

***A MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD
JUNE 12, 2008 AT 11:00 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz;
Mr. Chester W. Stribling; Mr. R. Holder Trumbo; Mr. Paul S. McCulla,
County Administrator; Mr. Kevin J. Burke, County Attorney

A B S E N T None

AGENDA REVIEW

- The Board of Supervisors reviewed the agenda.
- Barney Durrett of the Fauquier County Water & Sanitation Authority provided the Board of Supervisors with an update on recent water line damage caused by vandalism of a fire hydrant in New Baltimore.
- Mr. Stribling welcomed members of Boy Scouts of America Troop #1930.

VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROJECT STATUS

David Cabbage, Residency Administrator of the VDOT Warrenton Residency Office, briefed the Board of Supervisors on the status of specific road projects within Board members' Magisterial Districts.

ECONOMIC DEVELOPMENT WEBSITE PRESENTATION

Talmage Reeves, Director of the Department of Economic Development, and Catherine Payne, Tourism Coordinator, and Beverly Pullen, Business Coordinator, presented to the Board members the Department of Economic Development's newly redesigned interactive Available Properties Inventory Website. The site visually displays buildings and property zoned for commercial and industrial development in the County.

**A WORK SESSION TO REVIEW THE BUDGET REDUCTION PLAN FOR THE FY
2008-2009 BUDGET, DIRECTING A REDUCTION IN FORCE AND AUTHORIZING
SEVERANCE PACKAGES**

Paul S. McCulla, County Administrator, reviewed the Budget Reduction Plan for the FY 2008-2009 Budget. Approximately 58% of the cuts are from Personnel line items. Eight positions have been eliminated or unfunded and hours were reduced impacting positions in 10 different departments. In order to implement this plan, a reduction in the workforce is required and it is recommended that a severance package be approved consistent with existing personnel policies for the impacted positions.

UPDATE ON ENVIRONMENTAL SERVICES PROJECTS

Anthony I Hooper, Deputy County Administrator, and Mike Dorsey, Director of Environmental Services, updated Board members on the old landfill and mining and expansion project. Closure of the old landfill #149 is required to begin no later than July 1, 2008. Rather than close this facility in the next year, the Virginia Department of Environmental Quality (DEQ) has indicated support for a landfill mining and piggyback (expansion) project. At this time, DEQ has not yet terminated the Memorandum of Understanding (MOU) that governs the old landfill.

MOUNTAIN VISTA GOVERNORS SCHOOL (MVGS) PRESENTATION

Sally Murray, member of the Fauquier School Board, introduced Dr. Williamson and two students who provided the Board members with samples of the Mountain Vista Governor's School research projects.

A WORK SESSION TO REVIEW THE TEXT AMENDMENT TO CHAPTER 6 – SERVICE DISTRICTS - BEALETON SERVICE DISTRICT PLAN

Susan Eddy, Chief of Planning, briefed the Board of Supervisors on the Comprehensive Plan amendment which proposes areas within the Bealeton Service District that are appropriate for a mix of uses. The proposed amendment is subject to public hearing this evening with the proposal details and map amendment included in that portion of the agenda for Board reference.

A CLOSED SESSION TO CONSULT WITH LEGAL COUNSEL REGARDING SPECIFIC LEGAL MATTERS RELATED TO PENDING LITIGATION PURSUANT TO CODE OF VIRGINIA SECTION 2.2-3711(A)(7)

Mr. Stribling moved to go into a closed meeting, pursuant to Virginia Code Section 2.2-3711(A)(7) of the Code of Virginia to consult with legal counsel regarding specific legal matters related to pending litigation. Upon being seconded, the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

Upon reconvening from the closed meeting, Mr. Stribling moved, without objection, to adopt the following certification.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 8th day of May 2008, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

The meeting was reconvened in Regular Session at 6:30 P.M.

INVOCATION

Pastor Chris Robinson, of Grace Bible Church in Marshall, offered the invocation.

PLEDGE OF ALLEGIANCE

Mr. Stribling led the pledge of allegiance.

