportation**

Mr. Wayne Lee of the Frederick County Public School System was present to update the Committee on the transportation at the Gainesboro School on Route 522 North. Previously the Committee had requested more information on an alternative route to Route 522 via Gainesboro Road. Mr. Lee noted that one of the issues with Gainesboro Road is that the crossover of Route 522 is not wide enough to hold a bus.

Mr. Oates asked about the possibility of shifting the southbound lanes of Route 522 to allow for a wider median and noted that there appears to be right-of-way available. Mr. Lee stated that this had not been considered.

Mr. Fisher asked whether (other issues aside) a stop light would allow vehicles to exit the facility and head North on Route 522. The answer was yes, but additional safety concerns were noted.

Mr. Tierney noted that the sight distance at the existing entrance cannot be fixed and that the only real long term solution is to get the traffic to Gainesboro Road.

Staff asked whether a signal warrant had been completed for Gainesboro Road at Route 522 that took into consideration school traffic using Gainesboro Road. It had not.

Mr. Fisher reiterated that warning lights are necessary such as those used on Route 460 in Bedford County.

Mr. Racey asked how many buses would not have to access Route 522 at all if the school traffic was sent to Gainesboro Road. While the exact number was not available the estimate was 10-15.

A number of individuals discussed the possibility of keeping the existing entrance to the school as a right in/right out access.

The consensus of the Committee was to continue looking into the possibility of getting school traffic an entrance onto Gainesboro Road, changing the existing access point for the schools to a right in/right out entrance, extending the left turn lane of Route 522 at Gainesboro Road and evaluate a signal at Gainesboro and Route 522.

Mr. Fisher noted his hope that the traffic issues for the 12<sup>th</sup> elementary school will be addressed prior to construction. Mr. Lee noted that the school division is working hard on that and is currently having discussions with Shockey for additional access. Mr. Lee noted that ultimately two-thirds of the student population in the 12<sup>th</sup> elementary school is expected to be from the Snowden Bridge Development.

Mr. Oates noted that this discussion highlights the need to look at infrastructure when schools are planned.

### **3. Transportation Forum Report**

Staff provided the feedback received from the Transportation Forum to the Committee as well as photos from the event (attached). Staff also noted that there was a great turnout and that they had received numerous compliments on the event.

### **4. County Projects Update**

#### **Snowden Bridge Boulevard:**

Final items are being addressed as this project wraps up.

#### **Tevis Street Extension/Airport Road/I-81 Bridge:**

Bridge design is ongoing and environmental documents for VDOT are being completed. Bridge design has reached 75%, but comments are pending from VDOT on earlier submissions.

#### **Renaissance Drive:**

Currently working with CSX on MOU for the future crossing. The County's Transportation Partnership Opportunity Fund application has been recommended for approval by the Governor's Advisory Committee and agreements are expected shortly.

#### **Valley Mill Road Realignment:**

Thirty percent design has been completed and the County's on call consultant is providing an updated cost estimate to complete design through 100%. Upon approval by the private party partner, the next phase of design will begin.



**Coverstone Drive:**

No activity at this time.

**Jubal Early Drive Extension and Interchange with Route 37:**

Initial meetings regarding a draft agreement and follow up application for additional revenue sharing funds has been held with the private partner team.

**5. Other**

JAB/pd

# Transportation Forum November 30, 2016

Held in the Board Room of the Frederick County Administration Building at 107 North Kent Street in Winchester, Virginia.

**SUPERVISORS PRESENT:** Charles S. DeHaven, Jr., Chairman; Gene E. Fisher, Shawnee District; Robert W. Wells, Opequon District; Gary A. Lofton, Back Creek District; Judith McCann-Slaughter, Stonewall District; Blaine P. Dunn, Red Bud District.

**COMMISSIONERS PRESENT:** Gary R. Oates, Stonewall District.

**PLANNING STAFF PRESENT:** John A. Bishop, Assistant Planning Director Transportation; Candice E. Perkins, Assistant Planning Director; M. Tyler Klein, Planner; Shannon L. Conner, Administrative Assistant.

**OTHERS PRESENT:** Kris C. Tierney, Assistant County Administrator; F. Dixon Whitworth, Jr., Staunton District Representative Commonwealth Transportation Board; Delegate of the 33<sup>rd</sup> District, Dave LaRock; Delegate of the 10<sup>th</sup> District, Randy Minchew; Delegate of the 29<sup>th</sup> District, Chris Collins; Randy Kiser, Staunton District Engineer VDOT; Cliff Balderson, Edinburg VDOT Residency Administrator, Cliff Balderson.

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## **CALL TO ORDER**

Assistant Director Transportation, John A. Bishop welcomed everyone and requested introduction of the panel of individuals at the dais which included: Judith McCann-Slaughter; Gary Lofton, Dave LaRock, Bob Wells, Randy Minchew, Dixon Whitworth, Chris Collins, Cliff Balderson, Randy Kiser, Gene Fisher, Charles DeHaven, and Blaine Dunn.

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## **OPEN FORUM DISCUSSION**

Citizens were encouraged to come forward to discuss any transportation related items and voice their concerns. A gentleman spoke in regards to public transit to and from LFCC and the long length trips. Delegate Chris Collins noted there is a Committee being put together to address the situations with public transportation to LFCC.

In regards to the unpaved Laurel Grove Road, there were nine (9) citizens that came forward with their concerns and comments. The concerns were relatively consistent with one another to include: safety of the road due to lack of visibility with all the dust, pot holes, washboard areas, loose gravel. The citizens

expressed the need for a more permanent solution to the repairs rather than simple grading of the road with does not last. A citizen noted the safety concerns for the school buses that travel this road on a daily basis. Another citizen noted that other roads such as Carter Lane and Pack Horse Road have been moved up on the list but Laurel Grove remains the same, going nowhere. Edinburg VDOT Residency Administrator, Cliff Balderson addressed the citizens' concerns. Mr. Balderson explained it is no secret Laurel Grove Road is in desperate need of repair. He noted last year he made a commitment to make improvements to this road and by the reactions it does not appear to be up to par. Mr. Balderson continued until the funds are available more drastic improvements cannot be made unless Frederick County approves to move Laurel Grove Road up on the list for paving. He explained there is the need for non-hard surface secondary road improvements funds and this continues to be a work in progress. Staunton District Engineer, Randy Kiser noted there is more money being put into unpaved road dollars and this is a positive thing and ordinary maintenance is keeping old roads in good shape.

A citizen commended the hard work that has been put into this meeting. He lives in the vicinity of Welltown Road and expressed his concern of the growing traffic issues in this area. He suggested opening Welltown Road to truck traffic. Randy Kiser commented the Route 11 and Welltown Road projects are due to get underway in the spring.

A citizen came forward with concerns regarding the heavy traffic on Greenwood Road. He explained the Sulphur Springs Road and Greenwood Road intersection is a hazard and there is on average one accident a week on Greenwood Road. Delegate Randy Minchew inquired if Greenwood and Sulphur Spring Roads are on the list for repair. Cliff Balderson noted it is in the mix to restructure Sulphur Springs Road which will in turn alleviate some of the concerns on Greenwood Road.

Two citizens voiced their ongoing concerns with the traffic situation in Oakdale Crossing. These concerns continue to be: large volume of traffic daily; no sidewalks; passage way between Route 50 and Senseny Road; roughly 4,300 trips per day thru this subdivision; need for a traffic signal.

A citizen raised concerns with the increased traffic on North Hayfield Road. She noted this has become a connector between Route 50 and Route 522.

Another citizen came forward regarding concerns with the high volume of traffic on I-81. He noted another concern is the difficulty getting in and out of Opequon Church Lane. He concluded by complimenting the work at Exit 310.

Delegate Chris Collins thanked everyone for coming and for providing comments. He commented roads tend to be on everyone's radar and this discussion this evening is appreciated.

Delegate Randy Minchew inquired are there any plans for other connections between Route 50 and Senseny Road. Chairman DeHaven noted Channing Drive is the only connector. Assistant County Administrator, Kris Tierney explained Inverle has been in the minds for years however the landowner has no interest in dedicating the right-of-way. Supervisor Fisher commented he feels the traffic calming measures will be helpful in Oakdale Crossing. Mr. Fisher continued if Sulphur Springs Road and Greenwood Road are improved then Oakdale Crossing should see improvements also.

John Bishop offered an update on the traffic calming study; the Board of Supervisors has requested a traffic calming study through VDOT with one of the requirements being Frederick County provides count data which has been contracted through the MPO and Mr. Bishop expects these counts to take place very soon. In addition to these counts they are also using camera stations at Route 50 entrances to establish a good number of how much cut through traffic we're dealing with.

Supervisor Wells feels the roads being discussed from a safety stand point are legitimately unsafe and maybe the list can be adjusted.

Staunton District Representative of the Commonwealth Transportation Board, F. Dixon Whitworth Jr., presented a brief overview of Smart Scale. Mr. Whitworth explained in 2015 legislature passed a comprehensive transportation funding bill which put a new perspective on how transportation is funded; this went concurrent with a HB2 bill which says there must be some sort of prioritization which is devised and publically aware with which projects within our state for transportation are given a waiting of priority. The HB2 prioritization has evolved into what is referred to as Smart Scale. He continued the projects that are being submitted are scored and then prioritized within Districts and within the State. Mr. Whitworth noted there are currently 436 applications and Frederick County has nine (9) of those applications.

Chairman DeHaven asked for additional comments and thanked everyone for coming.

A citizen spoke regarding Carter Lane and the safety concerns. She noted the road traffic has increased and speed is always a factor. She concluded she would like to see Route 37 continued.

Supervisor Lofton thanked everyone for coming which included the VDOT representatives and our Delegates.

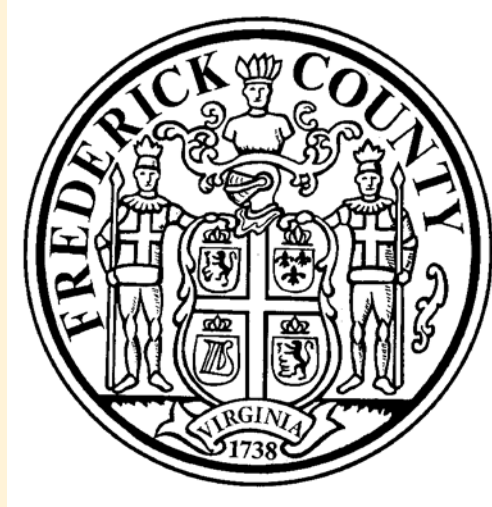
The Transportation Forum concluded at this time.

## **Transportation Forum – November 30, 2016**

### **Meeting Notes/Summary of Public Input**

- Need for on-demand transit service between City and LFCC; consider later hours of service in the evenings when classes are scheduled and less on the weekends.
- Paving/maintenance of secondary roadways (specifically mentioned were Laurel Grove Road, Carter Lane, Fletcher Lane).
- Intersection improvements to improve queuing/accidents/congestion at Route 11 and Welltown Road, especially from Tyson Drive; remove truck restrictions on Welltown Road and Rest Church Road to alleviate back-ups.
- Traffic/truck conflicts at Greenwood Road and Sulphur Springs Road intersection.
- Traffic calming/eliminating cut-through at Oakdale Crossing.
- Senseny Road/Greenwood Road improvements/traffic.
- Hayfield Road – narrow road connecting Route 50/522.
- I-81 volume a concern; improved access to Opequon Lane/Tasker Road.
- Concerns about Middle Road – scale bypass for trucks; dangerous.
- More public transportation.
- Extend deceleration lanes on northbound Route 11 at Old Charlestown Road.
- Improvements to Fletcher Road.
- Improving awareness about NOT using cellphones while drive.





# Frederick County, VA

MORGAN COUNTY  
WEST VIRGINIA

BERKELEY COUNTY  
WEST VIRGINIA

HAMPSHIRE COUNTY  
WEST VIRGINIA

HARDY COUNTY  
WEST VIRGINIA

SHENANDOAH COUNTY  
VIRGINIA

CLARKE COUNTY  
VIRGINIA

WARREN COUNTY  
VIRGINIA

Narrow roadway, "wavy" pavement  
(2 concerns)

Bus/car conflict

Cut-through conflict

Blind spot on N Hayfield Rd

Shoulder is main school bus turnaround on private road  
Eroding Bass Ln

Historic property/home preservation  
along Lenoir Dr

Truck/car conflicts at Welltown Rd  
(3 concerns)

Bus stop Sunnyside area

Traffic light timing at Brooke Rd

Extend 45 mph speed limit on Route 50 to Poorhouse Rd

Green turning arrow and  
"Walk" signal at same time

Green turning arrow and  
"Walk" signal at same time

Align Valley Mill Rd  
with Burnt Factory Rd

Additional lanes on Route 7

Bridge over I-81  
(2 concerns)

Complete Inverlee Way  
(2 concerns)

Paving/Grading/Interim maintenance/Potholes  
(13 concerns)

Middle Rd is used as a truck scale bypass

"So dangerous"  
Light  
(2 concerns)

Bad left turn - North

Finish Route 37 East

Paving/Grading  
(2 concerns)

Lighting at Rt 37 and Rt 11  
Hard to see roadway lane lines

Warrior Dr extension

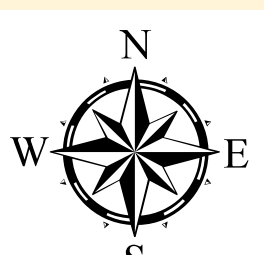
Tasker Rd and Marcel Dr  
(Industrial Traffic)

