



AGENDA
BOARD OF SUPERVISORS
WEDNESDAY, MAY 27, 2020
7:00 PM
BOARD MEETING ROOM
107 NORTH KENT STREET, WINCHESTER, VIRGINIA 22601

1. **Call to Order**
2. **Invocation**
3. **Pledge of Allegiance**
4. **Adoption of Agenda**
5. **Citizen Comments – For agenda items that are not the subject of a Public Hearing**
6. **Consent Agenda** ***Roll Call Vote Required***
 - 6.A. Minutes of Regular Meeting of May 13, 2020
[MinutesRegularMeetingBOS200513.pdf](#)
 - 6.B. Finance Committee Report of May 20, 2020
[FinanceCommitteeReport20May2020.pdf](#)
 - 6.C. Request from the Commissioner of the Revenue for Refunds and Supplemental Appropriations
 1. Shenandoah Sheds– \$3,625.86
 2. US Bank NA – \$4,939.38[RefundsToBOS27May2020.pdf](#)
 - 6.D. Adoption of Updated Rules of Procedure and Conduct
[RulesOfProcedureUpdate.pdf](#)
 - 6.E. Acceptance of the County's Share of Coronavirus Relief Fund Payments
[MemoBOS_re_CARES-CRF_Certification052120.pdf](#)

7. **Board of Supervisors Comments**

8. **County Officials**

8.A. **Committee Appointments**

Lord Fairfax Community College Board

4-year term of Michael Lake expires 6/30/2020. Mr. Lake is eligible and willing for reappointment and the LFCC Board has requested that he be reappointed. Staff has received a second application from Brandon Monk.

[BoardCommitteeAppts\(052120BdMtg\).pdf](#)

8.B. **Proposed Amendment to FY 20-21 Budget**

Supervisor Dunn would like to offer an amendment to withhold \$4.8 million in FY21 until it is known if the County will actually have the projected revenue that was outlined in the adopted budget.

A public hearing is required prior to amending the budget.

[BlaineDunnMay2020BudgetAndCUPs.pdf](#)

8.C. **Discussion: Special Event Center Conditional Use Permits**

Supervisor Dunn proposes a joint meeting between the Planning Commission and Board of Supervisors to discuss conditional use permits for Special Event Centers.

[BlaineDunnMay2020BudgetAndCUPs.pdf](#)

9. Committee Business

9.A. Finance Committee

(*) Items 2, 3, 5, 8, 9, 11, 12, 13, 16, 19 and 20 were approved on the Committee's consent agenda.

1. The Parks & Recreation Director requests a General fund supplemental appropriation in the amount of \$118,883. This amount represents proffer funds to construct a trail around Lakeside Lake behind the Bowman Library. This item has been approved by the Parks & Recreation Commission at their March 11, 2020 meeting. The committee recommends approval.

2. (*) The IT Director requests a General Fund supplemental appropriation in the amount of \$23,897. This amount represents reserved PEG funds to be used for a wireless microphone system for the BOS meeting room (\$22,190) and additional funds needed for remainder of the current year maintenance service contract of the Granicus system (\$1,707). PEG funds are reserved and restricted only to purchases related to meeting broadcasts. No local funds required. Approval recommended on the committee's consent agenda.

3. (*) The Voter Registrar requests a General Fund supplemental appropriation in the amount of \$42,640. This amount represents funds needed for the June Republican primary election. Local funds are required. Approval recommended on the committee's consent agenda.

4. The Transportation Director requests a Development Projects Fund (fund 27) supplemental appropriation in the amount of \$2,253,614. This amount represents change orders and project management for Crossover Blvd. No local funds required. The committee recommends approval.

5. (*) The WRA Director requests an Airport Fund (fund 17) supplemental appropriation in the amount of \$69,000. This amount represents funds received from the CARES Act. No local funds required. Approval recommended on the committee's consent agenda.

6. The WRA Director requests an Airport Capital Fund (fund 85) FY21 budget appropriation in the amount of \$2,334,000 and a General Fund supplement appropriation in the amount of \$414,376 representing the local portion. \$362,000 of the local portion is a carry forward of unspent FY20 Airport Capital. The committee recommends approval.

7. The EMS Billing Manager requests an EMS Expense Recovery Fund (fund 30) supplemental appropriation in the amount of \$225,000. This amount represents anticipated revenue in excess of budgeted revenue. No local funds required. The committee recommends approval.

Finance Committee, continued

8. (*) The Public Work Director requests an FY21 General Fund supplemental appropriation in the amount of \$250,000, or less if FY20 ending balance is not sufficient. This amount represents a carry forward of unspent FY20 funds for the completion of the replacement Albin Citizen Convenience Center. Any unspent funds in FY21, after project completion, will be returned to the General Fund. Approval recommended on the committee's consent agenda.
9. (*) The Victim Witness Director requests a General Fund budget transfer in the amount of \$10,000 for the purchase of a copier and promotional materials (pending state approval). Transfer policy requires BOS approval when transferring out of fringe line items. No additional local funds required. Approval recommended on the committee's consent agenda.
10. The F&R Chief requests a General Fund supplemental appropriation in the amount of \$81,474.73 (pending grant award). This amount represents an AFG supplemental grant via the CARES Act. Due to the grant application deadline, the application was authorized. The committee recommends approval.
11. (*) The F&R Chief requests a General Fund supplemental appropriation in the amount of \$28,150 (pending grant award). This amount represents a VDEM grant for 2 portable decontamination systems. No local funds required. Approval recommended on the committee's consent agenda.
12. (*) The F&R Chief requests a General Fund revenue appropriation in the amount of \$60,000 (pending grant award). This amount represents a VDEM grant for Rescue Task Force protective equipment. No local funds required. Approval recommended on the committee's consent agenda.
13. (*) The DSS Director requests a General Fund supplemental appropriation in the amount of \$315,500. This amount represents yearend adjustments to bring the County budget in line with the State budget and reflects a \$49,395 reduction in local dollars. Approval recommended on the committee's consent agenda.
14. The Finance Director requests an FY21 NRADC Fund budget reduction in the amount of \$440,010. This amount is from the elimination of the merit/COLA. The FY21 budget resolution reflects the reduction for the County's share of the amendment. The committee recommends approval.
15. The Sheriff requests a General Fund supplemental appropriation in the amount of \$34,100. This amount represents funds received for traffic control in excess of budgeted revenue, which will be used for overtime. No local funds required. The committee recommends approval.
16. (*) The Sheriff requests a General Fund supplemental appropriation in the amount of \$3,955. This amount represents the sale scrap metal, which will be used for items at the firing range. No local funds required. Approval recommended on the committee's consent agenda.