ADOPTION OF THE AGENDA

Mr. Trumbo moved to adopt the agenda with the following changes. Mr. Nyhous seconded, and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

- Remove Consent agenda item #6(u), a Resolution to Authorize the Procurement Manager to Sign a Contract for the Marshall Community Center Computer Club Renovations.

- Amend Regular agenda item #9, regarding the text amendment eliminating density credit for floodplain and steep slopes within the RA and RC zones, so that the deadline for Planning Commission recommendation is extended to September 25, 2008.

CITIZENS' TIME

No one spoke.

PROCLAMATIONS AND RECOGNITIONS

- Mr. Graham presented to Mr. Bryan Tippie a Proclamation Honoring and Recognizing Bryan Tippie for His Outstanding Service to the Government and Citizens of Fauquier County.

CONSENT AGENDA

Mr. Trumbo moved to adopt the following Consent agenda items. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes for the April 10, 2008 and May 18, 2008 Regular Meetings of the Fauquier County Board of Supervisors

A Resolution to Initiate a Referendum During the November Presidential Election for the Imposition of a Food and Beverage Tax in Fauquier County

RESOLUTION

A RESOLUTION TO INITIATE A REFERENDUM DURING THE NOVEMBER PRESIDENTIAL ELECTION FOR THE IMPOSITION OF A FOOD AND BEVERAGE TAX IN FAUQUIER COUNTY

WHEREAS, any county is authorized by Section 58.1-3833 of the Code of Virginia to levy a tax on food and beverages sold by a restaurant, not to exceed four percent of the amount charged for such food or beverage; and

WHEREAS, such tax shall not be levied on food and beverages sold through vending machines, but grocery stores and convenience stores selling prepared food are subject to the tax; and

WHEREAS, the Code of Virginia permits such a tax to be levied if the tax is approved in a referendum held in accordance with Section 24.2-684 and initiated by a resolution of the Board of Supervisors; and

WHEREAS, this tax shall not be levied within the Corporate limits of the Towns of Remington, The Plains and Warrenton; and

WHEREAS, it is the intention of the Fauquier County Board of Supervisors to initiate a referendum for the imposition of a four percent food and beverage tax by resolution of the Board; and

WHEREAS, it is the intention of the Board of Supervisors that the referendum take place during the November 4, 2008 general election; and

WHEREAS, it is the intention of the Board of Supervisors that revenues obtained through the imposition of a food and beverage tax be applied to the financing, maintenance and construction of County and School capital projects; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the Board of Supervisors, by this resolution, hereby initiates a referendum to be held during the November 4, 2008 general election for the imposition of a four percent food and beverage tax to be applied toward the financing, maintenance and construction of County and School capital projects; and, be it

RESOLVED FURTHER, That the Board of Supervisors hereby requests the Circuit Court of Fauquier County, Virginia to order an election on November 4, 2008, on the following question pursuant to Section 58.1-3833, as amended, provided that such date is at least sixty (60) days after the date on which the Court enters its order. The ballot question shall be as follows, subject to such amendments as may be required by the Circuit Court in the Order scheduling the referendum:

**SPECIAL ELECTION
NOVEMBER 4, 2008**

QUESTION: Shall Fauquier County be authorized to levy a tax within the County, but not including the towns of Warrenton, Remington and The Plains, as permitted by Section 58.1-3833 of the Code of Virginia, on foods and beverages sold for human consumption by restaurants and on prepared sandwiches and single-meal platters sold at delicatessen counters by grocery stores and convenience stores not to exceed four percent of the amount charged for such food and beverages to be applied toward the financing, maintenance and construction of County and School capital projects?