Middle Rd is used as a truck scale bypass

Bus stop at LFCC

Pave Huttie Rd

0 1 2 4 Miles



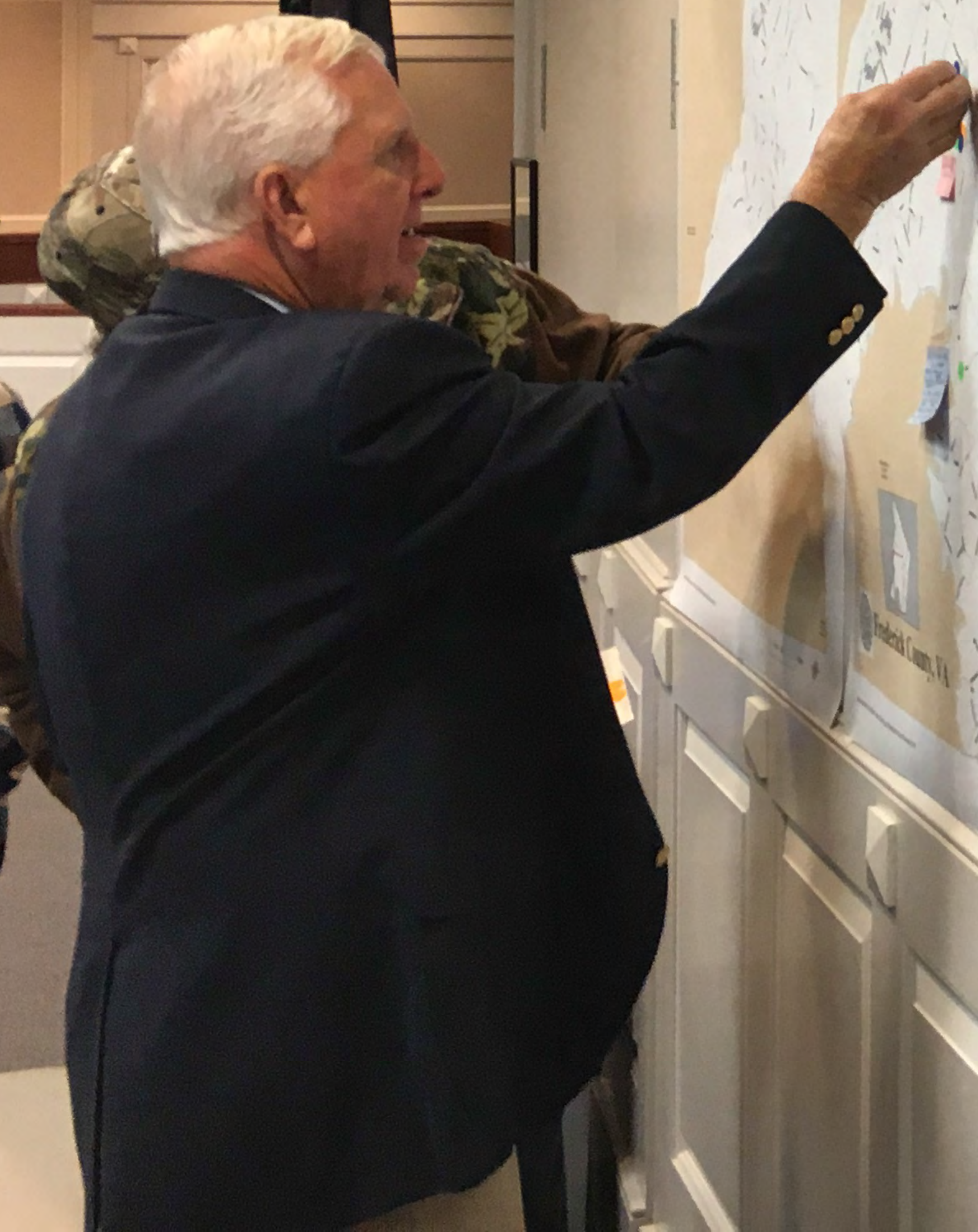


# What Do You Think?

Frederick County, VA

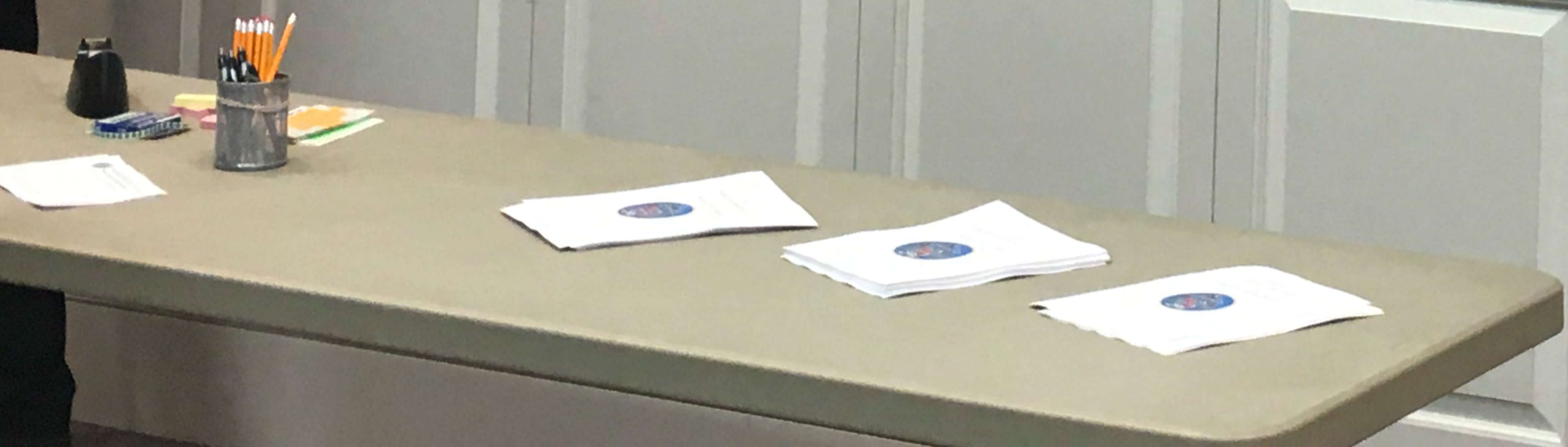
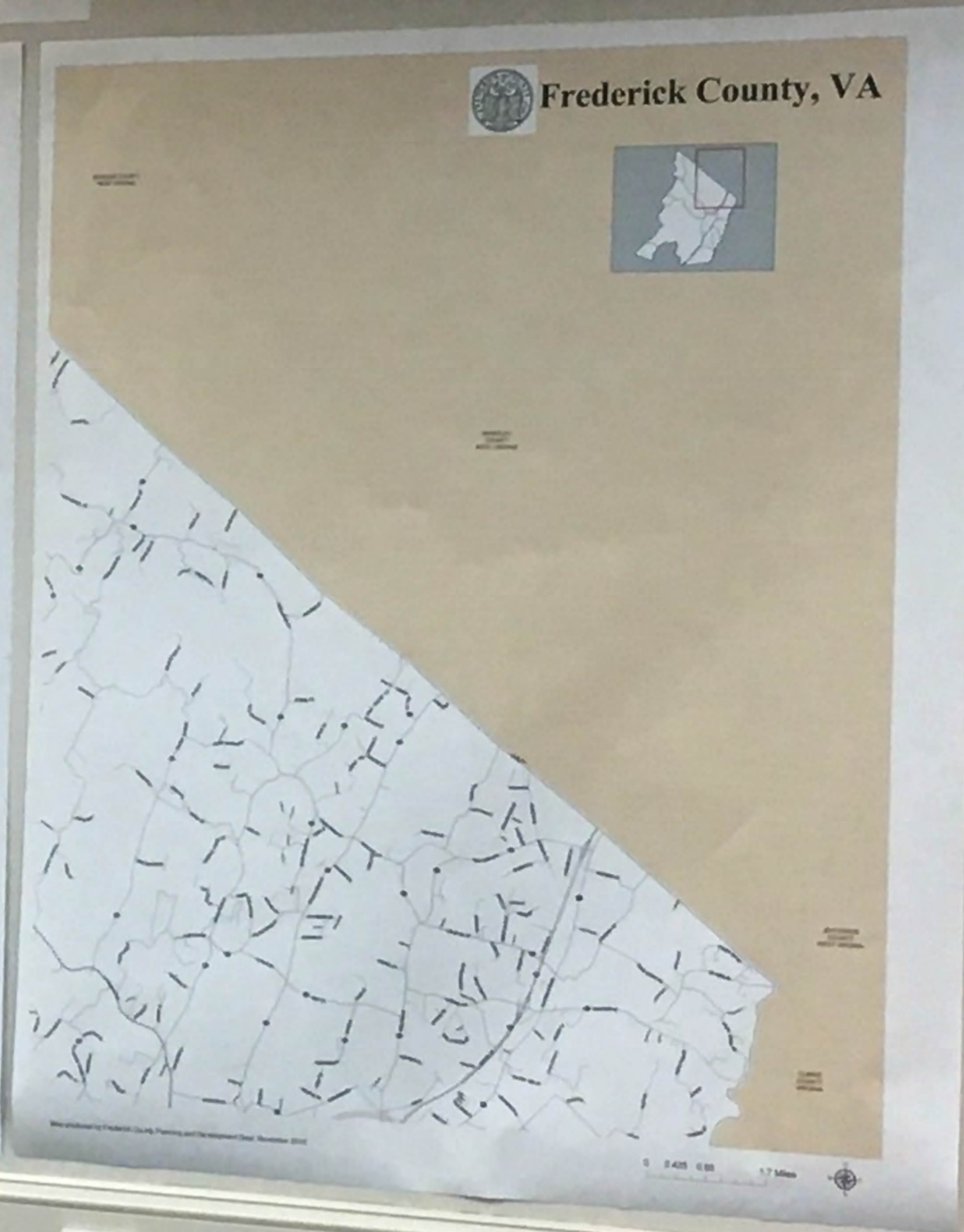
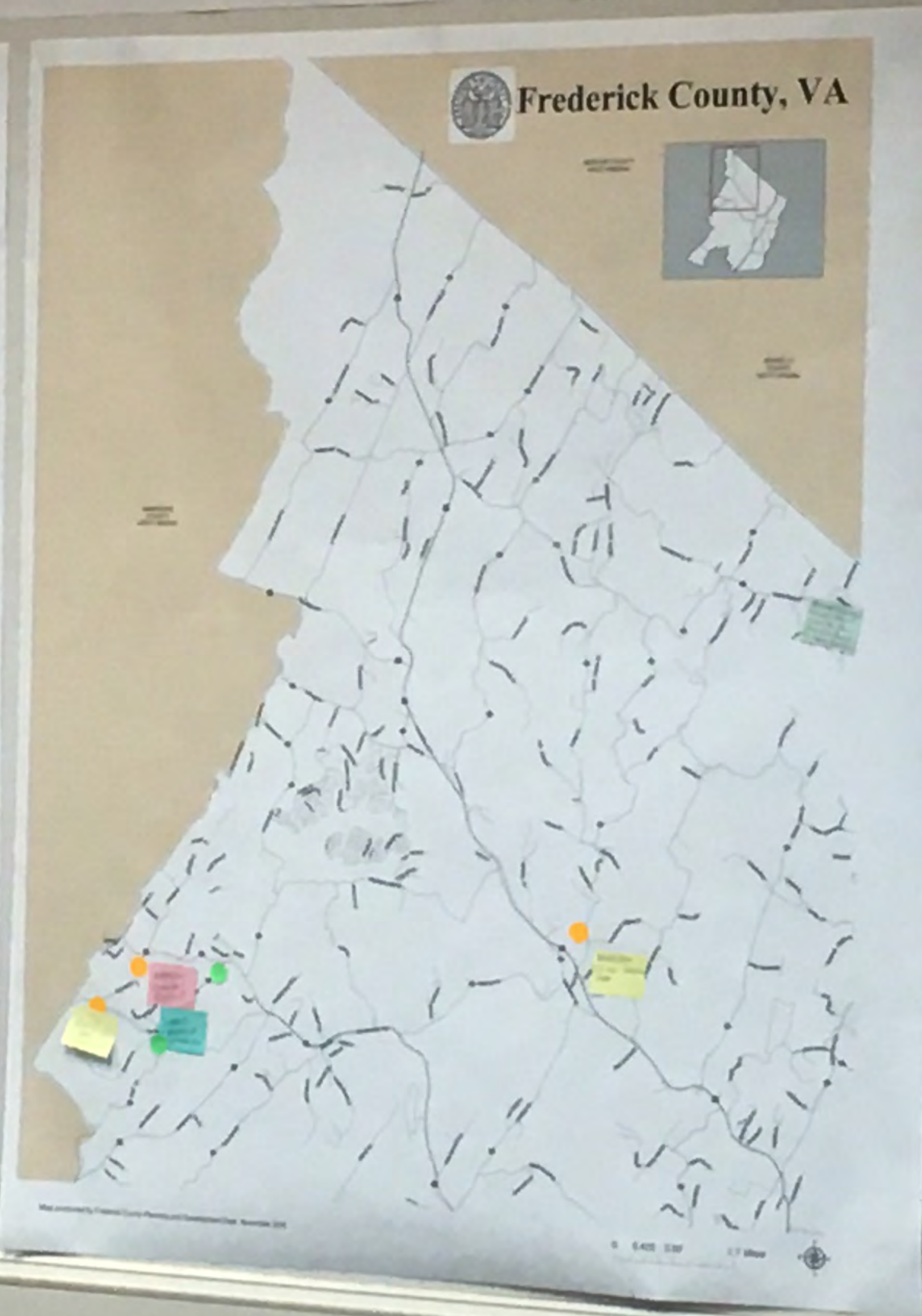
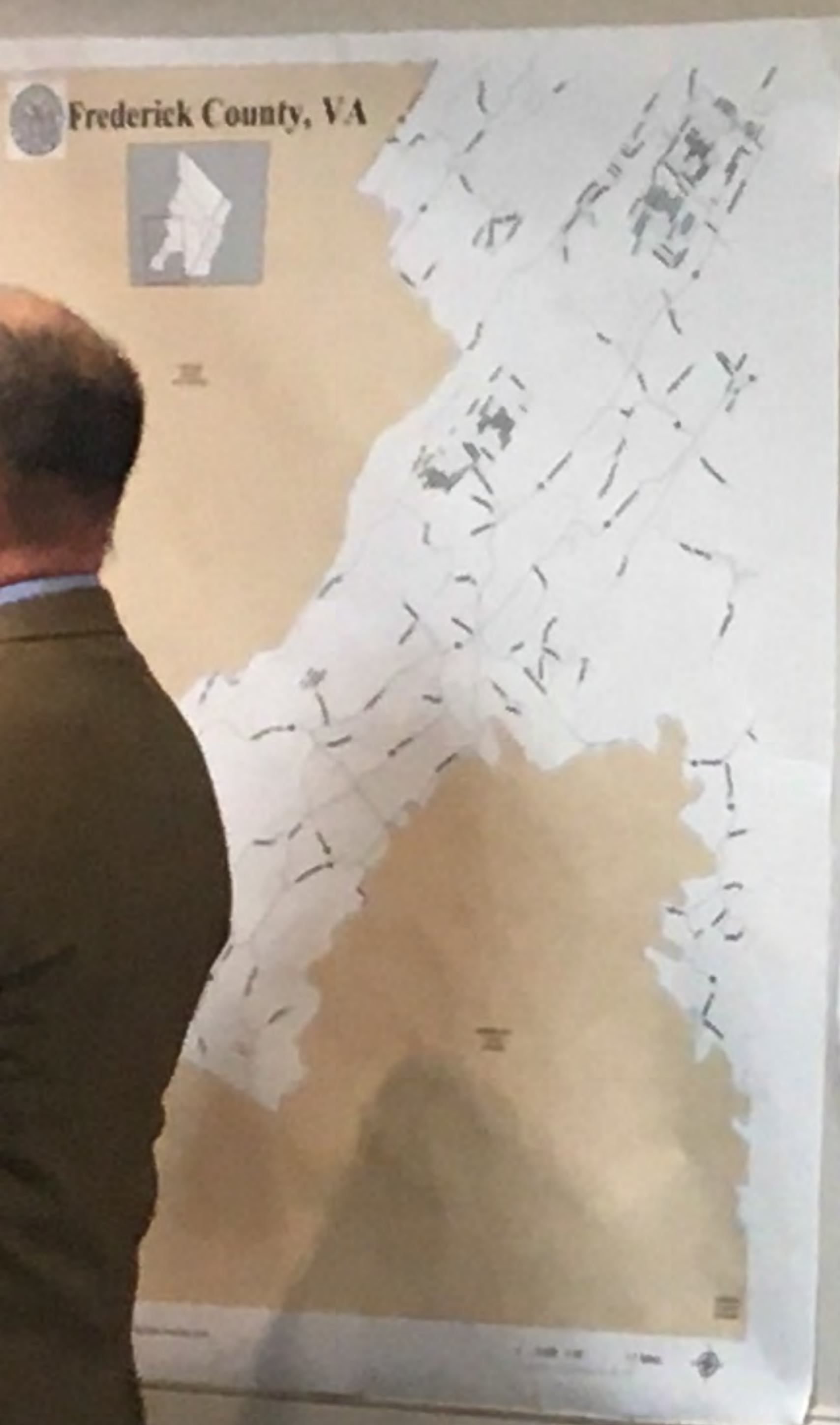


BERKELEY COUNTY WEST VIRGINIA





# What Do You Think?



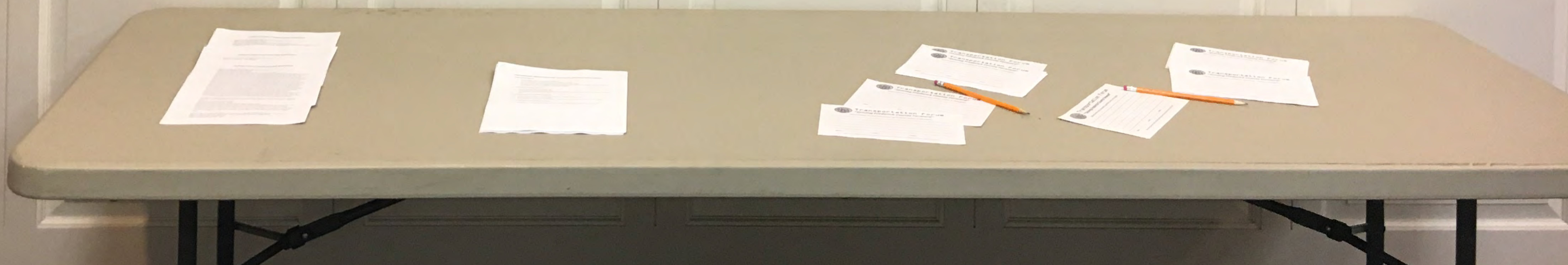






# Funding

# Construction











Funding

Construction

WOOD SHAWT SCALE

Revenue Sharing  
Jubal Early Drive Extension

Revenue Sharing  
Travis Street Extension

Revenue Sharing  
Jubal Early Drive Extension







Funding

Construction

Regional Planning

EXIT

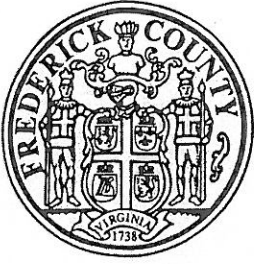
EXIT







H



COUNTY of FREDERICK

**Brenda G. Garton**  
County Administrator

540/665-6382

Fax 540/667-0370

E-mail: bgarton@fcva.us

**MEMORANDUM**

<b>TO:</b>	Board of Supervisors
<b>FROM:</b>	Brenda G. Garton, County Administrator <i>Brenda G. Garton</i>
<b>SUBJECT:</b>	Request to Schedule a Public Hearing on Proposed Revisions to the Articles of Incorporation of the Frederick County Sanitation Authority
<b>DATE:</b>	October 31, 2016

Attached please find a request from Eric R. Lawrence, Executive Director of the Frederick County Sanitation Authority, seeking the Board of Supervisors' approval of proposed revisions to the Authority's Articles of Incorporation. The Authority reviewed the proposed revisions and endorsed them at its September 20, 2016 meeting.

Before the Board can formally act on this request, a public hearing is required. In addition, the public hearing advertisement for this matter requires a 30 day notice. Staff is seeking Board approval to schedule this matter for public hearing at the Board's January 11, 2017 regular meeting.

Should you have any questions, please do not hesitate to contact me.

BGG/jet

Attachment



## FREDERICK COUNTY SANITATION AUTHORITY

Post Office Box 1877  
Winchester Virginia 22604-8377

PH (540) 868-1061  
Fax (540) 868-1429  
[www.fcsa-water.com](http://www.fcsa-water.com)

Eric R. Lawrence  
Executive Director

October 3, 2016

Brenda Garton  
County Administrator  
107 N. Kent Street  
Winchester, Virginia 22601

**RE: Revisions to the Articles of Incorporation  
Frederick County Sanitation Authority**

Dear Brenda:

During the Frederick County Sanitation Authority's (FCSA) monthly meeting on September 20, 2016, the FCSA Board discussed and endorsed a few minor revisions to their Articles of Incorporation. The primary revisions is intended to ensure that the Articles of Incorporation are accurate. The Board also requested that I forward the endorsed revisions to the County, and seek the County's approval of the revised Articles of Incorporation. Please accept this correspondence as the FCSA's request for County action on the revised Articles of Incorporation.

FCSA is a public body and an instrument of the Commonwealth of Virginia, organized under Virginia Water and Waste Authorities Act, being Chapter 28, Title 15.2, Code of Virginia of 1950, as amended ("the Act"). *FCSA was created by action of the Board of Supervisors of Frederick County, Virginia and was chartered by the State Corporation Commission on August 1, 1967.* The Board of Supervisors created FCSA Articles of Incorporation. Most importantly, as an authority, FCSA makes no profit and its operations and finances are independent of Frederick County's tax-supported services.

The original Articles of Incorporation included the names, addresses, and the appointment terms of the initial members. To this date, the Articles of Incorporation continue to reflect the names, addresses, and now expired terms of FCSA Board members who no longer have a role on the FCSA Board. The first minor revisions that FCSA seeks is the removal of member names and addresses from the actual Articles of Incorporation. Instead of names and addresses, the FCSA Board requests that the Articles of Incorporation simply state that the membership will consist of 5 members with 4-year terms that entail the replacement of a member every year. The practice of the Board of Supervisors has been to make annual appointments as terms expire; that practice will certainly continue. But removing the member

Page 2

Ms. Brenda Garton, County Administrator

RE: Revisions to the FCSA Articles of Incorporation

October 3, 2016

names and addresses from the Article of Incorporation enables the Articles to remain valid, removing dated and inaccurate content.

FCSA also seeks to revise the Articles of Incorporation to empower its members – the FCSA Board members- to establish their own compensation as deemed appropriate. The current Articles of Incorporation empower the Board of Supervisors to determine the appropriate compensation for the FCSA Board members. By design, FCSA makes no profit and our operations and finances are independent of Frederick County's tax-supported services. FCSA has an annual budget of nearly \$30,000,000. The FCSA Board members oversee this non-profit organization, and are accountable for its success and challenges. FCSA and its customers, not Frederick County, pay the compensation of its Board members. With this responsibility, it natural to enable the FCSA Board members to establish their own monthly compensation. *It is worth noting that with the extensive responsibility, their compensation is \$200 per month; the FCSA Board has stated its intent to increase the compensation to \$300.00 per month.*

Please let me know if you have any questions.

Sincerely,



Eric R. Lawrence  
Executive Director

Cc: Rod Williams, County Attorney

Attachment: Proposed Revisions to the FCSA Articles of Incorporation  
Original FCSA Article of Incorporation, April 10, 1967  
Amended FCSA Article of Incorporation, November 13, 2002



**Proposed Revisions to the FCSA Articles of Incorporation**

FREDERICK COUNTY SANITATION AUTHORITY  
ARTICLES OF INCORPORATION  
Page 1

**ARTICLES OF INCORPORATION  
OF THE  
FREDERICK COUNTY SANITATION AUTHORITY  
-AMENDED [DATE]-**

In compliance with the Virginia Water and Waste Authorities Act (Chapter 51, Title 15.2, Code of Virginia, 1950, as amended), the Board of County Supervisors of Frederick County, Virginia, pursuant to an Articles of Incorporation resolution dated April 10, 1967, created the sanitation authority. The Articles of Incorporation are amended, and are restated as follows:

(a) This Authority is formed under the Virginia Water and Waste Authorities Act, its name shall be "FREDERICK COUNTY SANITATION AUTHORITY", and the address of its principal office shall be: 315 Tasker Road, Stephens City, Virginia.