Finance Committee, continued

17. The Sheriff requests a General Fund supplemental appropriation in the amount of \$31,443 (pending grant award) for a Student, Teachers and Officers Preventing School Violence Program grant. Of this amount, \$10,481 are local funds representing the grant's 25% matching requirement. Due to COVID-19 forcing the cancellation of the March Finance Committee meeting, combined with the grant application deadline, approval to apply for a BJA grant for a 3D scanner was authorized. The committee recommends approval.

18. The Sheriff requests a General Fund supplemental appropriation in the amount of \$15,397.22 (\$11,998.80 pending receipt of funds). This amount represents overtime reimbursements from the DEA. No local funds required. The committee recommends approval.

19. (*) The Sheriff requests a General Fund supplemental appropriation in the amount of \$5,000. This amount represents funds received from the ICAC grant in excess of budgeted. No local funds required. Approval recommended on the committee's consent agenda.

20. (*) The Sheriff requests a General Fund supplemental appropriation in the amount of \$6,587.69. This amount represents insurance reimbursements for auto claims. No local funds required. Approval recommended on the committee's consent agenda.

21. The Sheriff requests a General Fund supplemental appropriation in the amount of \$21,078.58. This amount represents reimbursements from the IRS for overtime, travel, vehicle maintenance, and equipment. No local funds required. The committee recommends approval.

22. The Sheriff requests a General Fund supplemental appropriation in the amount of \$80,000. This amount represents an expected shortfall for overtime. Local funds are required. The committee recommends approval and requests staff to work with the Sheriff on factors contributing to overtime.

[FinanceCommitteeReport20May2020.pdf](#)

10. **Public Hearings (Non Planning Issues)**

10.A. **Outdoor Festival Permit Request of Tyler Wakeman – Peak Leaf Music & Brewers Festival.**

Pursuant to the Frederick County Code, Chapter 86, Festivals; Section 86-3, Permit Required; Application; Issuance or Denial; Fee, for an Outdoor Festival Permit. Festival to be Held on Saturday, October 3, 2020, from 12:00 Noon until 7:00 PM, on the Grounds of 7180 Valley Pike, Middletown, Virginia, Back Creek Magisterial District. Property Owned by Wakeland Manor, Inc.

[WakemanTylerOutdoorFestivalPermitApp\(PeakLeafMusicFestival\)\(2020\).pdf](#)

11. Planning Commission Business - Public Hearings

11.A. Conditional Use Permit #01-20 for J K Lee Services

Submitted for the Expansion of an Existing Assisted Living Structure Adding Six (6) Beds. The Property is Located at 549 Valley Mill Road, Winchester, Virginia and is Identified with Property Identification Number 55-A-56 in the Red Bud Magisterial District.

[CUP01-20JKLeeServices.pdf](#)

12. Planning Commission Business - Other Planning Business

12.A. Master Development Plan 02-20 - Heritage Commons

The Master Development Plan (MDP) for Heritage Commons appears to be consistent with the approved Rezoning (REZ) application #10-15 (proffers) and with the requirements of Article VIII, Master Development Plan, of the Frederick County Zoning Ordinance, and this MDP is in a form that is administratively approvable. Following presentation of the application to the Planning Commission and the Board of Supervisors, and the incorporation of any comments from the Board, staff is prepared to proceed to approval of the application.

[BOS MDP 052720_HeritageCommons.pdf](#)

12.B. Proposed Ordinance Amendment - Development Review Fees for Commercial Telecommunications Facilities CUPs

This is a proposed amendment to Chapter 165 – Zoning Ordinance and to the Development Review Fee Schedule to reduce the fee for a Conditional Use Permit for commercial telecommunication facilities. Staff is seeking direction from the Board of Supervisors on this Zoning Ordinance text amendment and/or if the amendment is ready to be sent forward for Public Hearing.

[BOS 052720_Ordinance Amendment Development Fees.pdf](#)

Planning Commission Business - Other Planning Business, *continued*

12.C. Proposed Ordinance Amendment - Zoning Enforcement, Violations and Penalties

The Board of Supervisors directed Staff and the Planning Commission to propose ordinance revisions to maximize the penalties for zoning violations. Staff is seeking direction from the Board of Supervisors on this Zoning Ordinance text amendment and/or if the amendment is ready to be sent forward for Public Hearing.

[BOS 052720_ Ordinance Zoning Enforcement.pdf](#)

13. **Board Liaison Reports**

14. **Citizen Comments**

15. **Board of Supervisors Comments**

16. **Adjourn**