() YES

() NO

A Resolution Authorizing a Grant Submission for Tornado Alerting Equipment

RESOLUTION

A RESOLUTION AUTHORIZING A GRANT APPLICATION FOR
TORNADO WARNING EQUIPMENT

WHEREAS, the U.S. Department of Homeland Security, through the Virginia Department of Emergency Management, has funding available for Citizen Alerting Systems with a maximum amount of \$50,000 per locality; and

WHEREAS, the Public Safety Committee has identified a need to improve our capabilities for warning citizens of impending tornados; and

WHEREAS, a program using the Warrenton Fire Station siren for tornado warnings has been in place for several years, the Volunteer Fire Rescue Association has approved to use its member company sirens only for community warnings; and

WHEREAS, this grant funding will be used for public education of such a program and to purchase and install a new siren at the Remington Volunteer Fire Station; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the County Administrator be, and is hereby, authorized to execute for and on behalf of Fauquier County, a public entity established under the laws of the Commonwealth of Virginia, the FY 2007 Homeland Security Citizen's Alerting System Grant, administered by the Commonwealth of Virginia Department of Emergency Management; and, be it

RESOLVED FURTHER, That Fauquier County, a public entity established under the laws of the Commonwealth of Virginia, hereby authorizes its agent to provide to the Commonwealth and to the Department of Homeland Security for all matters pertaining to such Federal financial assistance any and all information pertaining to this Grant as may be requested.

A Resolution to Designate Grant Applicant's Agent for a Grant to Purchase and Install a Multi-Band Radio Repeater on the Blue Mountain Radio Tower

RESOLUTION

A RESOLUTION TO DESIGNATE GRANT APPLICANT'S AGENT FOR A GRANT TO
PURCHASE AND INSTALL A MULTI-BAND RADIO REPEATER ON THE BLUE
MOUNTAIN RADIO TOWER

WHEREAS, the U.S. Department of Homeland Security, through the Virginia Department of Emergency Management, has informed the County of its intent to award a Public Safety Interoperable Communications grant to purchase and install a multi-band radio repeater on the Blue Mountain radio tower; and

WHEREAS, the County will receive \$20,000 for this regional project linking three radio system frequencies for Fauquier, Clarke and Warren Counties; and

WHEREAS, a requirement for the award of this grant is the designation of a Grant Applicant's Agent; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the County Administrator be, and is hereby, authorized to execute for and on behalf of Fauquier County, a public entity established under the laws of the Commonwealth of Virginia, the 2007 Public Safety Interoperable Communications Grant Program, CFDA #11.555 for the purpose of obtaining Federal funds from the United States Department of Homeland Security (DHS), Federal Emergency Management Agency, administered by the Commonwealth of Virginia; and, be it

RESOLVED FURTHER, That Fauquier County, a public entity established under the laws of the Commonwealth of Virginia, hereby authorizes its Agent to provide to the Commonwealth and to the Office of Domestic Preparedness (ODP) for all matters pertaining to such Federal financial assistance any and all information pertaining to this Grant as may be requested.

A Resolution Authorizing the Chairman to Enter Into an Open Space Use Agreement With Landowners

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AN OPEN SPACE USE AGREEMENT WITH LANDOWNERS

WHEREAS, Fauquier County has established a special land assessment program for the preservation of real estate devoted to open space pursuant to Section 58.1-3233 of the Code of Virginia, 1950, as amended; and

WHEREAS, a landowner may qualify for the special land assessment program for the preservation of open space upon the execution and recordation of a written open space use agreement between the landowner and the Board of Supervisors; and

WHEREAS, to qualify for the special land assessment program for the preservation of open space, the real estate to be entered into the program must meet the general and specific standards promulgated by the Director of the Department of Conservation and Historic Resources as set forth in the Manual of the State Land Evaluation Advisory Council (1992); and

WHEREAS, the hereinafter identified landowners have requested that the Board of Supervisors enter into an Open Space Use Agreement for the preservation of certain land owned by them for the purposes of qualifying for the special land assessment program under the open space category; and

WHEREAS, the Board of Supervisors has determined that the hereinafter described land meets the general and specific standards as promulgated by the Director of the Department of

Conservation and Historic Resources for entering into an Open Space Use Agreement committing the landowner not to change the use of the land to a nonqualifying use for a time period of eight years; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the County Administrator be, and is hereby, authorized to execute an Open Space Use Agreement with the hereinafter identified landowners:

NAME	IDENTIFICATION	ACREAGE
<u>RENEWAL</u> Bellingham, Andrew B. Bellingham, Dacy C.	6022-84-1922-000 1316 Deep Run Ln. Reston, VA 20190-3908	42.3325
<u>NEW</u> Harrell, L. Parker, Trustee Harrell, Adele V. Trustee	5998-79-5503-000 4920 Palisade Lane NW Washington, DC 20016	82.3953

; and, be it

RESOLVED FURTHER, That upon execution and recordation of the Agreement the described real estate shall be eligible for classification as Open Space under the Fauquier County Special Land Assessment Program.