(b) The name of the incorporating political subdivision is FREDERICK COUNTY, VIRGINIA. There shall be five (5) members the Board of Directors of the Authority, each of whom shall maintain a residence in Frederick County, Virginia. The names and addresses of the members of the Board of Directors of the Authority shall be maintained in the County Administrator's Office. The expiration of the term of office of each member is as follows:

MEMBER	EXPIRATION OF TERM OF OFFICE
Member 1	April 15, 2017
Member 2	April 15, 2018
Member 3	April 15, 2019
Member 4	April 15, 2020
Member 5	April 15, 2020

The successor of each member shall be appointed by the Board of County Supervisors for a term of four (4) years and until his successor shall be duly appointed and qualify, except that any person appointed to fill a vacancy shall serve only for the unexpired term and until his successor shall be duly appointed and qualify. Any member of the Board of Directors of the Authority shall be eligible for re-appointment.

FREDERICK COUNTY SANITATION AUTHORITY  
ARTICLES OF INCORPORATION

Page 2

Members of the Board of Directors of the Authority shall serve with compensation as shall be fixed from time to time by resolution of the Authority, and shall be reimbursed for any actual expenses necessarily incurred in the performance of his duty.

(c) The purpose for which the Authority is created is the acquisition, construction and maintenance of (a) an integrated water system for supplying and distributing water in Frederick County and (b) an integrated sewer system for Frederick County, and for the purpose of exercising the powers conferred by the Virginia Water and Waste Authorities Act, except that the power of the Authority to acquire, construct, operate or maintain facilities for treatment of sewage is restricted to operation, construction and maintenance of sewage treatment facilities provided they are owned by Frederick-Winchester Service Authority, which must approve such role of the Authority.

No other authority has been created, under the provisions of the Virginia Water and Waste Authorities Act, serving the whole or any part of the same area, and none of the powers granted by said Act shall be exercised by the Authority in the construction, improvement, maintenance, extension or operation of any project or projects which in whole or part shall duplicate existing utilities, public or private, serving substantially the same purposes and area.

IN WITNESS WHEREOF, Frederick County, Virginia, the political subdivision incorporating said Authority, has caused these Articles of Incorporation to be executed by the Chairman of its Board of County Supervisors and the official seal of said Board of County Supervisors to be affixed hereto and attested by the Clerk of said Board this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

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

Attest:

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

ARTICLES OF INCORPORATION  
OF THE  
FREDERICK COUNTY SANITATION AUTHORITY.

---

In compliance with the Virginia Water and Sewer Authorities Act (Chapter 28, Title 15, Code of Virginia, 1950, as amended), the Board of County Supervisors of Frederick County, Virginia, pursuant to a resolution signifying its intention to create a sanitation authority, which shall be a public body politic and corporate, hereby certifies:

(a) This Authority is formed under the Virginia Water and Sewer Authority Act, its name shall be

"FREDERICK COUNTY SANITATION AUTHORITY"

and the address of its principal office shall be Winchester, Virginia.

(b) The name of the incorporating political subdivision is

FREDERICK COUNTY, VIRGINIA,

and the names and addresses of the first members of the Board of said Authority are, respectively, as follows, each of whom maintains a residence in Frederick County, Virginia, or its County seat, and each of whom shall continue in office for the term expiring on the date set opposite his name and until his successor shall be duly appointed and qualify:

<u>NAME</u>	<u>ADDRESS</u>	<u>Expiration of Term of Office</u>
Robert Dale	Route # 5, Winchester, Va.	April 15, 1968

<u>NAME</u>	<u>ADDRESS</u>	<u>Expiration of Term of Office</u>
E. E. Bayliss, Jr.	P. O. Box 511, Winchester, Va.	April 15, 19
Frank Fogle	Mt. Falls Rt., Winchester, Va.	April 15, 196
James L. Bowman	Stephens City, Virginia	April 15, 197
Joseph Zuckerman	Route # 3, Winchester, Va.	April 15, 197

The successor of each member shall be appointed by the Board of County Supervisors for a term of four (4) years and until his successor shall be duly appointed and qualify, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Any member of the Authority shall be eligible for reappointment.

Each member of the Authority shall serve without compensation and shall be reimbursed the amount of his actual expenses necessarily incurred in the performance of his duties.

(c) The purpose for which said Authority is created is the acquisition, construction, operation and maintenance of (a) an integrated water system for supplying and distributing water in Frederick County and (b) an integrated sewer system and sewage disposal system for Frederick County, and for the purpose of exercising the powers conferred by said Virginia Water and Sewer Authorities Act in relation to the foregoing.

No other authority has been created under the provisions of said Act serving the whole or any part of the same area, and none of the powers granted by said Act shall be exercised by the Authority in the construction, improvement, maintenance, extension or operation of any project or projects which in whole or in part shall duplicate existing utilities, public or private, serving substantially the



same purposes and area.

Pending completion of the necessary engineering studies and estimates, it is not practicable to set forth herein preliminary estimates of capital costs, and initial rates for services of proposed projects.

IN WITNESS WHEREOF, Frederick County, Virginia, the political subdivision incorporating said Authority, has caused these Articles of Incorporation to be executed by the Chairman of its Board of County Supervisors and the official seal of said Board of County Supervisors to be affixed hereto and attested by the Clerk of said Board this 16<sup>th</sup> day of April, 1967.

J. B. Rosenbaum  
Chairman, Board of County Supervisors  
of Frederick County, Virginia

ATTEST:

George B. Whitman, Clerk  
Clerk, Board of County Supervisors  
of Frederick County, Virginia

**Amended FCSA Article of Incorporation**

**ARTICLES OF AMENDMENT  
OF  
FREDERICK COUNTY SANITATION AUTHORITY**

1. The name of the Authority is "Frederick County Sanitation Authority".
2. The amendment adopted is to strike Paragraph (b) of the Articles of Incorporation and insert in lieu thereof the following:

(b) The name of the incorporating political subdivision is

FREDERICK COUNTY, VIRGINIA.

There shall be five (5) members of the Authority. The names and addresses of the members, each of whom maintains a residence in Frederick County, Virginia, and the expiration of th term of office of each, are as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>EXPIRATION OF TERM OF OFFICE</u>
John Stevens	324 Round Hill Winchester, Virginia 22602	April 15, 2003
James T. Anderson	P. O. Box 368 Winchester, Virginia 22604	April 15, 2004
Richard A. Ruckman	1787 Cedar Hill Road Clearbrook, Virginia 22624	April 15, 2004
Darwin S. Braden	528 Northwood Circle Cross Junction, Virginia 22625	April 15, 2005
Robert P. Mowery	1160 Salem Church Road Stephens City, Virginia 22655	April 15, 2006

The successor of each member shall be appointed by the Board of County Supervisors for a term of four (4) years and until a successor shall be duly appointed and qualify, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Any member of the Authority shall be eligible for reappointment.



Members of the Authority shall receive such compensation as shall be fixed from time to time by resolution of the Frederick County Board of Supervisors, and shall be reimbursed for any actual expenses necessarily incurred in the performance of their duties.

3. The Articles of Amendment were approved by a Resolution of the Board of Supervisors of Frederick County, Virginia, adopted on November 13, 2002, following a public hearing held November 13, 2002.

IN WITNESS WHEREOF, the Board of Supervisors has caused these Articles to be executed this 13<sup>th</sup> day of November, 2002.

FREDERICK COUNTY, VIRGINIA

By Richard C. Shickle  
Richard C. Shickle  
Chairman, Board of Supervisors

(SEAL)

Attest:

John R. Riley, Jr.  
John R. Riley, Jr.  
Clerk, Board of Supervisors

**ARTICLES OF INCORPORATION  
OF THE  
FREDERICK COUNTY SANITATION AUTHORITY  
-AMENDED [DATE]-**

In compliance with the Virginia Water and Waste Authorities Act (Chapter 51, Title 15.2, Code of Virginia, 1950, as amended), the Board of County Supervisors of Frederick County, Virginia, pursuant to an Articles of Incorporation resolution dated April 10, 1967, created the sanitation authority. The Articles of Incorporation are amended, and are restated as follows:

(a) This Authority is formed under the Virginia Water and Waste Authorities Act, its name shall be "FREDERICK COUNTY SANITATION AUTHORITY", and the address of its principal office shall be: 315 Tasker Road, Stephens City, Virginia.

(b) The name of the incorporating political subdivision is FREDERICK COUNTY, VIRGINIA. There shall be five (5) members the Board of Directors of the Authority, each of whom shall maintain a residence in Frederick County, Virginia. The names and addresses of the members of the Board of Directors of the Authority shall be maintained in the County Administrator's Office. The expiration of the term of office of each member is as follows:

MEMBER	EXPIRATION OF TERM OF OFFICE
Member 1	April 15, 2017
Member 2	April 15, 2018
Member 3	April 15, 2019
Member 4	April 15, 2020
Member 5	April 15, 2020

The successor of each member shall be appointed by the Board of County Supervisors for a term of four (4) years and until his successor shall be duly appointed and qualify, except that any person appointed to fill a vacancy shall serve only for the unexpired term and until his successor shall be duly appointed and qualify. Any member of the Board of Directors of the Authority shall be eligible for re-appointment.



FREDERICK COUNTY SANITATION AUTHORITY  
ARTICLES OF INCORPORATION  
Page 2

Members of the Board of Directors of the Authority shall serve with compensation as shall be fixed from time to time by resolution of the Authority, and shall be reimbursed for any actual expenses necessarily incurred in the performance of his duty.

(c) The purpose for which the Authority is created is the acquisition, construction and maintenance of (a) an integrated water system for supplying and distributing water in Frederick County and (b) an integrated sewer system for Frederick County, and for the purpose of exercising the powers conferred by the Virginia Water and Waste Authorities Act, except that the power of the Authority to acquire, construct, operate or maintain facilities for treatment of sewage is restricted to operation, construction and maintenance of sewage treatment facilities provided they are owned by Frederick-Winchester Service Authority, which must approve such role of the Authority.

No other authority has been created, under the provisions of the Virginia Water and Waste Authorities Act, serving the whole or any part of the same area, and none of the powers granted by said Act shall be exercised by the Authority in the construction, improvement, maintenance, extension or operation of any project or projects which in whole or part shall duplicate existing utilities, public or private, serving substantially the same purposes and area.

IN WITNESS WHEREOF, Frederick County, Virginia, the political subdivision incorporating said Authority, has caused these Articles of Incorporation to be executed by the Chairman of its Board of County Supervisors and the official seal of said Board of County Supervisors to be affixed hereto and attested by the Clerk of said Board this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

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

Attest:

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

Code of Virginia  
Title 15.2. Counties, Cities and Towns  
Chapter 51. Virginia Water and Waste Authorities Act

## § 15.2-5104. Advertisement of ordinance, agreement or resolution and notice of hearing.

The governing body of each participating locality shall cause to be advertised at least one time in a newspaper of general circulation in such locality a copy of the ordinance, agreement or resolution creating an authority, or a descriptive summary of the ordinance, agreement or resolution and a reference to the place within the locality where a copy of the ordinance, agreement or resolution can be obtained, and notice of the day, not less than thirty days after publication of the advertisement, on which a public hearing will be held on the ordinance, agreement or resolution.

Code 1950, § 15-764.5; 1950, p. 1315; 1962, c. 623, § 15.1-1243; 1972, c. 370; 1983, c. 80; 1997, c. 587.




**I**



## MEMORANDUM

**TO:** Frederick County Board of Supervisors

**FROM:** Candice E. Perkins, AICP, CZA, Assistant Director 

**SUBJECT:** **Public Hearing** - Ordinance Amendment  
Right-of-Way Widths for Family Lot Subdivisions

**DATE:** December 30, 2016

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This is a proposed amendment to Chapter 144 – Subdivision of Land, to update the minimum right-of-way requirement necessary to create a family division lot. Family division lots as small as two acres in the RA (Rural Areas) District are permitted to be divided and conveyed to an immediate family member. The subdivision ordinance currently states that a 50 foot right-of-way is required in order to subdivide these lots. However; the Code of Virginia states that a 20 foot right-of-way is the maximum that can be required. Staff has drafted a revision to the Subdivision Ordinance which reduces the current 50 foot right-of-way requirement to a 20 foot minimum right-of-way for a family division lot.

The DRRC discussed this amendment at their August 2016 meeting. The DRRC agreed with the proposed change and the item was forwarded to the Planning Commission for discussion. The Planning Commission discussed this at their October 5, 2016 meeting; the Planning Commission agreed with the change and noted that it would bring the Subdivision Ordinance into compliance with the State Code. The Board of Supervisors discussed this item on October 26, 2016; the Board of Supervisors agreed with the proposed changes and sent the amendment forward for public hearing. The Planning Commission held a public hearing for this item at their December 7, 2016 meeting; there were no citizen comments and the Planning Commission unanimously recommended approval of the amendment.

The attached document shows the existing ordinance with the proposed changes supported by the DRRC and the Planning Commission (with 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 staff if you have any questions.

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**Attachments:** 1. Revised ordinance with additions shown in bold underlined italics.  
2. Code of Virginia  
3. Resolution

CEP/pd



Original language

**Draft revisions**

**§ 144.31. Rural subdivisions. [Amended 6-9-1993; 8-12-2009]**

The requirements of this section shall apply to all subdivisions of land zoned RA (Rural Areas) under Article IV of Chapter 165, Zoning, of the Frederick County Code.

\*Sections A and B remain unchanged.

C. Minor rural subdivisions.

- (1) The division of the following types of lots is permitted under the regulations for minor rural subdivision:
  - (a) Lots described by § 165-401.06B, Family division lots of Chapter 165, Zoning, of the Frederick County Code. **[Amended 12-9-2009]**
  - (b) Lots described in § 165-401.06A, Traditional five-acre lots, and § 165-401.06D, Rural preservation lots, provided that a total of no more than three such lots may be created from any one parcel under these regulations.

- (2) Shared private driveways. Vehicular access to a minor rural subdivision may be provided by means of shared private driveways. The owners of lots provided with access via such driveways shall be responsible for the improvement and maintenance of said driveways. When shared driveways are used, the Subdivision Administrator shall be provided with copies of the deeds of transfer. Such deeds shall contain the following language:

The proposed shared private driveway is not building according to street standards and will not be maintained by the Virginia Department of Transportation or the County of Frederick. The improvement and maintenance of said driveway shall be the sole responsibility of the owners of lots which are provided with access via the driveway. Said shared private driveways will not be considered for inclusion into the state secondary system until they meet the applicable construction standards of the Virginia Department of Transportation. The cost of bringing said driveways to acceptable standards shall not be borne by the Virginia Department of Transportation nor by Frederick County.

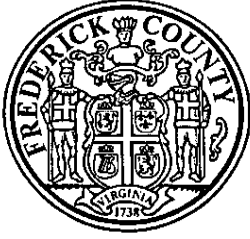
- (3) Minimum width for shared private driveway. The minimum right-of-way width for a shared private driveway shall be 50 feet to **a public street or right-of-way dedicated for maintenance by the Virginia Department of Transportation. For the purposes of family division lots, the minimum right-of-way width for a shared private driveway shall be 20 feet to a public street or right-of-way dedicated for maintenance by the Virginia Department of Transportation.**

## Code of Virginia

### § 15.2-2244. Provisions for subdivision of a lot for conveyance to a family member.

A. In any county a subdivision ordinance shall provide for reasonable provisions permitting a single division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the property owner, including the family member's spouse, subject only to any express requirement contained in the Code of Virginia and to any requirement imposed by the local governing body that all lots of less than five acres have reasonable right-of-way of not less than 10 feet or more than 20 feet providing ingress and egress to a dedicated recorded public street or thoroughfare. Only one such division shall be allowed per family member, and shall not be for the purpose of circumventing this section. For the purpose of this subsection, a member of the immediate family is defined as any person who is a natural or legally defined offspring, stepchild, spouse, sibling, grandchild, grandparent, or parent of the owner. In addition, any such locality may include aunts, uncles, nieces and nephews in its definition of immediate family.





# ORDINANCE AMENDMENT

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**Action:**

PLANNING COMMISSION: December 7, 2016      Recommended Approval

BOARD OF SUPERVISORS: January 11, 2017     APPROVED     DENIED

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## AN ORDINANCE AMENDING THE FREDERICK COUNTY CODE CHAPTER 144 SUBDIVISION OF LAND

### ARTICLE V – DESIGN STANDARDS §144-31 – RURAL SUBDIVISIONS

**WHEREAS**, an ordinance to amend Chapter 144, Subdivision to decrease the right-of-way necessary to create a family division lot from 50 feet to 20 feet per the Code of Virginia was considered; and

**WHEREAS**, the Planning Commission held a public hearing on this ordinance on December 7, 2016; and

**WHEREAS**, the Board of Supervisors held a public hearing on this ordinance on January 11, 2017; 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 144 Subdivision of Land, is amended to modify Article V– Design Standards, §144-31 Rural Subdivisions;** to amend Chapter 144, Subdivision to decrease the right-of-way necessary to create a family division lot from 50 feet to 20 feet per the Code of Virginia.

Passed this 11th day of January, 2017 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
William M. Ewing	_____	Judith McCann-Slaughter	_____
Gene E. Fisher	_____	Blaine P. Dunn	_____
Robert W. Wells	_____		

**A COPY ATTEST**

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Brenda G. Garton  
Frederick County Administrator



J



## MEMORANDUM

**TO:** Frederick County Board of Supervisors

**FROM:** Candice E. Perkins, AICP, CZA, Assistant Director *CEP*

**SUBJECT:** **Public Hearing** - Ordinance Amendment  
Discontinuance of Nonconforming Uses

**DATE:** December 30, 2016

---

This is an amendment to Chapter 165 – Zoning, as it pertains to the discontinuance of nonconforming uses. The Zoning Ordinance currently states that if a nonconforming use is discontinued for a period exceeding one year it is deemed abandoned. The Code of Virginia, however; states that a two year period is required before a use can be deemed abandoned. This revision proposes to change the Zoning Ordinance requirement to two years in conformance with the Code of Virginia.

The DRRC discussed this amendment at their August 2016 meeting. The DRRC agreed with the proposed change and the item was forwarded to the Planning Commission for discussion. The Planning Commission discussed this at their October 5, 2016 meeting; the Planning Commission agreed with the change and noted that it would bring the Zoning Ordinance into compliance with the State Code. The Board of Supervisors discussed this item on October 26, 2016; the Board of Supervisors agreed with the proposed changes and sent the amendment forward for public hearing. The Planning Commission held a public hearing for this item at their December 7, 2016 meeting; there were no citizen comments and the Planning Commission unanimously recommended approval of the amendment.

The attached document shows the existing ordinance with the proposed changes supported by the DRRC and the Planning Commission (with 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 staff if you have any questions.