A Resolution Authorizing the Chairman of the Fauquier County Board of Supervisors to Execute a One-Year Concession Agreement with Fauquier Community Theatre - Story Painters, Inc.

RESOLUTION

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS TO EXECUTE A ONE-YEAR CONCESSION AGREEMENT WITH FAUQUIER COMMUNITY THEATRE - STORY PAINTERS, INC

WHEREAS, Fauquier County owns a parcel of land described as Parcel 13, Vint Hill Farm Station; and

WHEREAS, the building located on this parcel is commonly known as the Vint Hill Community Theater, building 188; and

WHEREAS, since April 2001, the County has allowed Fauquier Community Theatre to use the Vint Hill theater facility; and

WHEREAS, on April 13, 2004, the Board of Supervisors and Fauquier Community Theatre, Ltd., entered into a six-month Concession Agreement allowing the theater to be operated by Fauquier Community Theatre, Ltd.; and

WHEREAS, this Concession Agreement was later extended from October 13, 2004, to April 13, 2005, and upon its expiration, a letter was sent to the Fauquier Community Theatre, Ltd., by the Department of Parks and Recreation extending the Agreement further from May 13, 2005 to July 13, 2005; and

WHEREAS, the current Concession Agreement between the Fauquier County Board of Supervisors and Fauquier Community Theatre - Story Painters, Inc. that was executed on July 20, 2005 for a term of one year with automatic renewal for two subsequent years will expire on July 20, 2008; and

WHEREAS, the Board of Supervisors desires to enter into a new Concession Agreement with Fauquier Community Theatre - Story Painters, Inc.; and

WHEREAS, the term of this Concession Agreement will be one year, unless cancelled; and

WHEREAS, a copy of the new Concession Agreement, which includes changes proposed to the Agreement, has been presented to the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to execute, subject to final approval, the Concession Agreement by and between the Board of Supervisors and Fauquier Community Theatre - Story Painters, Inc.

A Resolution Directing the County Administrator to Schedule a Public Hearing to Obtain Citizen Input Concerning Adoption of an Ordinance to Allow for the Disposal of Unclaimed Property in Possession of the Sheriff

RESOLUTION

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING TO OBTAIN CITIZEN INPUT CONCERNING ADOPTION OF AN ORDINANCE TO ALLOW FOR THE DISPOSAL OF UNCLAIMED PROPERTY IN POSSESSION OF THE SHERIFF

WHEREAS, the *Code of Virginia* § 15.2-1719 and 1720 enables the Board of Supervisors to adopt an Ordinance that allows the Sheriff to dispose of unclaimed property in his possession by either public sale or retention for use by law-enforcement; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That, the County Administrator be, and is hereby, directed to schedule a public hearing to obtain citizen input regarding the adoption of an Ordinance to allow the Sheriff to dispose of unclaimed property.

A Resolution to Establish the Fauquier County Towing and Recovery Board

RESOLUTION

A RESOLUTION TO ESTABLISH THE FAUQUIER COUNTY TOWING AND
RECOVERY BOARD

WHEREAS, *Code of Virginia* § 46.2-1217 authorizes the governing body of any County to regulate police towing services by Ordinance; and

WHEREAS, prior to adopting an ordinance pursuant to that Code section, the local government body must appoint an advisory board to advise the Fauquier County Board of Supervisors regarding the appropriate provisions of the Ordinance or terms of contracts with towing service providers; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the following individuals be, and are hereby, appointed to the Fauquier County Towing and Recovery Board:

1. _____, representing local law-enforcement (Sheriff's Office)
2. _____, representing local law-enforcement (State Police)
3. _____, representing towing and recovery operators, zone 1
4. _____, representing towing and recovery operators, zone 2
5. _____, representing towing and recovery operators, zone 3
6. _____, representing towing and recovery operators, zones 4&5
7. _____, representing the general public
8. _____, _____ (other)

; and, be it

RESOLVED FURTHER, That the Fauquier County Towing and Recovery Board shall meet and develop a draft Ordinance regulating police towing and advise the Board of Supervisors whether it should enter into contracts with police towing service providers, and, if so, the terms of those contracts; and, be it

RESOLVED FINALLY, That the Towing and Recovery Board shall advise the Board of Supervisors with their recommendations as soon as practicable but no later than December 11, 2008.

A Resolution to Authorize the County Administrator and the County Attorney to Take the Necessary Steps to Place the Subdivision Streets Within Oak Lake Subdivision in the State System

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR AND THE COUNTY
ATTORNEY TO TAKE THE NECESSARY STEPS TO PLACE THE SUBDIVISION
STREETS WITHIN OAK LAKE SUBDIVISION IN THE STATE SYSTEM

WHEREAS, Twin Oak Drive and Folly Court were constructed in the 1980's generally to standards adequate to permit the roads to be in conformance with Virginia Department of Highways State Secondary Road regulations; and

WHEREAS, the streets were not placed into the State system for maintenance and the bond applicable to the street expired and was not renewed in 1999; and

WHEREAS, the condition of the streets has deteriorated to the extent that the Virginia Department of Transportation will not accept the streets for maintenance until the streets receive surface treatment, pothole repair and ditch repair; and

WHEREAS, the Virginia Department of Transportation has determined that it will cost \$18,197.50 to bring the road back into conformance with the Virginia Department of Highways regulations of State Secondary Roads; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the County Administrator and County Attorney be, and are hereby, authorized to take all actions necessary, including but not limited to the acceptance of deeds conveying right of way to the County, to have Twin Oak Drive and Folly Court taken into the State Secondary System of Highways; and, be it

RESOLVED FURTHER, That \$18,197.50 be, and is hereby, appropriated from the County's Transportation Fund to pay for all improvements necessary to bring the road back into conformance with the Virginia Department of Highways regulations for State Secondary Roads.

A Resolution to Adopt the Capital Improvements Program (CIP) FY 2009 – FY 2018

RESOLUTION

A RESOLUTION TO ADOPT THE CAPITAL IMPROVEMENTS PROGRAM (CIP)
FY 2009 – FY 2018

WHEREAS, the Board of Supervisors has established an objective to adopt a Capital Improvements Program (CIP) each year; and

WHEREAS, the Capital Review Committee and Planning Commission had several developmental meetings to formulate the recommended CIP; and

WHEREAS, both the Planning Commission and the Board of Supervisors have held respective public hearings on the recommended CIP; and

WHEREAS, the Board of Supervisors has held a work session on the Capital Improvements Program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the FY 2009-2018 Capital Improvements Program be, and is hereby, adopted.

A Resolution Creating the Transportation Impact Fee Advisory Committee

RESOLUTION

A RESOLUTION CREATING THE TRANSPORTATION IMPACT FEE ADVISORY COMMITTEE

WHEREAS, the Fauquier County Board of Supervisors has already created the Transportation Committee to assist in prioritizing the County's transportation needs and make recommendations to the Virginia Department of Transportation (VDOT) in conjunction with updates of the Six-Year Plans for primary and secondary roads consistent with the adopted Comprehensive Plan; and

WHEREAS, the Transportation Committee works to place the County's transportation efforts within a regional context to ensure our plans are compatible with surrounding jurisdictions; and

WHEREAS, the Board has indicated interest in the development and application of transportation impact fees for new roads or road expansions and their associated appurtenances resulting from new residential and business development; and