---

**Attachments:** 1. Revised ordinance with additions shown in bold underlined italics.  
2. Code of Virginia  
3. Resolution

CEP/pd



Original language

**Draft revisions**

**ARTICLE IX  
NONCONFORMING USES, STRUCTURES AND SIGNS**

**Part 901 – Regulations**

**§ 165-901.01 Continuation of pre-existing uses, structures and signs.**

Any use which does not conform to the requirements of this chapter at the effective adoption date of this chapter may be continued so long as it remains otherwise lawful. Structures and land may continue to be used as they were at the effective adoption date so long as they remain otherwise lawful. Any use, structure, or sign which subsequently becomes nonconforming as a result of amendments to this chapter may continue as it was at the time of the adoption of the amendment, as long as it remains otherwise lawful. Such nonconforming uses, structures, and signs shall conform to all laws in effect at the time when the use, structure, and signs were established.

- A. If any change of ownership, possession or lease of any legally nonconforming use, structure, or sign occurs, the use, structure, or sign may continue according to the requirements of this article.
- B. When the boundaries of a district are changed, any uses, structures, or signs which become nonconforming as a result of such change shall be subject to the provisions of this article.

**§ 165-901.02 Discontinuance.**

- A. If any legally nonconforming use or legally nonconforming sign is discontinued for a period exceeding ~~one~~ **two** years after the enactment of this chapter, it shall be deemed to be abandoned, and any use or sign thereafter shall conform to the requirements of this chapter.
- B. Seasonal legally nonconforming uses that have been in continuous operation for a period of two years or more prior to the adoption of this chapter may be continued.

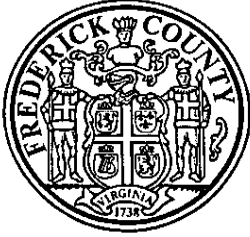
## Code of Virginia

### § 15.2-2307. Vested rights not impaired; nonconforming uses.

C. A zoning ordinance may provide that land, buildings, and structures and the uses thereof which do not conform to the zoning prescribed for the district in which they are situated may be continued only so long as the then existing or a more restricted use continues and such use is not discontinued for more than two years, and so long as the buildings or structures are maintained in their then structural condition; and that the uses of such buildings or structures shall conform to such regulations whenever, with respect to the building or structure, the square footage of a building or structure is enlarged, or the building or structure is structurally altered as provided in the Uniform Statewide Building Code (§ 36-97 et seq.). If a use does not conform to the zoning prescribed for the district in which such use is situated, and if (i) a business license was issued by the locality for such use and (ii) the holder of such business license has operated continuously in the same location for at least 15 years and has paid all local taxes related to such use, the locality shall permit the holder of such business license to apply for a rezoning or a special use permit without charge by the locality or any agency affiliated with the locality for fees associated with such filing. Further, a zoning ordinance may provide that no nonconforming use may be expanded, or that no nonconforming building or structure may be moved on the same lot or to any other lot which is not properly zoned to permit such nonconforming use.

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# ORDINANCE AMENDMENT

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**Action:**

PLANNING COMMISSION: December 7, 2016                      Recommended Approval

BOARD OF SUPERVISORS: January 11, 2017     APPROVED     DENIED

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

### ARTICLE IX – NONCONFORMING USES, STRUCTURES AND SIGNS PART 901 – REGULATIONS §165-901.02 - DISCONTINUANCE

**WHEREAS**, an ordinance to amend Chapter 165, Zoning - to extend the timeframe where nonconforming uses are deemed abandoned from one year to two years, per the Code of Virginia was considered; and

**WHEREAS**, the Planning Commission held a public hearing on this ordinance on December 7, 2016; and

**WHEREAS**, the Board of Supervisors held a public hearing on this ordinance on January 11, 2017; 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 IX– Nonconforming Uses, Structures and Signs, Part 901 – Regulations, §165-901.02 Discontinuance;** to amend Chapter 165, Zoning - to extend the timeframe where nonconforming uses are deemed abandoned from one year to two years, per the Code of Virginia.

Passed this 11th day of January, 2017 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
William M. Ewing	_____	Judith McCann-Slaughter	_____
Gene E. Fisher	_____	Blaine P. Dunn	_____
Robert W. Wells	_____		

**A COPY ATTEST**

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Brenda G. Garton  
Frederick County Administrator



К



## MEMORANDUM

**TO:** Frederick County Board of Supervisors

**FROM:** Candice E. Perkins, AICP, CZA, Assistant Director *CEP*

**SUBJECT:** **Public Hearing** - Ordinance Amendment  
Removal of Motorcycle Repair from the B2 District

**DATE:** December 30, 2016

---

This is a proposed amendment to Chapter 165 – Zoning, to remove motorcycle repair from the B2 (General Business) District and include it in the M1 (Light Industrial) and M2 (Industrial General) Districts. Currently, motorcycle repair is permitted in the B2 (General Business) and B3 (Industrial Transition) Districts. Staff has drafted an amendment to remove motorcycle repair from the B2 District and adding it to the M1 and M2 Districts (in addition to it currently being allowed in the B3 District).

The DRRC discussed this amendment at their August 2016 meeting. The DRRC agreed with the proposed change and the item was forwarded to the Planning Commission for discussion. The Planning Commission discussed this at their October 5, 2016 meeting. The Planning Commission questioned whether this amendment would impact current uses or dealerships that offer repair services. Staff noted that existing legal businesses could continue to operate and dealerships that offer repair as an accessory use which would still be permitted in the B2 District. Ultimately, the Planning Commission agreed with the change and sent the item forward for review by the Board of Supervisors. The Board of Supervisors discussed this item on October 26, 2016; the Board of Supervisors agreed with the proposed changes and sent the amendment forward for public hearing. The Planning Commission held a public hearing for this item at their December 7, 2016 meeting; there were no citizen comments and the Planning Commission unanimously recommended approval of the amendment.

The attached document shows the existing ordinance with the proposed changes supported by the DRRC and the Planning Commission (with 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 staff if you have any questions.

---

**Attachments:** 1. Revised ordinance with additions shown in bold underlined italics.  
2. SIC Manuel – 7699  
3. Resolution

CEP/pd



Original language

**Draft revisions**

**ARTICLE VI  
BUSINESS AND INDUSTRIAL ZONING DISTRICTS**

**Part 603 – B2 General Business District****§ 165-603.02 Allowed uses.**

Allowed uses shall be as follows:

Allowed Uses	Standard Industrial Classification (SIC)
Veterinary offices with all activities and animals kept within the fully enclosed primary structure, excluding the following:	074
Veterinary services livestock	0741
Animal specialty services, except veterinary, with all activities and animals kept within the fully enclosed primary structure	0752
Communication facilities and offices, including telephone, telegraph, radio, television and other communications, excluding the following: <sup>[1]</sup>	48
Communications services, not elsewhere classified	4899
Paint, glass and wallpaper stores	523
Hardware stores	525
Retail nurseries and lawn and garden supply stores	526
General merchandise stores	53
Food stores, excluding the following:	54
Fruit and vegetable stands	5431
Automotive dealers and gasoline service stations	55
Apparel and accessory stores	56
Home furniture, furnishings and equipment stores	57
Restaurants	58
Miscellaneous retail, except for the following:	59
Fuel dealers	598
Flea markets, operated outdoors	-
Finance, insurance and real estate offices	-
Hotels and motels	701
Organization hotels and lodging	704
Personal services, including laundry and funeral services, excluding the following:	72
Linen supply	7213
Dry cleaning plants	7216
Industrial launderers	7218
Escort services	7299

Allowed Uses	Standard Industrial Classification (SIC)
Turkish baths	7299
Steam baths	7299
Business services, excluding the following:	73
Outdoor ad services	7312
Miscellaneous equipment rental	735
Automobile recovery service	7389
Automobile repossession service	7389
Exhibits building of by industrial contractors	7389
Filling of pressure containers (aerosol)	7389
Gas systems contract conversion from manufactured to natural gas	7389
Produce weighting service	7389
Product sterilization service	7389
Repossession service	7389
Salvaging of damaged merchandise not engaged in sales	7389
Scrap steel cutting	7389
Car washes	7542
Miscellaneous repair services, excluding the following:	76
Welding repair	7692
Agricultural equipment repair	7699
Blacksmith shops	7699
Boiler cleaning and repair	7699
Cesspool cleaning	7699
Coppersmithing	7699
Dental and medical instrument repair	7699
Engine repair	7699
Farm machinery and tractor repair	7699
Farriers	7699
Horseshoeing	7699
Industrial truck repair	7699
Laboratory instrument repair	7699
Machinery cleaning	7699
Measuring and controlling instrument repair; mechanical	7699
Meteorological instrument repair	7699
<b><u>Motorcycle Repair service</u></b>	<b><u>7699</u></b>
Precision instrument repair	7699
Repair of optical instruments	7699
Repair of service station equipment	7699
Scale repair service	7699
Septic tank cleaning service	7699
Sewer cleaning service	7699



Allowed Uses	Standard Industrial Classification (SIC)
Surgical instrument repair	7699
Tank and boiler cleaning service	7699
Tank truck cleaning service	7699
Taxidermists	7699
Tinsmithing	7699
Motion picture theaters, except drive-in	7832
Videotape rental	784
Amusement and recreation services operated indoors	79
Golf driving ranges and miniature golf courses	7999
Health services	80
Legal services	81
Child day-care facilities	8351
Membership organizations	86
Engineering, accounting, research, management and related services, excluding the following:	87
Testing laboratories	8734
General business offices	-
Model home sales offices	-
Self-service storage facilities	-
Public buildings	-
Public utility distribution facilities	-
Business signs	-
Signs allowed in § 165-201.06B	-
Freestanding building entrance signs	-
Multi-tenant complex signs	-
Electronic message signs	-
Residential uses which are accessory to allowed business uses	-
Parks	-
Churches	-
Libraries	-
Electrical supplies	506
Hardware and plumbing and heating equipment	507
Commercial batting cages operated outdoors	-
Fire stations, companies and rescue squads	-
Commercial sport and recreation clubs	--
Social services, except for the following:	83
Residential care	836

**\*\*7699 as a whole use group is permitted in the B3 District**

**Part 606: M1 Light Industrial District****§ 165-606.02 Allowed uses.**

Allowed uses are as follows:

<b>Allowed Uses</b>	<b>Standard Industrial Classification (SIC)</b>
Landscape and horticultural services	078
Offices and storage facilities for building construction contractors, heavy construction contractors and special trade contractors	15, 16 and 17
Manufacturing as follows:	--
Dairy products	202
Canned, frozen and preserved fruits, vegetables and soup mixes	203
Bakery products	205
Sugar and confectionary products	206
Beverages	208
Miscellaneous food preparations and products, excluding the following:	209
Canned and cured fish and seafood	2091
Fresh or frozen fish and seafood	2092
Textile mill products	22
Apparel or other finished products made from fabrics and similar material	23
Lumber and wood products, excluding the following:	24
Logging	241
Sawmills and planing mills	242
Wood preserving	2491
Furniture and fixtures	25
Paperboard containers and boxes	265
Converted paper and paperboard products, except containers and boxes	267
Printing, publishing and allied industries	27
Drugs	283
Rubber and miscellaneous plastics products	30
Concrete block and brick and related products	3271
Fabricated metal products, excluding the following:	34
Coating, engraving and allied services	347
Ammunition, except for small arms	3483
Ordnance and accessories, not elsewhere classified	3489
Industrial and commercial machinery and computer equipment	35
Electronics and other electrical equipment and components, excluding the following:	36
Lead acid batteries	3691
Primary batteries	3692
Transportation equipment	37
Measuring, analyzing and controlling instruments; photographic, medical and optical goods; and watches and clocks	38



Allowed Uses	Standard Industrial Classification (SIC)
Miscellaneous manufacturing industries	39
Local and suburban transit and interurban highway passenger transportation	41
Motor freight transportation and warehousing	42
Transportation by air	45
Transportation services	47
Communication facilities and offices, including telephone, telegraph, radio, television and other communications	48
Electric, gas and other utility facilities and offices and trucking and warehousing	49
Wholesale trade	-
Advertising specialties - wholesale	5199
Restaurants	58
Linen supply	7213
Dry cleaning plants	7216
Business services	73
Truck rental and leasing, without drivers	7513
Automotive repair shops	753
Welding repair	7692
Agricultural equipment repair	7699
Boiler cleaning and repair	7699
Cesspool cleaning	7699
Coppersmithing	7699
Engine repair	7699
Farm machinery and tractor repair	7699
Industrial truck repair	7699
Machinery cleaning	7699
Measuring and controlling instrument repair; mechanical	7699
Meteorological instrument repair	7699
<b><u>Motorcycle Repair Service</u></b>	<b><u>7699</u></b>
Precision instrument repair	7699
Repair of optical instruments	7699
Repair of service station equipment	7699
Scale repair service	7699
Septic tank cleaning service	7699
Sewer cleaning service	7699
Tank and boiler cleaning service	7699
Tank truck cleaning service	7699
Tinsmithing	7699
Vocational schools	824
Business associations	861
Professional membership organizations	862

Allowed Uses	Standard Industrial Classification (SIC)
Labor unions and similar labor organizations	863
Engineering, accounting, research, management and related services	87
Testing laboratories	8734
General business offices, including corporate, government or other offices not providing services to the general public on a regular basis as the primary use	--
Accessory retailing	--
Public buildings	--
Public utility distribution facilities	--
Business signs	--
Signs allowed in § 165-201.06B	--
Freestanding building entrance signs	--
Multi-tenant complex signs	--
Electronic message signs	--
Residential uses which are accessory to allowed business uses	--
Parks	--
Regional criminal justice, enforcement and detention facilities for Frederick County, Clarke County and the City of Winchester	--
Industrial launderers	7218
Truck or fleet maintenance facilities	--
Self-service storage facilities	--
Flex-Tech	--
Fire stations, companies and rescue squads	--



## SERVICES

377

Industry  
Group  
No.  
769

Industry  
No.

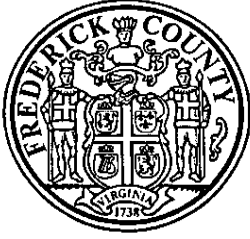
**MISCELLANEOUS REPAIR SHOPS AND RELATED SERVICES—Con.**

**7699 Repair Shops and Related Services, Not Elsewhere Classified—Con.**

musical instrument repair; septic tank cleaning; farm machinery repair; fur-  
nace cleaning; motorcycle repair; tank truck cleaning; taxidermists; tractor  
repair; and typewriter repair.

Agricultural equipment repair  
Antique repair and restoration, except  
furniture and automotive  
Awning repair shops  
Beer pump coil cleaning and repair  
service  
Bicycle repair shops  
Binoculars and other optical goods  
repair  
Blacksmith shops  
Boiler cleaning  
Boiler repair shops, except manufactur-  
ing  
Bowling pins, refinishing or repair  
Camera repair shops  
Catch basin cleaning  
Cesspool cleaning  
China firing and decorating to individ-  
ual order  
Cleaning and reglazing of baking pans  
Cleaning bricks  
Coppersmithing repair, except construc-  
tion  
Covering textile rolls  
Dental instrument repair  
Drafting instrument repair  
Engine repair, except automotive  
Farm machinery repair  
Farriers (blacksmith shops)  
Fire control (military) equipment repair  
Furnace and chimney cleaning  
Furnace cleaning service  
Gas appliance repair service  
Glazing and cleaning baking pans  
Gun parts made to individual order  
Gunsmith shops  
Harness repair shops  
Horseshoeing  
Industrial truck repair  
Key duplicating shops  
Laboratory instrument repair, except  
electric  
Lawnmower repair shops  
Leather goods repair shops  
Lock parts made to individual order  
Locksmith shops  
Luggage repair shops  
Machinery cleaning  
Mattress renovating and repair shops  
Measuring and controlling instrument  
repair, mechanical

Medical equipment repair, except elec-  
tric  
Météorological instrument repair  
Microscope repair  
Mirror repair shops  
Motorcycle repair service  
Musical instrument repair shops  
Nautical and navigational instrument  
repair, except electric  
Organ tuning and repair  
Piano tuning and repair  
Picture framing to individual order, not  
connected with retail art stores  
Picture framing, custom  
Pocketbook repair shops  
Precision instrument repair  
Rebabbitting  
Reneedling work  
Repair of optical instruments  
Repair of photographic equipment  
Repair of service station equipment  
Repair of speedometers  
Rug repair shops, not combined with  
cleaning  
Saddlery repair shops  
Scale repair service  
Scientific instrument repair, except  
electric  
Septic tank cleaning service  
Sewer cleaning and rodding  
Sewing machine repair shops  
Sharpening and repairing knives, saws,  
and tools  
Ship boiler and tank cleaning and  
repair—contractors  
Ship scaling—contractors  
Stove repair shops  
Surgical instrument repair  
Surveying instrument repair  
Tank and boiler cleaning service  
Tank truck cleaning service  
Taxidermists  
Tent repair shops  
Thermostat repair  
Tinsmithing repair, except construction  
Tractor repair  
Tuning of pianos and organs  
Typewriter repair, including electric  
Venetian blind repair shops  
Window shade repair shops



# ORDINANCE AMENDMENT

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**Action:**

PLANNING COMMISSION: December 7, 2016          Recommended Approval

BOARD OF SUPERVISORS: January 11, 2017     APPROVED     DENIED

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

### **ARTICLE VI – BUSINESS AND INDUSTRIAL ZONING DISTRICTS PART 603 – B2 GENERAL BUSINESS DISTRICT §165-603.02 ALLOWED USES**

### **PART 606 – M1 LIGHT INDUSTRIAL DISTRICT §165-606.02 ALLOWED USES**

**WHEREAS**, an ordinance to amend Chapter 165, Zoning to remove motorcycle repair from the B2 (General Business) District and include it in the M1 (Light Industrial) and M2 (Industrial Transition) Districts was considered; and

**WHEREAS**, the Planning Commission held a public hearing on this ordinance on December 7, 2016; and

**WHEREAS**, the Board of Supervisors held a public hearing on this ordinance on January 11, 2017; 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 VI– Business and Industrial Zoning Districts, Part 603 – B2 General Business District, §165-603.02 Allowed Uses, Part 606 M1 Light Industrial District, §165-606.02 Allowed uses;** to amend Chapter 165, Zoning - to remove motorcycle repair from the B2 (General Business) District and include it in the M1 (Light Industrial) and M2 (Industrial Transition) Districts.



Passed this 11th day of January, 2017 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
William M. Ewing	_____	Judith McCann-Slaughter	_____
Gene E. Fisher	_____	Blaine P. Dunn	_____
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, CZA, Assistant Director 

**SUBJECT:** **Pubic Hearing** - Ordinance Amendment  
Indoor Recreation in the M1 and OM Districts

**DATE:** December 30, 2016

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This is an amendment to Chapter 165 – Zoning, to include an allowance for amusement and recreation services operated indoors SIC 79 to be permitted through a Conditional Use Permit in the M1 (Light Industrial) District and the OM (Office-Manufacturing) District. Staff has limited the allowances to SIC 7941 (commercial sports), SIC 7991 (physical fitness facilities), SIC 7997 (membership sports and recreation clubs) and portions of 7999 (fitness and sports instruction). Staff has also drafted supplemental use regulations that would correspond to the use – additional requirements could be added during the Conditional Use Permit process if necessary.

The DRRC discussed this amendment at their September 2016 meeting. The DRRC agreed with the proposed change and the item was forwarded to the Planning Commission for discussion. The Planning Commission discussed this item on October 19; 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 November 9, 2016; the Board of Supervisors agreed with the proposed changes and sent the amendment forward for public hearing. The Planning Commission held a public hearing for this item at their December 7, 2016 meeting; there were no citizen comments and the Planning Commission ultimately recommended approval of the amendment.

The attached document shows the existing ordinance with the proposed changes supported by the DRRC and the Planning Commission (with 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 staff if you have any questions.

---

**Attachments:** 1. Revised ordinance with additions shown in bold underlined italics.  
2. SIC 79  
3. Resolution

CEP/pd

**ARTICLE VI  
BUSINESS AND INDUSTRIAL ZONING DISTRICTS**

**Part 606 – M1 Light Industrial District**

**§ 165-606.03. Conditional Uses.**

Uses permitted with a conditional use permit shall be as follows:

Conditional Uses	Standard Industrial Classification (SIC)
Tractor Truck and Tractor Truck Trailer Parking	-----
<p><b><u>Commercial Recreation, Indoor*:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Professional Sports Clubs</u></b></li> <li>• <b><u>Physical Fitness Facilities</u></b></li> <li>• <b><u>Membership Sports and Recreation Clubs</u></b></li> <li>• <b><u>Amusement and Recreation Services (to include only fitness and sports instruction facilities)</u></b></li> </ul> <p>*This use will not be permissible in the M2 Zoning District.</p>	<p align="center"><b><u>7941</u></b></p> <p align="center"><b><u>7991</u></b></p> <p align="center"><b><u>7997</u></b></p> <p align="center"><b><u>7999</u></b></p>

**Part 605 – OM Office-Manufacturing Park District**

**§ 165-605.03.1 Conditional Uses.**

Uses permitted with a conditional use permit shall be as follows:

Conditional Uses	Standard Industrial Classification (SIC)
<p><b><u>Commercial Recreation, Indoor*:</u></b></p> <ul style="list-style-type: none"> <li>• <b><u>Professional Sports Clubs</u></b></li> <li>• <b><u>Physical Fitness Facilities</u></b></li> <li>• <b><u>Membership Sports and Recreation Clubs</u></b></li> <li>• <b><u>Amusement and Recreation Services (to include only fitness and sports instruction facilities)</u></b></li> </ul>	<p align="center"><b><u>7941</u></b></p> <p align="center"><b><u>7991</u></b></p> <p align="center"><b><u>7997</u></b></p> <p align="center"><b><u>7999</u></b></p>



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

**Part 204 – Additional Regulations for Specific Uses**

**§ 165-204.29. Commercial Recreation, Indoor.**

**Commercial Indoor Recreation located in the M1 (Light Industrial) District and the OM (Office-Manufacturing) District shall be subject to the following requirements:**

- A. Parking areas for recreation facilities shall be designated to enhance the safety of patrons as they arrive at and leave the facility.**
  - B. Adequate parking shall be provided onsite, or through a shared parking agreement, shall be required per § 165-202.01.**
  - C. Establishments shall include a designated pickup and delivery area for all patrons in such a way that provides safe and clearly designated access to enter or exit the facility.**
  - D. All uses shall be operated indoors, outdoor recreation shall be prohibited.**
- 

**ARTICLE I**  
**GENERAL PROVISIONS, AMENDMENTS, AND CONDITIONAL USE PERMITS**

**Part 101 – General Provisions**

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

COMMERCIAL ~~RECREATION~~, INDOOR ~~RECREATION~~ – **A sports or activity facility either open to the general public for a fee or for members and their guests, located in an enclosed building or structure designed to accommodate gatherings**  
~~Private, fee-supported outdoor facilities used for athletic, training, recreational or park purposes, **games, cultural activities, martial arts, archery and the like.** that utilize supervised athletic or recreational activities.~~

**Major Group 79.—AMUSEMENT AND RECREATION SERVICES***The Major Group as a Whole*

This major group includes establishments engaged in providing amusement or entertainment services, not elsewhere classified. Establishments primarily engaged in operating motion picture theaters are classified in Industry Group 783, and those operating museums, art galleries, arboreta, and botanical and zoological gardens are classified in Major Group 84.

Industry Group No.	Industry No.		
791	<p><b>DANCE STUDIOS, SCHOOLS, AND HALLS</b></p> <p><b>7911 Dance Studios, Schools, and Halls</b></p> <p>Establishments primarily engaged in operating dance studios, schools, and public dance halls or ballrooms. Establishments primarily engaged in renting facilities used as dance halls or ballrooms are classified in Real Estate, Industry 6512.</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> <li>Ballroom operation</li> <li>Children's dancing schools</li> <li>Dance hall operation</li> <li>Dance instructors</li> </ul> </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> <li>Dance studios and schools</li> <li>Discotheques, except those serving alcoholic beverages</li> <li>Professional dancing schools</li> </ul> </td> </tr> </table>	<ul style="list-style-type: none"> <li>Ballroom operation</li> <li>Children's dancing schools</li> <li>Dance hall operation</li> <li>Dance instructors</li> </ul>	<ul style="list-style-type: none"> <li>Dance studios and schools</li> <li>Discotheques, except those serving alcoholic beverages</li> <li>Professional dancing schools</li> </ul>
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792	<p><b>THEATRICAL PRODUCERS (EXCEPT MOTION PICTURE), BANDS, ORCHESTRAS, AND ENTERTAINERS</b></p> <p><b>7922 Theatrical Producers (Except Motion Picture) and Miscellaneous Theatrical Services</b></p> <p>Establishments primarily engaged in providing live theatrical presentations, such as road companies and summer theaters. This industry also includes services allied with theatrical presentations, such as casting agencies; booking agencies for plays, artists, and concerts; scenery, lighting, and other equipment services; and theatrical ticket agencies. Also included in this industry are producers of live and taped radio programs and commercials and producers of live television programs. Establishments primarily engaged in the production of taped television programs and commercials are classified in Industry 7812. Theaters which are normally rented to theatrical producers and stock companies are classified in Real Estate, Industry 6512. Motion picture theaters and motion picture service industries are classified in Major Group 78. Establishments primarily engaged in operating dinner theaters are classified in Retail Trade, Industry 5812.</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> <li>Agents or managers for entertainers</li> <li>Agents, talent: theatrical</li> <li>Ballet production</li> <li>Booking agencies, theatrical: except motion picture</li> <li>Burlesque companies</li> <li>Casting agencies, theatrical: except motion picture</li> <li>Community theater productions</li> <li>Concert management service</li> <li>Costume design, theatrical</li> <li>Employment agencies: theatrical, radio, and television—except motion picture</li> <li>Legitimate theater producers</li> <li>Opera companies</li> <li>Performing arts center productions</li> <li>Plays (road companies and stock companies)</li> <li>Radio programs, including commercials: producers of</li> </ul> </td> <td style="vertical-align: top;"> <ul style="list-style-type: none"> <li>Rental of theatrical scenery</li> <li>Repertory or stock companies, theatrical</li> <li>Road companies, theatrical</li> <li>Scenery design, theatrical</li> <li>Stock companies, theatrical</li> <li>Summer theaters, except dinner theaters</li> <li>Television programs (including commercials): live</li> <li>Theatrical companies</li> <li>Theatrical equipment rental</li> <li>Theatrical lighting on a contract basis</li> <li>Theatrical production, except motion picture</li> <li>Theatrical ticket agencies</li> <li>Vaudeville companies</li> </ul> </td> </tr> </table>	<ul style="list-style-type: none"> <li>Agents or managers for entertainers</li> <li>Agents, talent: theatrical</li> <li>Ballet production</li> <li>Booking agencies, theatrical: except motion picture</li> <li>Burlesque companies</li> <li>Casting agencies, theatrical: except motion picture</li> <li>Community theater productions</li> <li>Concert management service</li> <li>Costume design, theatrical</li> <li>Employment agencies: theatrical, radio, and television—except motion picture</li> <li>Legitimate theater producers</li> <li>Opera companies</li> <li>Performing arts center productions</li> <li>Plays (road companies and stock companies)</li> <li>Radio programs, including commercials: producers of</li> </ul>	<ul style="list-style-type: none"> <li>Rental of theatrical scenery</li> <li>Repertory or stock companies, theatrical</li> <li>Road companies, theatrical</li> <li>Scenery design, theatrical</li> <li>Stock companies, theatrical</li> <li>Summer theaters, except dinner theaters</li> <li>Television programs (including commercials): live</li> <li>Theatrical companies</li> <li>Theatrical equipment rental</li> <li>Theatrical lighting on a contract basis</li> <li>Theatrical production, except motion picture</li> <li>Theatrical ticket agencies</li> <li>Vaudeville companies</li> </ul>
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Industry  
Group  
No.  
792

Industry  
No.

**THEATRICAL PRODUCERS (EXCEPT MOTION PICTURE), BANDS,  
ORCHESTRAS, AND ENTERTAINERS—Con.**

**7929 Bands, Orchestras, Actors, and Other Entertainers and Entertainment  
Groups**

Establishments primarily engaged in providing entertainment other than live theatrical presentations. These establishments include bands, orchestras, and entertainers.

Actors  
Actresses  
Classical music groups or artists  
Concert artists  
Dance bands  
Drum and bugle corps (drill teams)  
Entertainers  
Entertainment groups

Jazz music groups or artists  
Magicians  
Musicians  
Orchestras  
Performing artists  
Popular music groups or artists  
Symphony orchestras

793

**BOWLING CENTERS**

**7933 Bowling Centers**

Establishments known to the public as bowling centers or lanes. Such establishments frequently sell meals and refreshments.

Bowling centers  
Candle pin centers

Duck pin centers  
Ten pin centers

794

**COMMERCIAL SPORTS**

**7941 Professional Sports Clubs and Promoters**

Establishments primarily engaged in operating and promoting professional and semiprofessional athletic clubs; promoting athletic events, including amateur; and managing individual professional athletes. Stadiums and athletic fields are included only if the operator is actually engaged in the promotion of athletic events. Establishments primarily engaged in operating stadiums and athletic fields are classified in Real Estate, Industry Group 651. Amateur sports and athletic clubs are classified in Industry Group 799.

Arenas, boxing and wrestling (sports promotion): professional  
Athletic field operation (sports promotion)  
Baseball clubs, professional or semiprofessional  
Basketball clubs, professional or semiprofessional  
Football clubs, professional or semiprofessional  
Ice hockey clubs, professional or semiprofessional

Managers of individual professional athletes  
Professional or semiprofessional sports clubs  
Promoters, sports events  
Soccer clubs, professional or semiprofessional  
Sports field operation (sports promotion)  
Sports promotion: baseball, football, boxing, etc.  
Stadiums (sports promotion)

**7948 Racing, Including Track Operation**

Promoters and participants in racing activities, including racetrack operators, operators of racing stables, jockeys, racehorse trainers, and race car owners and operators.

Dog racing  
Dragstrip operation  
Horses, race training  
Horses, racing of  
Jockeys, horseracing  
Motorcycle racing  
Race car drivers and owners

Racetrack operation: e.g., horse, dog, auto  
Racing stables, operation of  
Speedway operation  
Stock car racing  
Training racehorses

Industry  
Group  
No. 799

Industry  
No.

## MISCELLANEOUS AMUSEMENT AND RECREATION SERVICES

### 7991 Physical Fitness Facilities

Establishments primarily engaged in operating reducing and other health clubs, spas, and similar facilities featuring exercise and other active physical fitness conditioning, whether or not on a membership basis. Also included in this industry are establishments providing aerobic dance and exercise classes. Sports and recreation clubs are classified in Industry 7997 if operated on a membership basis, and in Industries 7992 or 7999 if open to the general public. Health resorts and spas providing lodging are classified in Major Group 70. Establishments that promote physical fitness through diet control are classified in Industry 7299.

Aerobic dance and exercise classes  
Clubs, health  
Exercise salons  
Fitness salons  
Gymnasiums  
Physical fitness centers

Reducing facilities, physical fitness,  
without lodging  
Slenderizing salons  
Spas, health fitness: except resort  
lodges

### 7992 Public Golf Courses

Establishments primarily engaged in the operation of golf courses open to the general public on a contract or fee basis. Membership golf and country clubs are classified in Industry 7997. Miniature golf courses and golf driving ranges are classified in Industry 7999.

Golf clubs, nonmembership

Golf courses, public: operation of

### 7993 Coin-Operated Amusement Devices

Establishments primarily engaged in operating coin-operated amusement devices, either in their own or in other places of business. Such amusement devices include juke boxes, pinball machines, mechanical games, slot machines, and similar types of amusement equipment. Amusement (including video game) arcades and parlors are also included in this industry.

Amusement device parlors, coin-operated  
Amusement machines, coin-operated: operation of  
Arcades, amusement  
Gambling establishments primarily operating coin-operated machines  
Gambling machines, coin-operated: operation of

Juke boxes, operation of  
Mechanical games, coin-operated: operation of  
Music distribution systems, coin-operated  
Pinball machines, operation of  
Slot machines, operation of  
Video game arcades

### 7996 Amusement Parks

Establishments of the type known as amusement parks and kiddie parks which group together and operate in whole or in part a number of attractions, such as mechanical rides, amusement devices, refreshment stands, and picnic grounds. Amusement concessionaires operating within the park are generally classified in Industry 7999.

Amusement centers and parks (not fairs, circuses, or carnivals)  
Amusement parks

Kiddie parks  
Piers, amusement  
Theme parks, amusement

### 7997 Membership Sports and Recreation Clubs

Sports and recreation clubs which are restricted to use by members and their guests. Country, golf, tennis, yacht, and amateur sports and recreation



Industry  
Group  
No.      Industry  
No.

799

**MISCELLANEOUS AMUSEMENT AND RECREATION SERVICES—Con.****7997 Membership Sports and Recreation Clubs—Con.**

clubs are included in this industry. Physical fitness facilities are classified in Industry 7991.

Aviation clubs, membership	Gun clubs, membership
Baseball clubs, except professional and semiprofessional	Handball clubs, membership
Bathing beaches, membership	Hockey clubs, except professional and semiprofessional
Beach clubs, membership	Hunt clubs, membership
Boating clubs, membership	Racquetball clubs, membership
Bowling leagues or teams, except professional and semiprofessional	Recreation and sports clubs, membership: except physical fitness
Bridge clubs, membership	Riding clubs, membership
Clubs, membership: sports and recreation, except physical fitness	Shooting clubs, membership
Country clubs, membership	Soccer clubs, except professional and semiprofessional
Flying fields maintained by aviation clubs	Sports and recreation clubs, membership: except physical fitness
Football clubs, except professional and semiprofessional	Swimming clubs, membership
Golf clubs, membership	Tennis clubs, membership
	Yacht clubs, membership

**7999 Amusement and Recreation Services, Not Elsewhere Classified**

Establishments primarily engaged in the operation of sports, amusement, and recreation services, not elsewhere classified, such as bathing beaches, swimming pools, riding academies and schools, carnival operation, exposition operation, horse shows, picnic grounds operation, rental of rowboats and canoes, and shooting galleries. Establishments primarily engaged in showing or handling animals at shows or exhibitions are classified in Agricultural Services, Industry Group 075.

Aerial tramways, amusement or scenic	Fortune tellers
Amusement concessions	Gambling establishments not primarily operating coin-operated machines
Amusement rides	Gambling machines, except coin-operated: operation of
Animal shows in circuses, fairs, and carnivals	Game parlors, except coin-operated
Archery ranges, operation of	Games, teaching of
Astrologers	Gocart raceway operation
Baseball instruction schools	Gocart rentals
Basketball instruction schools	Golf courses, miniature: operation of
Bath houses, independently operated	Golf driving ranges
Bathing beaches, public	Golf professionals not operating retail stores
Betting information services	Golf, pitch-n-putt
Billiard parlors	Gymnastics instruction
Bingo parlors	Handball courts, except membership clubs
Boat rental, pleasure	Horse shows
Boats, party fishing: operation of	Houseboat rentals
Bookies	Hunting guides
Bookmakers, race	Ice skating rink operation
Bowling instruction	Judo instruction
Bridge clubs, nonmembership	Karate instruction
Bridge instruction	Lifeguard service
Cable lifts, amusement or scenic: operated separately from lodges	Lotteries, operation of
Canoe rental	Lottery clubs and ticket sales to individuals
Card rooms	Moped rental
Carnival operation	Motorcycle rental
Cave operation	Natural wonders, tourist attraction: commercial
Circus companies	Observation tower operation
Concession operators, amusement devices and rides	Off-track betting
Day camps	Pack trains for amusement
Exhibition operation	Parachute training for pleasure
Exposition operation	Phrenologists
Fairs, agricultural: operation of	
Fireworks display service	
Fishing piers and lakes, operation of	

Industry  
Group  
No. 799

Industry  
No.