WHEREAS, Article 8 (Road Impact Fees) of the Virginia Code empowers jurisdictions such as Fauquier County to adopt transportation impact fees by following specific procedures and meeting outlined requirements for their calculation and implementation; and

WHEREAS, §15.2-2319 of the Virginia Code requires the creation of an "impact fee advisory committee" appointed by the Board of Supervisors; and

WHEREAS, the "impact fee advisory committee" shall have no less than five members nor more than ten members, with at least forty percent of the membership being representatives from the development, building or real estate industries; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 12th day of June 2008, That the five Magisterial District appointments of the Transportation Committee shall serve as the membership base of the Transportation Impact Fee Advisory Committee; and, be it

RESOLVED FURTHER, That additional appointments be made, as appropriate, to insure at least forty percent (40%) of the membership shall be representatives from the development, building or real estate industries; and, be it

RESOLVED FINALLY, That the Transportation Impact Fee Advisory Committee shall serve in an advisory capacity to assist and advise the Board of Supervisors regarding proposed impact fees, the road improvement program and the implementing Ordinance(s).

A Resolution Supporting the Inclusion of Cromwell's Run Rural Historic District on the Virginia Landmarks and National Registers

RESOLUTION

A RESOLUTION TO THE VIRGINIA BOARD OF HISTORIC RESOURCES AND THE NATIONAL PARK SERVICE SUPPORTING THE INCLUSION OF CROMWELL'S RUN ON THE VIRGINIA LANDMARKS AND NATIONAL REGISTERS

WHEREAS, the landscapes, farms, buildings and roads in Cromwell's Run Rural Historic District represent many diverse stories of human settlement in Fauquier County, Virginia through three centuries; and

WHEREAS, there are 483 contributing historic resources located within the 14,185-acre historic area that is roughly centered along Atoka Road; and

WHEREAS, Cromwell's Run features Frogtown, Fortune Mountain, Rectortown, Atoka, Lost Corner, Five Points, pre-1800 structures, mills, and a full panoply of Federal, Georgian, Greek Revival, Victorian, Craftsman, and Colonial Revival styled houses and outbuildings; and

WHEREAS, the district showcases a modest stucco house called Wexford built in 1963 for President John F. Kennedy and his wife Jackie, a horse enthusiast; and

WHEREAS, Guerilla leader John Singleton Mosby headquartered in Atoka and other sites to conduct raids which seriously disrupted Union army activities in the region in the Civil War, and Frogtown and Fortune Mountain later became home to African-America slaves emancipated during the war; and

WHEREAS, Fauquier County's constancy of farming and the rural landscape made the region a famous foxhunting and horse riding center in the early twentieth century and Cromwell's Run remains Virginia "Hunt Country" over a century later; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the Board hereby supports and encourages the Virginia Board of Historic Resources to include the Cromwell's Run National Register Historic District, located in the Marshall and Scott Magisterial Districts, in the Virginia Landmarks Register; and, be it

RESOLVED FURTHER, That the Virginia Board of Historic Resources recommend to the National Park Service, due to the established and unique history and National significance of Cromwell's Run, that this district be enrolled in the National Register of Historic Places.

A Resolution to Approve a Waiver for a Right-of-Way Less Than Fifty Feet in Width (WAVR08-CR-047), Cedar Run District

RESOLUTION

A RESOLUTION TO APPROVE A RIGHT-OF-WAY LESS THAN FIFTY FEET IN WIDTH (WAVR08-CR-047), CEDAR RUN DISTRICT

WHEREAS, Carlton C. Hughes and Brenda L Simpson, owners and applicants, are seeking a waiver to Zoning Ordinance Section 7-302 1.A.(3) to allow a right-of-way that is less than fifty feet in width; and

WHEREAS, the applicants propose to create one administrative subdivision lot and a residual lot from the 13.5-acre parcel identified as PIN 7903-96-7882-000, with access via a less than fifty-foot easement which connects to Old Auburn Road (Route 670); and

WHEREAS, on May 29, 2008, the Fauquier County Planning Commission recommended approval of the proposed Zoning Ordinance waiver; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That Zoning Ordinance Section 7-302 1.A.(3) be, and is hereby, waived to permit Carlton C. Hughes and Brenda L. Simpson to create an administrative subdivision lot on the above-referenced parcel which will be accessed by a right-of-way that is less than fifty (50) feet in width.