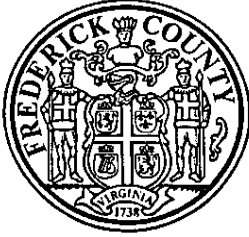
**MISCELLANEOUS AMUSEMENT AND RECREATION SERVICES—Con.**

**7999 Amusement and Recreation Services, Not Elsewhere Classified—Con.**

Picnic grounds operation  
Ping pong parlors  
Pool parlors  
Racquetball courts, except membership clubs  
Rental of beach chairs and accessories  
Rental of bicycles  
Rental of golf carts  
Rental of rowboats and canoes  
Rental of saddle horses  
Riding academies and schools  
Riding stables  
River rafting, operation of  
Rodeo animal rental  
Rodeos, operation of  
Roller skating rink operation  
Scenic railroads for amusement  
Schools and camps, sports instructional  
Scuba and skin diving instruction  
Shooting galleries  
Shooting ranges, operation of  
Skating instruction, ice or roller  
Skeet shooting facilities, except membership clubs  
Ski instruction  
Ski lifts, cable lifts, and ski tows operated separately from lodges

Ski rental concessions  
Slot-car racetracks  
Sporting goods rental  
Sports instructors, professional: golf, skiing, swimming, etc.  
Sports professionals  
Swimming instruction  
Swimming pools, except membership  
Tennis clubs, nonmembership  
Tennis courts, outdoor and indoor: operation of, nonmembership  
Tennis professionals  
Ticket sales offices for sporting events, contract  
Tourist attractions, natural wonder: commercial  
Tourist guides  
Trampoline operation  
Trapshooting facilities, except membership clubs  
Waterslides, operation of  
Wave pools, operation of  
Wax figure exhibitions  
Yoga instruction





# ORDINANCE AMENDMENT

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**Action:**

PLANNING COMMISSION: December 7, 2016      Recommended Approval

BOARD OF SUPERVISORS: January 11, 2017     APPROVED     DENIED

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

**ARTICLE VI – BUSINESS AND INDUSTRIAL ZONING DISTRICTS**  
**PART 605 – OM OFFICE MANUFACTURING PARK DISTRICTS**  
**§165-605.03.01 CONDITIONAL USES**  
**PART 606 – M1 LIGHT INDUSTRIAL DISTRICTS**  
**§165-606.03. CONDITIONAL USES**

**ARTICLE II – SUPPLEMENTARY USE REGULATIONS, PARKING,  
BUFFERS, AND REGULATIONS FOR SPECIFIC USES**  
**PART 204 – ADDITIONAL REGULATIONS FOR SPECIFIC USES**  
**§165-204.29 COMMERCIAL RECREATION, INDOOR**

**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 include an allowance for amusement and recreation services operated indoors SIC 79 to be permitted through a Conditional Use Permit in the M1 (Light Industrial) District and the OM (Office Manufacturing Park) District was considered; and

**WHEREAS**, the Planning Commission held a public hearing on this ordinance on December 7, 2016; and

**WHEREAS**, the Board of Supervisors held a public hearing on this ordinance on January 11, 2017; 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 VI – BUSINESS AND INDUSTRIAL ZONING DISTRICTS, PART 605 – OM OFFICE MANUFACTURING PARK DISTRICTS, §165-605.03.01 CONDITIONAL USES, PART 606 – M1 LIGHT INDUSTRIAL DISTRICTS, §165-606.03. CONDITIONAL USES, ARTICLE II – SUPPLEMENTARY USE REGULATIONS, PARKING, BUFFERS, AND REGULATIONS FOR SPECIFIC USES, PART 204 – ADDITIONAL REGULATIONS FOR SPECIFIC USES, §165-204.29 COMMERCIAL RECREATION, INDOOR, ARTICLE I – GENERAL PROVISIONS, AMENDMENTS AND CONDITIONAL USE PERMITS, PART 101 – GENERAL PROVISIONS, §165-101.02 DEFINITIONS & WORD USAGE;** to amend Chapter 165, Zoning - to include an allowance for amusement and recreation services operated indoors SIC 79 to be permitted through a Conditional Use Permit in the M1 (Light Industrial) District and the OM (Office Manufacturing Park) District.

Passed this 11th day of January, 2017 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
William M. Ewing	_____	Judith McCann-Slaughter	_____
Gene E. Fisher	_____	Blaine P. Dunn	_____
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, CZA, Assistant Director 

**SUBJECT:** **Public Hearing** - Ordinance Amendment – Minor Site Plans

**DATE:** December 30, 2016

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This is an amendment to Chapter 165 – Zoning, to modify the standards for the submittal of a minor site plan. The current threshold for a minor site plan is “a revision that increases an existing structure area by 20% or less and does not exceed 5,000 square feet of disturbed area”. At the August meeting of the Development Review and Regulations Committee (DRRC), the Committee requested to increase the disturbed area from 5,000 square feet to 10,000 square feet to be consistent with the state requirements for a land disturbance permit.

The DRRC discussed this amendment at their September 2016 meeting. The DRRC agreed with the proposed change and the item was forwarded to the Planning Commission for discussion. The Planning Commission discussed this item on October 19; 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 November 9, 2016; the Board of Supervisors agreed with the proposed changes and sent the amendment forward for public hearing. The Planning Commission held a public hearing for this item at their December 7, 2016 meeting; there were no citizen comments and the Planning Commission unanimously recommended approval of the amendment.

The attached document shows the existing ordinance with the proposed changes supported by the DRRC and the Planning Commission (with 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 staff if you have any questions.

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**Attachment:** 1. Revised ordinance with deletions shown in strikethrough and additions shown in bold underlined italics.  
2. Resolution

CEP/pd



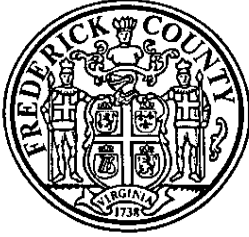
**ARTICLE VIII  
DEVELOPMENT PLANS AND APPROVALS**

**Part 802 – Site Plans**

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

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~~ **10,000** 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.



# ORDINANCE AMENDMENT

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**Action:**

PLANNING COMMISSION: December 7, 2016      Recommended Approval

BOARD OF SUPERVISORS: January 11, 2017     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

#### §165-802.03 – SITE PLAN AND ILLUSTRATIVE SKETCH PLAN CONTENTS

**WHEREAS**, an ordinance to amend Chapter 165, Zoning – to modify the standards for a submittal of a minor site plan from 5,000 square feet to 10,000 square feet, was considered; and

**WHEREAS**, the Planning Commission held a public hearing on this ordinance on December 7, 2016; and

**WHEREAS**, the Board of Supervisors held a public hearing on this ordinance on January 11, 2017; 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 VIII – Development Plans and Approvals, Part 802 – Site Plans, §165-802.03 – Site Plan and Illustrative Sketch Plan Contents;** to modify the standards for a submittal of a minor site plan from 5,000 square feet to 10,000 square feet.



Passed this 11th day of January, 2017 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
William M. Ewing	_____	Judith McCann-Slaughter	_____
Gene E. Fisher	_____	Blaine P. Dunn	_____
Robert W. Wells	_____		

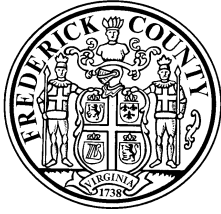
**A COPY ATTEST**

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Brenda G. Garton  
Frederick County Administrator

**N**





**REZONING APPLICATION #12-16  
SNOWDEN BRIDGE STATION  
Staff Report for the Board of Supervisors  
Prepared: December 30, 2016**

Staff Contact: Candice E. Perkins, AICP, CZA, Assistant Director

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	<u>Reviewed</u>	<u>Action</u>
<b>Planning Commission:</b>	12/07/16	Public Meeting Held; Recommended Approval
<b>Board of Supervisors:</b>	01/11/17	Pending

**PROPOSAL:** To revise the proffer from Rezoning #03-05 for North Stephenson, Inc. submitted by GreyWolfe, Inc. This minor proffer amendment seeks to amend a transportation proffer that previously dedicated public right-of-way for the construction of a public roadway for the realignment of Redbud Road. This proffer amendment seeks to make the dedication a private access easement and would bring this proffer in alignment with #04-16 which was approved in June of 2016 making the eastern portion of this roadway private.

**LOCATION:** The properties are located on the eastern side of Martinsburg Pike (Route 11), western side of CSX, northern side of Redbud Road, and southern side of Snowden Bridge Boulevard.

**EXECUTIVE SUMMARY & PLANNING COMMISSION RECOMMENDATION FOR THE  
01/11/17 BOARD OF SUPERVISORS MEETING:**

This is an application to amend the proffers from Rezoning #03-05 for 59.223 acres of land. This minor proffer amendment seeks to amend a transportation proffer that previously dedicated public right-of-way for the construction of the realignment of Redbud Road. Since the 2005 rezoning was approved, the realignment location for Redbud Road has been relocated to the Graystone property and therefore a public right-of-way dedication is not necessary. The Applicant is requesting to revise the proffer to make this dedication a private access easement for five properties should they no longer have access to Redbud Road once it is relocated (Ezra Lane). This amendment would bring the proffers for this site into alignment with #04-16 which was approved in June of 2016 making the eastern portion of this roadway private.

This site is located within the Sewer and Water Service Area (SWSA) and is located within the limits of the Northeast Land Use Plan of the 2030 Comprehensive Plan. The 2030 Comprehensive Plan identifies these properties with an industrial land use designation. The subject properties are currently zoned M1 (Light Industrial) District and therefore consistent with the goals of the Comprehensive Plan.

The proffer statement has been modified to eliminate previously completed proffers, reduce the maximum allowable square footage based on land subsequently rezoned (#04-16) and the Applicant has increased the monetary contribution from \$0.01 per structural square foot to \$0.10 per building square foot for Fire and Rescue. **The Planning Commission did not identify any concerns with the request and recommended approval of the application at their December 7, 2016 meeting.**

**Following the required public meeting, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.**

*This report is prepared by the Frederick County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter. Unresolved issues concerning this application are noted by staff where relevant throughout this staff report.*

	<u>Reviewed</u>	<u>Action</u>
<b>Planning Commission:</b>	12/07/16	Public Meeting Held; Recommended Approval
<b>Board of Supervisors:</b>	01/11/17	Pending

**PROPOSAL:** To revise the proffer from Rezoning #03-05 for North Stephenson, Inc. submitted by GreyWolfe, Inc. This minor proffer amendment seeks to amend a transportation proffer that previously dedicated public right-of-way for the construction of a public roadway for the realignment of Redbud Road. This proffer amendment seeks to make the dedication a private access easement and would bring this proffer in alignment with #04-16 which was approved in June of 2016 making the eastern portion of this roadway private.

**LOCATION:** The properties are located on the eastern side of Martinsburg Pike (Route 11), western side of CSX, northern side of Redbud Road, and southern side of Snowden Bridge Boulevard.

**MAGISTERIAL DISTRICT:** Stonewall

**PROPERTY ID NUMBERS:** 43C-3-5, 43C-3-7A, 43-A151 and 43-A-152

**PROPERTY ZONING:** M1 (Light Industrial) District

**PRESENT USE:** Industrial and Vacant

**ADJOINING PROPERTY ZONING & PRESENT USE:**

North: B2 (General Business) District	Use: Commercial
RP (Residential Performance) District	Residential
South: M1 (Light Industrial) District	Use: Industrial/Vacant
RA (Rural Areas) District	Battlefield/Preservation
East: M1 (Light Industrial) District	Use: Vacant/Snowden Bridge Boulevard
B3 (Industrial Transition) District	Commercial/Industrial
West: RA (Rural Areas) District	Use: Residential/Interstate 81



## **REVIEW EVALUATIONS:**

**Virginia Dept. of Transportation:** A VDOT review has been conducted for the Snowden Bridge Station (Omps) – Rezoning #03-05 Request, with a date of June 23, 2015. Based off of the review of the submittal, we have the following comment:

Item “h” under Transportation in the approved 2005 rezoning request needs to be incorporated into the 2016 rezoning request.

**Frederick County Attorney:** I have now reviewed the corrected proffer statement and it is my opinion that it would be in a form to meet the requirements of the Frederick County Zoning Ordinance and the Code of Virginia, and would be legally sufficient as a proffer statement, subject to the following comments:

Proffer 1f and 1g- It would be appropriate to state some time frame for performance of these proffers, such as within x days of request by the County.

Proffer 2 – Staff will want to note that the proposed square footage limitation remains the same for the land area subject to this rezoning (59.223 acres) as it was for the larger land area that was subject to the 2005 rezoning (79.13 acres), within which area the current land area is encompassed.

Proffer 3 – On the last line at the bottom of the page, “by” should be deleted before “to”.

## **Planning & Zoning:**

### **1) Site History:**

The original Frederick County zoning map (U.S.G.S. Winchester, VA Quadrangle) identifies the majority of the subject property as being zoned A-2 (Agriculture General). The County’s agricultural zoning districts were combined to form the RA (Rural Areas) District upon adoption of an amendment to the Frederick County Zoning Ordinance on May 10, 1989. The corresponding zoning map resulted in the re-mapping of this portion of the subject property and all other A-1 and A-2 rezoned land to the RA District. The remainder of the property was identified as being zoned R-3. The R-3 (Residential General) District zoning classification was modified to RP (Residential Performance) District on February 14, 1990, during the comprehensive amendment to the County’s Zoning Ordinance. The subject properties were rezoned to the M1 (Light Industrial) Zoning District with rezoning #03-05 for North Stephenson which was approved by the Board of Supervisors on April 27, 2005.

### **2) Comprehensive Policy Plan:**

**The 2030 Comprehensive Plan is the guide for the future growth of Frederick County.**

The 2030 Comprehensive Plan is an official public document that serves as the Community's guide for making decisions regarding development, preservation, public facilities and other key components of community life. The primary goal of this plan is to protect and improve the

living environment within Frederick County. It is in essence a composition of policies used to plan for the future physical development of Frederick County.

The Area Plans, Appendix I of the 2030 Comprehensive Plan, are the primary implementation tool and will be instrumental to the future planning efforts of the County.

Land Use

The 2030 Comprehensive Plan identifies these properties with an industrial land use designation. The subject properties are currently zoned M1 and therefore consistent with the goals of the Comprehensive Plan.

Transportation and Site Access

This minor proffer amendment seeks to amend a transportation proffer that previously dedicated public right-of-way for the construction of the realignment of Redbud Road. Since the 2005 rezoning was approved, the realignment location for Redbud Road has been relocated to the Graystone property and therefore a public right-of-way dedication is not necessary. The Applicant is requesting to revise the proffer to make this dedication a private access easement for five properties should they no longer have access to Redbud Road once it is relocated (Ezra Lane). This amendment would bring the proffers for this site into alignment with #04-16 which was approved in June of 2016 making the eastern portion of this roadway private.

**3) Proffer Statement, Dated June 23, 2016, revised August 19, 2016:**

1. Transportation

Proffers a-e have been completed.

f. – Remains unchanged

*g. – Amendment to remove the public road dedication and provide for a private access easement (Ezra Lane).*

h – Remains unchanged

2. *Structural Development - Proffer 2 has been amended from the 2005 rezoning to decrease the maximum allowance from 800,000sf to 600,000sf of total floor area. This proffer takes into account area that has been removed from the 2005 rezoning that is now part of rezoning #04-16.*

3. Environmental Protection - Remains unchanged

4. Viewshed Mitigations - Remains unchanged

5. *Fire and Rescue Monetary Contributions - Proffer 5 has been modified to increase the monetary contribution from \$0.01 per structural square foot to \$0.10 per building*



*square foot for Fire and Rescue.*

6. Martinsburg Pike Corridor Enhancement - Remains unchanged

**PLANNING COMMISSION SUMMARY AND ACTION FROM THE 12/07/16 MEETING:**

Staff reported this is a request to revise the proffers from Rezoning #03-05 for North Stephenson, Inc. for four parcels of land that total 59.223 acres. The properties are located on the eastern side of Martinsburg Pike (Route 11), western side of CSX, northern side of Redbud Road, and southern side of Snowden Bridge Boulevard. Staff stated that this minor proffer amendment seeks to amend a transportation proffer that previously dedicated right-of-way for the construction of a public roadway for the realignment of Redbud Road. Staff concluded the proffer amendment seeks to make the dedication a private access easement and would bring this proffer in alignment with #04-16 which was approved in June of 2016 making the eastern portion of this roadway private. A Commission Member inquired why make this a private road. Staff noted the public road is no longer needed.

A motion was made, seconded, and unanimously passed to recommend approval of Rezoning #12-16 for Snowden Bridge Station as presented.

Absent: Marston

**EXECUTIVE SUMMARY & PLANNING COMMISSION RECOMMENDATION FOR THE 01/11/17 BOARD OF SUPERVISORS MEETING:**

This is an application to amend the proffers from Rezoning #03-05 for 59.223 acres of land. This minor proffer amendment seeks to amend a transportation proffer that previously dedicated public right-of-way for the construction of the realignment of Redbud Road. Since the 2005 rezoning was approved, the realignment location for Redbud Road has been relocated to the Graystone property and therefore a public right-of-way dedication is not necessary. The Applicant is requesting to revise the proffer to make this dedication a private access easement for five properties should they no longer have access to Redbud Road once it is relocated (Ezra Lane). This amendment would bring the proffers for this site into alignment with #04-16 which was approved in June of 2016 making the eastern portion of this roadway private.

This site is located within the Sewer and Water Service Area (SWSA) and is located within the limits of the Northeast Land Use Plan of the 2030 Comprehensive Plan. The 2030 Comprehensive Plan identifies these properties with an industrial land use designation. The subject properties are currently zoned M1 (Light Industrial) District and therefore consistent with the goals of the Comprehensive Plan.

The proffer statement has been modified to eliminate previously completed proffers, reduce the maximum allowable square footage based on land subsequently rezoned (#04-16) and the Applicant has increased the monetary contribution from \$0.01 per structural square foot to \$0.10 per building square foot for Fire and Rescue. **The Planning Commission did not identify any concerns with the request and recommended approval of the application at their December 7, 2016 meeting.**

Rezoning #12-16 Snowden Bridge Station

December 30, 2016

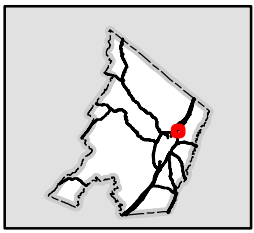
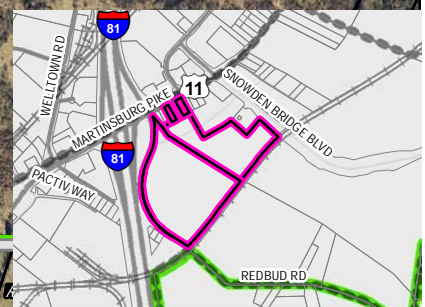
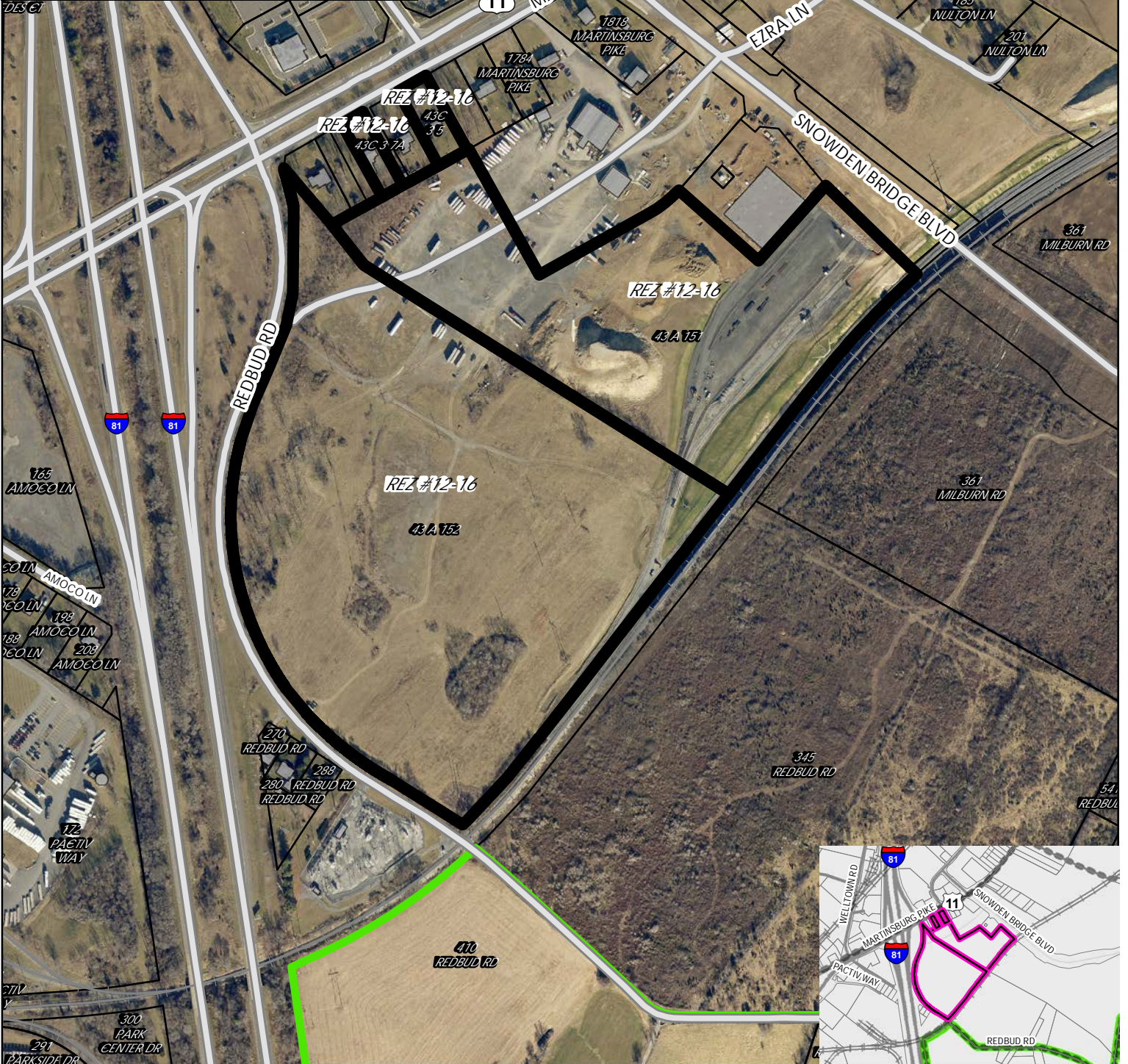
Page 6

**Following the required public meeting, a decision regarding this rezoning application by the Board of Supervisors would be appropriate. The Applicant should be prepared to adequately address all concerns raised by the Board of Supervisors.**



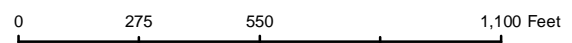
# REZ # 12 - 16 Snowden Bridge Station





PINs:  
43 - A - 151, 43 - A - 152  
43C - 3 - 5, 43C - 3 - 7A  
Proffer Amendment



REZ # 12 - 16  
Snowden Bridge Station  
PINs:  
43 - A - 151, 43 - A - 152,  
43C - 3 - 5, 43C - 3 - 7A  
Proffer Amendment

Note:  
Frederick County Dept of  
Planning & Development  
107 N Kent St  
Suite 202  
Winchester, VA 22601  
540 - 665 - 5651  
Map Created: November 2, 2016  
Staff: cperkins



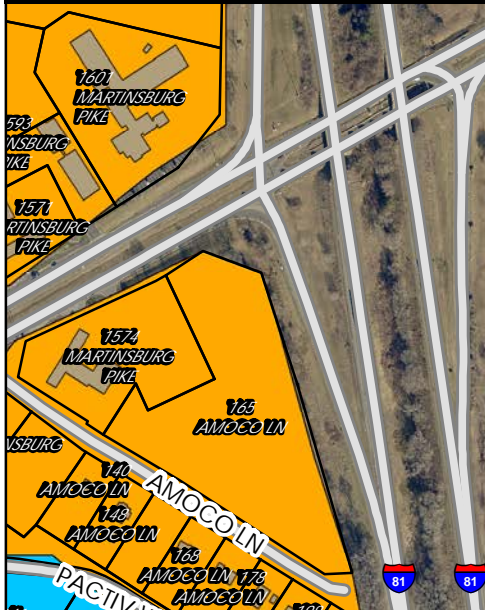
-  Applications
-  Parcels
-  Sewer and Water Service Area
-  Building Footprints



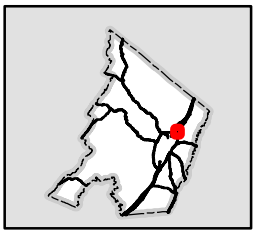
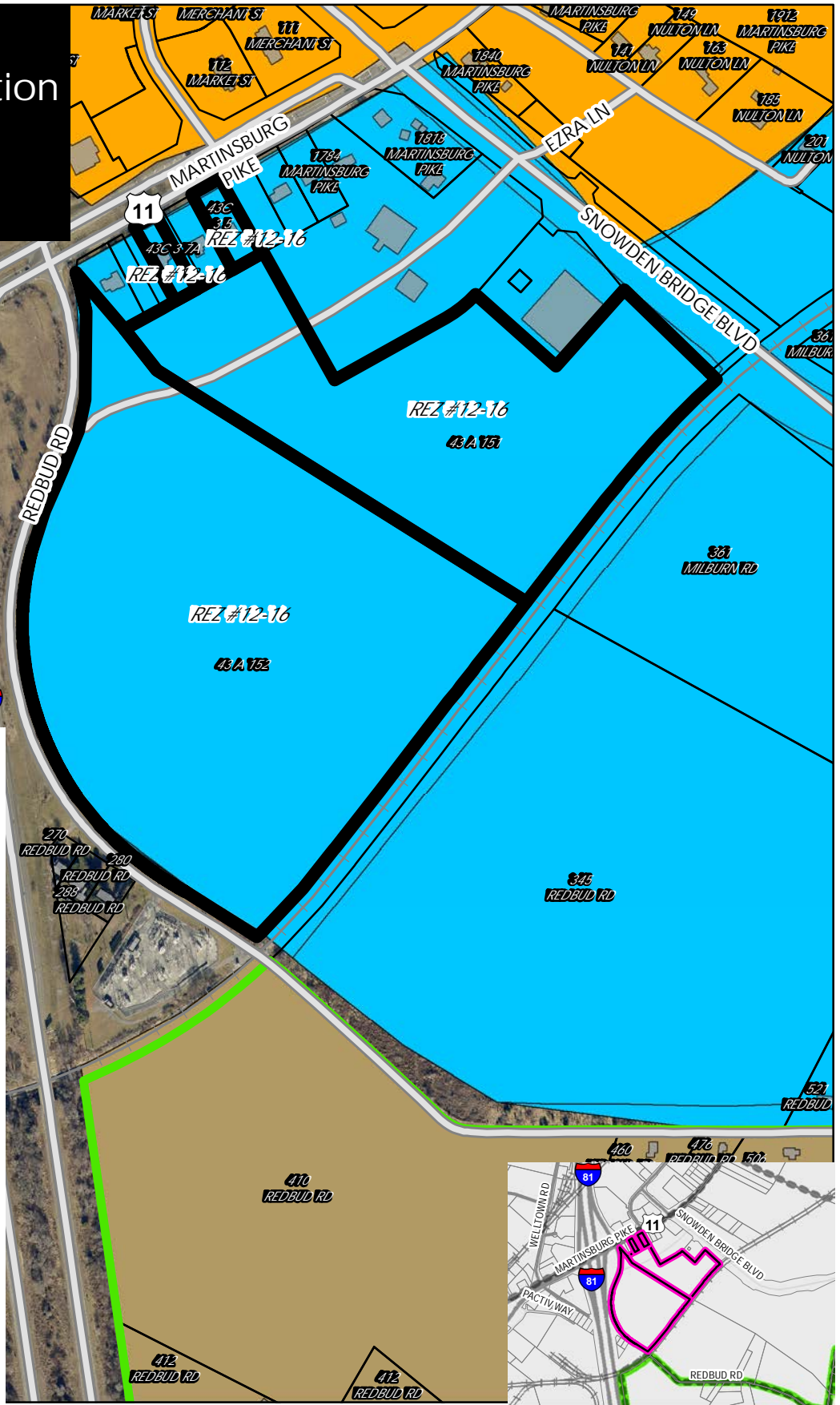
# REZ # 12 - 16

## Snowden Bridge Station

PINs:  
 43 - A - 151, 43 - A - 152  
 43C - 3 - 5, 43C - 3 - 7A  
 Proffer Amendment

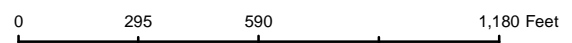


- Applications
- Parcels
- Sewer and Water Service Area
- Building Footprints
- Long Range Land Use**
- Residential
- Neighborhood Village
- Urban Center
- Mobile Home Community
- Business
- Highway Commercial
- Mixed-Use
- Mixed Use Commercial/Office
- Mixed Use Industrial/Office
- Industrial
- Warehouse
- Heavy Industrial
- Extractive Mining
- Commercial Rec
- Rural Community Center
- Fire & Rescue
- Historic
- Institutional
- Planned Unit Development
- Park
- Recreation
- School
- Employment
- Airport Support Area
- B2 / B3
- Residential, 4 u/a
- High-Density Residential, 6 u/a
- High-Density Residential, 12-16 u/a
- Rural Area
- Interstate Buffer
- Landfill Support Area
- Natural Resources & Recreation
- Environmental & Recreational Resources



REZ # 12 - 16  
 Snowden Bridge Station  
 PINs:  
 43 - A - 151, 43 - A - 152,  
 43C - 3 - 5, 43C - 3 - 7A  
 Proffer Amendment

Note:  
 Frederick County Dept of  
 Planning & Development  
 107 N Kent St  
 Suite 202  
 Winchester, VA 22601  
 540 - 665 - 5651  
 Map Created: November 2, 2016  
 Staff: cperkins





**Amended Proffer Statement of RZ #03-05**

**Rezoning:** RZ # \_\_-16

**Property:** Area: 59.223 acres  
Tax Parcels 43C-(3)-5, 43C-(3)-7A, 43-(A)-151, and 43-(A)-152

**Record Owners:** K & J Investments, LC & North Stephenson, Inc.

**Project Name:** Snowden Bridge Station

**Original Date of Proffers:** June 23, 2016

**Revisions:** August 19, 2016

**Magisterial District:** Stonewall

Pursuant to Section 15.2-2296 Et. Seq. of the Code of Virginia, 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to conditional zoning, the undersigned owners hereby offer the following proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application # \_\_-16 for rezoning of 59.223-acres of Light Industrial M-1 District identified as tax parcels 43C-(3)-5, 43C-(3)-7A, 43-(A)-151 and 43-(A)-152, development of the subject properties shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the owners and such are approved by the Board of Supervisors in accordance with the said Code and Zoning Ordinance. These proffers shall supersede any/all proffers previously approved for the properties. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. These proffers shall be binding upon the owners and their legal successors, heirs, or assigns.

The "Properties" are more particularly described as the lands conveyed to North Stephenson, Inc. by Deed per DB 688, PG 832 and DB 701, PG 9; and to K & J Investments, LC per instrument, as recorded in the Frederick County Circuit Court Clerk's Office.

**Proffers:**

1. Transportation

- a. Proffer completed.
- b. Proffer completed.
- c. Proffer completed.
- d. Proffer completed.
- e. Proffer no longer applicable as Snowden Bridge Boulevard is under construction.
- f. The owners hereby proffer to dedicate right-of-way to VDOT along Redbud Road for future improvements to the interstate 81 exit 317 interchange area. This right-of-way shall be dedicated to VDOT within 180 days of final engineering plan approval and request by Frederick County. The preparation of right-of-way dedication plats and legal documents associated with this dedication shall be prepared by parties other than the owners.
- g. The owners hereby proffer to dedicate a 50-foot access easement to tax parcels 43C-(5)-15, 43C-(5)-16, 43C-(5)-17, 43C-(6)-A, and the Electric substation site currently owned by Rappahannock Electric Coop. This easement will be the private internal road known as Ezra Lane. This will occur when these parcels no longer have access to a Route 661 due to future closure.
- h. The owners hereby proffer to prohibit commercial entrances along the western property line on tax parcel 43-(A)-152 adjoining the Redbud Road (Route 661) right-of-way. This proffer is intended to prohibit commercial entrance locations on the current alignment of Redbud Road and is not intended to prohibit commercial entrances internally to the subject site should Redbud Road be realigned through the subject site resulting from the widening of interstate 81.

2. Structural Development

The owners hereby proffer to limit the structural development on the 59.223-acres to a maximum of 600,000 square-feet of total floor area.

3. Environmental Protection

The owners hereby proffer to provide for the delineation of karst features located on the 59.223-acre site as a condition of the master development plan approval. The owners' further proffer to conduct geotechnical analysis for each site plan in which structural development or other site improvements are located within 50 feet of identified karst features. The geotechnical analysis



reports and methods for treatment of impacts shall be provided to the Frederick County engineer for review and approval as a condition of site development plan approval.

4. Viewshed Mitigation

The owners hereby proffer to prohibit the placement of freestanding and building mounted illuminated and non-illuminated business signs facing the eastern property line of Tax Map parcel 43-(A)-152 to mitigate viewshed impacts from the 3rd Winchester Core Battlefield Area.

5. Fire & Rescue Monetary Contributions

The owners hereby proffer a cash contribution to Frederick County for Fire and Rescue purposes, of \$0.10 per building square foot to be disbursed to the Frederick County Fire and Rescue Department, to be paid prior to occupancy permit. The term “building square foot” shall be the combined floor area for each story.

6. Martinsburg Pike Corridor Enhancement

The owners hereby proffer to provide corridor enhancements along Martinsburg Pike. The location and type of enhancements for this corridor will be identified on the master development plan for the 59.223-acre project site.

The conditions proffered above shall be binding upon heirs, executors, administrators, assigns, and successors in the interest of the owners and owners. In the event the Frederick County Board of Supervisors grants this rezoning and accepts the conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code and Ordinance.

Respectfully Submitted:

By: John E. Ompe  
North Stephenson, Inc.  
John E. Ompe, President

Oct. 31, 2016  
Date

State of VA,

City/County of Frederick To Wit:

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of October, 2016

John E Ompe  
Owner

Jessie D Gulick  
Notary Public

7688164  
Registration Number

My Commission Expires Dec. 31, 2020

By: Keven V. Ompe  
K & J Investments, LC  
Keven V. Ompe, Manager

Oct. 31, 2016  
Date

State of VA,

City/County of Frederick To Wit:

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of Oct., 2020

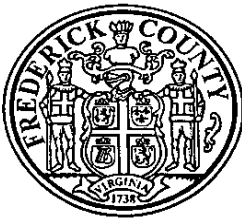
Keven V Ompe  
Owner

Jessie D Gulick  
Notary Public

7688164  
Registration Number

My Commission Expires Dec. 31, 2016





## AMENDMENT

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**Action:**

PLANNING COMMISSION: December 7, 2016 - Recommended Approval

BOARD OF SUPERVISORS: January 11, 2017 -  APPROVED  DENIED

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### AN ORDINANCE AMENDING

### THE ZONING DISTRICT MAP

### REZONING #12-16 SNOWDEN BRIDGE STATION

**WHEREAS, Rezoning #12-16 of Snowden Bridge Station**, submitted by GreyWolfe, Inc., to revise the proffers associated with Rezoning #03-05 for North Stephenson, Inc. for 59.2 acres of land, with a final revision date of August 19, 2016 was considered. This minor proffer amendment seeks to amend a transportation proffer that previously dedicated public right-of-way for the construction of a public roadway for the realignment of Redbud Road. This proffer amendment seeks to make the dedication a private access easement. The Properties are located on the eastern side of Martinsburg Pike (Route 11), western side of CSX, northern side of Redbud Road, and southern side of Snowden Bridge Boulevard in the Stonewall Magisterial District and are identified with Property Identification Numbers 43C-3-5, 43C-3-7A, 43-A-151 and 43-A-152; and

**WHEREAS**, the Planning Commission held a public hearing on this rezoning on December 7, 2016 and recommended approval; and

**WHEREAS**, the Board of Supervisors held a public hearing on this rezoning on January 11, 2017; 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 revise the proffers associated with Rezoning #03-05 for North Stephenson, Inc. for 59.2 acres of land. This minor proffer amendment seeks to amend a transportation proffer that previously dedicated public right-of-way for the construction of a public roadway for the realignment of Redbud Road; this proffer amendment seeks to make the dedication a private access easement, with a final revision date of August 19, 2016. The conditions voluntarily proffered in writing by the Applicant and the Property Owner are attached.

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

Passed this 11th day of January, 2017 by the following recorded vote:

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
William M. Ewing	_____	Robert W. Wells	_____
Gene E. Fisher	_____	Judith McCann-Slaughter	_____
Blaine P. Dunn	_____		

**A COPY ATTEST**

---

Brenda G. Garton  
Frederick County Administrator





## AMENDMENT

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**Action:**

PLANNING COMMISSION: April 6, 2005 - Recommended Approval

BOARD OF SUPERVISORS: April 26, 2005  APPROVED  DENIED

---

### AN ORDINANCE AMENDING

### THE ZONING DISTRICT MAP

### REZONING #03-05 FOR NORTH STEPHENSON, INC.

**WHEREAS, Rezoning #03-05 for North Stephenson, Inc.,** was submitted by Greenway Engineering to rezone 79.13 acres from RA (Rural Areas) District to M1 (Light Industrial) District. These properties front on the east side of Martinsburg Pike (Route 11 North), just north of the Interstate 81 Exit 317 northbound off-ramp, immediately northeast of Redbud Road (Route 661), in the Stonewall Magisterial District, and are identified by Property Identification Numbers (PINs) 43-A-150, 43-A-151, 43-A-151A, 43-A-152, 43C-3-2, 43C-3-3, 43C-3-4, 43C-3-4A, 43C-3-5 and 43C-3-7A.

**WHEREAS,** the Planning Commission held a public hearing on this rezoning on April 6, 2005; and

**WHEREAS,** the Board of Supervisors held a public hearing on this rezoning on April 26, 2005; and

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

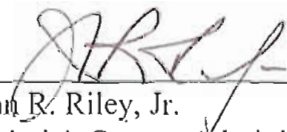
**NOW, THEREFORE, BE IT ORDAINED** by the Frederick County Board of Supervisors that Chapter 165 of the Frederick County Code, Zoning, is amended to revise the Zoning District Map to change 79.13 acres from RA (Rural Areas) District to M1 (Light Industrial) District, as described by the application and plat submitted, subject to the attached conditions voluntarily proffered in writing by the applicant and the property owner.

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

Passed this 26th day of April, 2005 by the following recorded vote:

Richard C. Shickle, Chairman	<u>Aye</u>	Barbara E. Van Osten	<u>Aye</u>
Gina A. Forrester	<u>Aye</u>	Gary Dove	<u>Aye</u>
Lynda J. Tyler	<u>Aye</u>	Bill M. Ewing	<u>Aye</u>
Gene E. Fisher	<u>Aye</u>		

**A COPY ATTEST**

  
\_\_\_\_\_  
John R. Riley, Jr.  
Frederick County Administrator



**PROPOSED PROFFER STATEMENT**

REZONING: RZ# 03-05  
Rural Areas District (RA) to Light Industrial District (M1) with Proffers

PROPERTY: 79.13 acres +/-;  
Tax Parcels #43-((A))-150, 43-((A))-151, 43-((A))-151A,  
43-((A))-152, 43C-((3))-2, 43C-((3))-3, 43C-((3))-4,  
43C-((3))-4A, 43C-((3))-5, 43C-((3))-7A

RECORD OWNER: North Stephenson, Inc.