A Resolution to Submit an Application for the Designation of Fauquier County as a Preserve America Community

RESOLUTION

A RESOLUTION TO SUBMIT AN APPLICATION FOR THE DESIGNATION OF FAUQUIER COUNTY AS A PRESERVE AMERICA COMMUNITY

WHEREAS, *Preserve America* is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

WHEREAS, the goals of this initiative include a greater shared knowledge about our nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's irreplaceable cultural and natural heritage assets, and support for the economic vitality of communities; and

WHEREAS, this initiative is compatible with our community's interests and goals related to historic preservation; and

WHEREAS, designation as a *Preserve America* Community will improve our community's ability to protect and promote its historical resources; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 12th of June 2008, That the Fauquier County Board of Supervisors will apply for the designation of Fauquier County as a *Preserve America* Community; and, be it

RESOLVED FURTHER, That the Fauquier County Board of Supervisors will protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs.

A Resolution to Adopt the Fauquier Water and Sanitation Authority and Fauquier County Board of Supervisors and Fauquier County School Board Self-Funded Agreement

RESOLUTION

A RESOLUTION TO ADOPT THE FAUQUIER WATER AND SANITATION AUTHORITY
AND FAUQUIER COUNTY BOARD OF SUPERVISORS AND FAUQUIER COUNTY
SCHOOL BOARD SELF-FUNDED AGREEMENT

WHEREAS, Fauquier Water & Sanitation Authority (WSA) has expressed a desire to join the Fauquier County Board of Supervisors' and Fauquier County School Board's medical, prescription drug, and dental programs; and

WHEREAS, a formal request to join Fauquier County's healthcare programs (medical, prescription drug, and dental) has been made by Fauquier Water & Sanitation Authority and the Board of Supervisors and School Board of Fauquier County has granted approval for Fauquier Water & Sanitation Authority to join the Fauquier County Board of Supervisors' and Fauquier County School Board's programs.; and

WHEREAS, Fauquier Water & Sanitation Authority would attach to Fauquier County Board of Supervisors' and Fauquier County School Board's contracts as a "sub-group" to the main contracts ;and

WHEREAS, by agreeing to the terms of this agreement, Fauquier Water & Sanitation Authority agrees to join the self-funded medical and prescription drug contract administered by Anthem Blue Cross Blue Shield (21290) and the fully-insured dental program administered by Delta Dental of Virginia (600075) and the Fauquier County Board of Supervisors and Fauquier County School Board agrees to include the WSA within the plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the attached Agreement be, and is hereby, adopted for FY 2009.

Fauquier County Water and Sanitation Authority (WSA) and Fauquier County Board of Supervisors and Fauquier County School Board Self-Funded Agreement
Effective July 1, 2008

Summary

Fauquier Water & Sanitation Authority (WSA) has expressed a desire to join the Fauquier County Board of Supervisors' and Fauquier County School Board's medical, prescription drug, and dental programs. A formal request to join Fauquier County's healthcare programs (medical, prescription drug, and dental) has been made by Fauquier Water & Sanitation Authority and the Board of Supervisors and School Board of Fauquier County has granted approval for Fauquier Water & Sanitation Authority to join the Fauquier County Board of Supervisors' and Fauquier County School Board's programs.

Fauquier Water & Sanitation Authority would attach to Fauquier County Board of Supervisors' and Fauquier County School Board's contracts as a "sub-group" to the main contracts. By agreeing to the terms of this agreement, Fauquier Water & Sanitation Authority agrees to join the self-funded medical and prescription drug contract administered by Anthem Blue Cross Blue Shield (21290) and the fully-insured dental program administered by Delta Dental of Virginia (600075) and the Fauquier County Board of Supervisors and Fauquier County School Board agrees to include the WSA within the plan.