APPLICANT: North Stephenson, Inc. (here-in after "the applicants")

PROJECT NAME: North Stephenson, Inc. - Light Industrial Rezoning

ORIGINAL DATE  
OF PROFFERS: October 13, 2004

REVISION DATE: May 13, 2005

Preliminary Matters

Pursuant to Section 15.2-2296 Et. Seq. of the Code of Virginia, 1950, as amended, and the provisions of the Frederick County Zoning Ordinance with respect to conditional zoning, the undersigned applicant hereby proffers that in the event the Board of Supervisors of Frederick County, Virginia, shall approve Rezoning Application # 03 -05 for the rezoning of the 79.13-acres tract from the Rural Areas (RA) District, to Light Industrial (M1) District, development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the applicant and such be approved by the Frederick County Board of Supervisors in accordance with the said Code and Zoning Ordinance. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. These proffers shall be binding upon the applicants and their legal successors, heirs, or assigns.

The subject property is more particularly described as the land owned by North Stephenson, Inc. being all of Tax Map Parcels 43-((A))-150, 43-((A))-151, 43-((A))-151A, 43-((A))-152, 43C-((3))-2, 43C-((3))-3, 43C-((3))-4, 43C-((3))-4A, 43C-((3))-5, and 43C-((3))-7A, as evidence by recorded property deeds in the Frederick County Clerk of Court Office included with this rezoning proposal.

PROJECT PROFFER STATEMENT

## 1.) Transportation

- a) The applicants hereby proffer to construct, or cause for the construction of dual southbound left turn lanes on Martinsburg Pike (U.S. Route 11 North) at the major collector road intersection with Renzi Drive at the Rutherford's Farm Industrial Park. The southbound dual left turn lanes will be constructed at the same time that the Rutherford's Farm Industrial Park improvements to Martinsburg Pike are constructed.
- b) The applicants hereby proffer to construct, or cause for the construction of a right turn lane within the Martinsburg Pike (U.S. Route 11 North) right-of-way at a location and distance acceptable to VDOT between the intersection of Redbud Road (Route 661) and the major collector road intersection serving as the primary entrance to the 79.13-acre project site. A traffic study will be prepared and submitted to VDOT as a component of the site development plan for each proposed land use on the 79.13-acre site to allow VDOT to determine when the proffered improvement is warranted.
- c) The applicants hereby proffer to provide for the dedication of right-of-way and for the allowance of temporary construction easements needed for the ultimate design of the major collector road from the CSX railroad to Martinsburg Pike. The dedicated right-of-way shall provide for the improvements identified from station 10+00 to station 24+00 on the Stephenson Village Major Collector Road Plan and CSX Crossing prepared by Greenway Engineering and dated October 2004, which is included as an exhibit with this proffer statement. The applicants further proffer to provide for the dedication of right-of-way acceptable to VDOT for the purpose of providing a right turn lane from the major collector road onto the internal street connection located at station 17+00 on the subject exhibit.
- d) The applicants hereby proffer to enter into a signalization agreement with VDOT for the provision of a traffic signal at the major collector road intersection with Martinsburg Pike, which will align with Renzi Drive at the Rutherford's Farm Industrial Park. The signalization agreement shall provide for the pro-rata share of the traffic signal based on the projected traffic volumes identified in the Traffic Impact Analysis (TIA) compared to the projected traffic volumes identified in the TIA for the Rutherford's Farm Industrial Park and the TIA for the Stephenson Village Residential Planned Community.

- e) The applicants hereby proffer to prepare and submit a traffic study to VDOT as a component of the site development plan for each proposed land use on the 79.13-acre site to determine the portion of the major collector road that will be required to be constructed based on the impacts associated with each future land use.
- f) The applicants hereby proffer to dedicate right-of-way to VDOT along Redbud Road for future improvements to the Interstate 81 Exit 317 interchange area. This right-of-way shall be dedicated to VDOT within 180 days of final engineering plan approval. The preparation of right-of-way dedication plats and legal documents associated with this dedication shall be prepared by parties other than the applicants.
- g) The applicants hereby proffer to dedicate a 50-foot right-of-way and provide temporary construction easements to VDOT for the purpose of realigning Redbud Road (Route 661) from the current intersection at Martinsburg Pike (U.S. Route 11 North) to connect to the major collector road on the subject site. The purpose of the 50-foot right-of-way dedication and temporary construction easements is to provide VDOT and Frederick County with an appropriate alternative to relocate Redbud Road. The dedicated 50-foot right-of-way will connect to the intersection that is identified at station 17+00 on the Stephenson Village Major Collector Road Plan and CSX Crossing prepared by Greenway Engineering and dated October 2004, which is included as an exhibit with this proffer statement. The location of the 50-foot right-of-way to connect to this intersection will be agreed upon by VDOT and the property owners to allow for a minimum 25 mph geometric design criteria and will be made available at such a time that VDOT deems necessary. The preparation of right-of-way dedication plats and legal documents associated with this dedication shall be prepared by parties other than the applicants. The construction of the realigned portion of Redbud Road shall occur by parties other than the applicants.
- h) The applicants hereby proffer to prohibit commercial entrances along the western property line on tax parcel 43-((A))-152 adjoining the Redbud Road (Route 661) right-of-way. This proffer is intended to prohibit commercial entrance locations on the current alignment of Redbud Road and is not intended to prohibit commercial entrances internally to the subject site should Redbud Road be realigned through the subject site resulting from the widening of Interstate 81.



## 2.) Structural Development

The applicants hereby proffer to limit the structural development on the 79.13-acre to a maximum of 800,000 square-feet of total floor area.

## 3.) Environmental Protection

The applicants hereby proffer to provide for the delineation of karst features located on the 79.13-acre site as a condition of master development plan approval. The applicants further proffer to conduct geotechnical analysis for each site plan in which structural development or other site improvements are located within 50 feet of identified karst features. The geotechnical analysis reports and methods for treatment of impacts shall be provided to the Frederick County Engineer for review and approval as a condition of site development plan approval.

## 4.) Viewshed Mitigation

The applicants hereby proffer to prohibit the placement of freestanding and building mounted illuminated and non-illuminated business signs facing the eastern property line of tax map parcel 43-((A))-152 to mitigate viewshed impacts from the 3<sup>rd</sup> Winchester Core Battlefield Area.

## 5.) Fire and Rescue Monetary Contribution

The applicants hereby proffer to provide a monetary contribution of \$0.01 per square foot of structural development on the 79.13-acre site occurring subsequent to rezoning approval. This monetary contribution shall be provided to Frederick County at the time of building permit issuance for structural development, which may generate a maximum monetary contribution of \$8,000.00 based on the proffered maximum square footage of structural development. The applicants monetary contribution will be directed to the Clearbrook Volunteer Fire and Rescue Company, which will provide first due response to the subject site.

## 6.) Martinsburg Pike Corridor Enhancement

The applicants hereby proffer to provide corridor enhancements along Martinsburg Pike. The location and type of enhancements for this corridor will be identified on the Master Development Plan for the 79.13-acre project site.

7.) Signatures

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in the interest of the applicant and owner. In the event the Frederick County Board of Supervisors grants this rezoning and accepts the conditions, the proffered conditions shall apply to the land rezoned in addition to other requirements set forth in the Frederick County Code.

Respectfully Submitted:

North Stephenson, Inc.

By: [Signature] 6/1/05  
Keven Omgs Date

By: [Signature] 6/1/05  
John Omgs Date

Commonwealth of Virginia,

City/County of FREDERICK To Wit:

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of JUNE  
2005 by Keven Omgs AND John Omgs

[Signature]  
Notary Public

My Commission Expires July 31, 2007

**REZONING APPLICATION FORM  
FREDERICK COUNTY, VIRGINIA**

*To be completed by Planning Staff:*

Zoning Amendment Number <u>12-16</u>	Fee Amount Paid \$ <u>1000<sup>00</sup></u>
PC Hearing Date <u>12/7/16</u>	Date Received <u>1/1/16</u>
	BOS Hearing Date <u>1/11/17</u>

*The following information shall be provided by the applicant:*

All parcel identification numbers, deed book and page numbers may be obtained from the **Office of the Commissioner of Revenue, Real Estate Division, 107 North Kent Street, Winchester.**

**1. Applicant:**

Name: K & J Investments, LC & North Stephenson, Inc. Telephone: (540) 667-4919

Address: 1800 Martinsburg Pike, Winchester, VA, 22603  
\_\_\_\_\_

**2. Property Owner (if different than above):**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

**3. Contact person if other than above:**

Name: Gary R. Oates Telephone: (540) 667-2001

**4. Property Information:**

- a. Property Identification Number(s): 43C-(3)-5, & 7A; 43-(A)-151 & 152
- b. Total acreage to be rezoned: 59.223 acres
- c. Total acreage of the parcel(s) to be rezoned (if the entirety of the parcel(s) is not being rezoned): \_\_\_\_\_
- d. Current zoning designation(s) and acreage(s) in each designation: 59.223 - M-1
- e. Proposed zoning designation(s) and acreage(s) in each designation: 59.223 - M-1
- f. Magisterial District(s): Stonewall



**5. Checklist:** Check the following items that have been included with this application.

Location map	<input type="checkbox"/>	Agency Comments	<input type="checkbox"/>
Plat	<input type="checkbox"/>	Fees	<input type="checkbox"/>
Deed to property	<input type="checkbox"/>	Impact Analysis Statement	<input type="checkbox"/>
Verification of taxes paid	<input type="checkbox"/>	Proffer Statement	<input type="checkbox"/>
Plat depicting exact meets and bounds for the proposed zoning district	<input type="checkbox"/>		<input type="checkbox"/>
Digital copies (pdf's) of all submitted documents, maps and exhibits	<input type="checkbox"/>		<input type="checkbox"/>

**6. The Code of Virginia allows us to request full disclosure of ownership in relation to rezoning applications.**

Please list below all owners or parties in interest of the land to be rezoned:

K & J Investments, LC & North Stephenson, Inc. - Keven V. Omps

---

K & J Investments, LC & North Stephenson, Inc. - John E. Omps

---

**7. Adjoining Property:**

<u>PARCEL ID NUMBER</u>	<u>USE</u>	<u>ZONING</u>
<u>43C-(3)-6, 8A, &amp; 9</u>	<u>Residential</u>	<u>RP</u>
<u>43-(A)-158 &amp; 44-(A)-26</u>	<u>Industrial - Graystone</u>	<u>M-1</u>
<u>43C-(5)-15, 16, 17</u>	<u>Residential</u>	<u>RA</u>
<u>43-(A)-151A</u>	<u>Warehouse - Repair</u>	<u>B-3</u>
<u>43-(A)-151B, 43C-(3)-4A</u>	<u>Trucking and Residential</u>	<u>B-2</u>

**8. Location:** The property is located at (give exact location based on nearest road and distance from nearest intersection, using road names and route numbers):

Eastern side of Martinsburg Pike (Route 11), western side of CSX, northern side of Redbud Road,

---

and southern side of Snowden Bridge Blvd

---

**9. The following information should be provided according to the type of rezoning proposed:**

Number of Units Proposed

Single Family homes: <u>0</u>	Townhome: <u>0</u>	Multi-Family: <u>0</u>
Non-Residential Lots: <u>0</u>	Mobile Home: <u>0</u>	Hotel Rooms: <u>140</u>

Square Footage of Proposed Uses

Office: _____	Service Station: _____
Retail: _____	Manufacturing: _____
Restaurant: _____	Warehouse: _____
Commercial: _____	Other: <u>800,000</u>

**10. Signature:**

I (we), the undersigned, do hereby respectfully make application and petition the Frederick County Board of Supervisors to amend the zoning ordinance and to change the zoning map of Frederick County, Virginia. I (we) authorize Frederick County officials to enter the property for site inspection purposes.

I (we) understand that the sign issued when this application is submitted must be placed at the front property line at least seven days prior to the Planning Commission public hearing and the Board of Supervisors public hearing and maintained so as to be visible from the road right-of-way until the hearing.

I (we) hereby certify that this application and its accompanying materials are true and accurate to the best of my (our) knowledge.

Applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_

Kevin D. [Signature] Date: 6/23/14

Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

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



**Special Limited Power of Attorney  
County of Frederick, Virginia  
Frederick Planning Website: [www.co.frederick.va.us](http://www.co.frederick.va.us)**

**Department of Planning & Development, County of Frederick, Virginia  
107 North Kent Street, Winchester, Virginia 22601  
Phone (540) 665-5651 Facsimile (540) 665-6395**

Know All Men By These Presents: That I (We)

(Name) Keven V. Omps - North Stephenson, Inc & K&J Investments, LC (Phone) 540-667-4919

(Address) 1800 Martinsburg Pike, Winchester, VA 22603

the owner(s) of all those tracts or parcels of land ("Property") conveyed to me (us), by deed recorded in the Clerk's Office of the Circuit Court of the County of Frederick, Virginia, by

Instrument No. 050009792, 688/701 on Page 832/9, and is described as

Parcel: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Section: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
do hereby make, constitute and appoint:

(Name) Gary R. Oates, LS-B, PE and Timothy Stowe, PE, LS (Phone) 540-667-2001

(Address) 1073 Redbud Road, Winchester, VA 22603

To act as my true and lawful attorney-in-fact for and in my (our) name, place and stead with full power and authority I (we) would have if acting personally to file planning applications for my (our) above described Property, including:

- Rezoning (including proffers)**
- Conditional Use Permit**
- Master Development Plan (Preliminary and Final)**
- Subdivision**
- Site Plan**
- Variance or Appeal**

My attorney-in-fact shall have the authority to offer proffered conditions and to make amendments to previously approved proffered conditions except as follows:

\_\_\_\_\_  
This authorization shall expire one year from the day it is signed, or until it is otherwise rescinded or modified.  
In witness thereof, I (we) have hereto set my (our) hand and seal this 23<sup>rd</sup> day of June, 2016,

Signature(s) Keven V Omps

State of Virginia, ~~City~~/County of Frederick, To-wit:

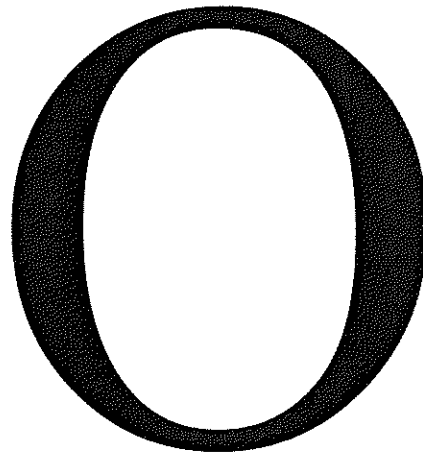
I, Jessie Omps Gulick, a Notary Public in and for the jurisdiction aforesaid, certify that the person(s) who signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 23<sup>rd</sup> day of June, 2016.

Jessie Omps Gulick  
Notary Public

My Commission Expires: Dec. 31, 2020



# CONSENT AGENDA





## *Memorandum*

To: Frederick County Board of Supervisors

From: Mark R. Cheran, Zoning and Subdivision Administrator *MRC*

Date: January 3, 2017

RE: Abrams Pointe Subdivision – Phase 1B

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The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Abrams Pointe Boulevard, State Route Number 1650	0.21 miles
Jeni Court, State Route Number 1654	0.05 miles
Jeni Court, State Route Number 1654	0.05 miles
Williamson Road, State Route Number 1653	0.07 miles
Shuoner Court, State Route Number 1655	0.03 miles
Jeni Court, State Route Number 1654	0.08 miles

Staff is available to answer any questions.

MRC/dlw



**RESOLUTION  
BY THE  
FREDERICK COUNTY BOARD OF  
SUPERVISORS**

The Board of Supervisors of Frederick County, in regular meeting on the 11th day of January, 2017, adopted the following:

**WHEREAS**, the streets described on the attached Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk’s Office of the Circuit Court of Frederick County; and

**WHEREAS**, the Resident Engineer of the Virginia Department of Transportation has advised this Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

**WHEREAS**, the County and the Virginia Department of Transportation have entered into an agreement on June 9, 1993, for comprehensive stormwater detention which applies to this request for addition; and

**NOW, THEREFORE, BE IT RESOLVED**, this Board requests the Virginia Department of Transportation to add the streets described in the attached Form AM-4.3 to the secondary system of state highways, pursuant to 33.2-705, Code of Virginia, and the Department’s Subdivision Street Requirements; and

**BE IT FURTHER RESOLVED**, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Charles S. DeHaven, Jr., Chairman	_____	Gary A. Lofton	_____
William M. Ewing	_____	Robert W. Wells	_____
Blaine P. Dunn	_____	Gene E. Fisher	_____
Judith McCann-Slaughter	_____		

**A COPY ATTEST**

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



In the County of Frederick

By resolution of the governing body adopted January 11, 2017

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee

Signed (County Official): \_\_\_\_\_

Report of Changes in the Secondary System of State Highways

Project/Subdivision Abrams Pointe, Phase 1B

Type Change to the Secondary System of State Highways: Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: New subdivision street

Pursuant to Code of Virginia Statute: §33.2-705

Street Name and/or Route Number

Abrams Pointe Boulevard, State Route Number 1650

Old Route Number: 0

- From: Route 1651, Harold Court
To: Route 1653, Williamson Road, a distance of: 0.21 miles.

Recordation Reference: Inst. 120014010, Page 281

Right of Way width (feet) = 60'

Street Name and/or Route Number

Jeni Court, State Route Number 1654

Old Route Number: 0

- From: Route 1653, Williamson Road
To: 0.05 mile northwest of Route 1653, Williamson Road, a distance of: 0.05 miles.

Recordation Reference: Inst. 120014010, Page 281

Right of Way width (feet) = 50'

Street Name and/or Route Number

Jeni Court, State Route Number 1654

Old Route Number: 0

- From: Route 1653, Williamson Road
To: Route 1655, Shuoner Court, a distance of: 0.05 miles.

Recordation Reference: Inst. 120014010, Page 281

Right of Way width (feet) = 50'

**Street Name and/or Route Number**

◆ **Williamson Road, State Route Number 1653**

Old Route Number: 0

- 
- From: Route 1650, Abrams Pointe Boulevard

To: Route 1654, Jeni Court, a distance of: 0.07 miles.

Recordation Reference: Inst. 120014010, Page 281

Right of Way width (feet) = 54'

**Street Name and/or Route Number**

◆ **Shuoner Court, State Route Number 1655**

Old Route Number: 0

- 
- From: Route 1654, Jeni Court

To: 0.03 mile northeast, a distance of: 0.03 miles.

Recordation Reference: Inst. 120014010, Page 281

Right of Way width (feet) = 50'

**Street Name and/or Route Number**

◆ **Jeni Court, State Route Number 1654**

Old Route Number: 0

- 
- From: Route 1655, Shuoner Court

To: 0.08 mile southeast to cul-de-sac, a distance of: 0.08 miles.

Recordation Reference: Inst. 120014010, Page 281

Right of Way width (feet) = 50'