Terms of Agreement

Fauquier Water & Sanitation Authority agrees to reimburse Fauquier County Board of Supervisors and Fauquier County School Board on a monthly basis for the following fees and costs:

- A. Medical & Prescription Drug Insurance Programs– Anthem Blue Cross Blue Shield KeyCare 15 Plan
 - 1) Administrative & Reinsurance Fees
 - ◆ Administrative - \$28.44 Per Contract Per Month (PCPM), plus a variable administrative fee, upon termination of agreement, of 2.0% of incurred but not reported (paid) claims during the "run-out" period of 24-months.
 - ◆ Network Access Fee - \$15.84 PCPM.
 - ◆ State Premium Taxes – 2.25% of reinsurance cost.
 - ◆ Vision Premium - \$1.00 PCPM.
 - ◆ Employee Assistance Program – \$1.00 PCPM.
 - ◆ Specific Stop Loss Reinsurance - \$28.90 PCPM.
 - ◆ Aggregate Stop Loss Reinsurance – No Charge for FY09
(Aggregate protection provided at the Fauquier County plan level)
 - 2) Medical and Prescription Drug Claims Costs
 - ◆ The total monthly net paid claims, as reported by Anthem Blue Cross Blue Shield.
- B. Dental Insurance Program – Delta Dental of Virginia Standard and High Option Plans
 - ◆ The monthly fully-insured required premium based on the fully-insured premium rates multiplied by the monthly enrollment in the dental program.
- C. Fauquier County Human Resources (HR)Administrative Fee
 - ◆ Contract Administration - \$42.00 PCPM
This fee covers:

Medical, Dental, COBRA, and HIPAA administration. It is necessary to report, track, and reconcile Anthem's billings to our records to ensure coverage and terminations, and to provide required legal notices and information.

Benefit education and customer service to WSA employees during the initial transition period, through each plan year for concerns/issues, and annually for the open enrollment period.

Annual renewal and utilization reports and meetings.

Monthly and quarterly financial/billing reports to WSA and payment reconciliation.

- D. Section II, "Terms of Agreement", will be reviewed annually. Fees and premiums will be adjusted based on charges to the Fauquier County Board of Supervisors' and Fauquier County School Board's medical, prescription drug, and dental programs by Anthem Blue Cross Blue Shield and Delta Dental of Virginia.

Funding of Costs

WSA agrees to pre-fund the monthly fully-insured dental premiums. In addition, WSA agrees to pre-fund the total monthly expected administrative and reinsurance fees for medical and prescription drug program and the total monthly expected HR administrative fees. All other costs or claims will be settled in the month following the month in which costs are incurred.

In addition, WSA will agree to fund an Incurred But Not Reported (IBNR) reserve of \$50,000 for the first year of the contract. The IBNR reserve is established to fund the "run-out" of claims in the event this agreement is terminated or in the event the contract with Anthem blue Cross Blue Shield is terminated. The IBNR reserve will be held by the Fauquier County Board of Supervisors and Fauquier County School Board, which will earn an annual interest equal to the 12-month average of a 90-day Treasury bill rate, as posted by Wachovia Bank. The IBNR required reserve will be adjusted yearly, as deemed appropriate by the Fauquier County Board of Supervisors and Fauquier County School Board. The IBNR reserve shall not exceed 2.5 months of expected claims, administrative, and reinsurance fees, however, the minimum IBNR reserve shall be \$50,000.

It is understood that WSA shall be responsible for 100% of the total costs and fees associated with the medical, prescription drug, and dental programs. Financial settlement shall occur each month with Fauquier County Board of Supervisors and Fauquier County School Board for all costs and fees associated with this agreement.

WSA shall purchase specific stop loss reinsurance on the medical and prescription drug programs through the Fauquier County Board of Supervisors and Fauquier County School Board contract. The specific reinsurance shall provide WSA with protection against individual large claims (medical and prescription drug) for any eligible and enrolled employee or dependent, which exceed \$150,000 during the each contract period (12-months).

All actual administrative fees, reinsurance fees, claims cost, and fully-insured dental premiums will be due monthly based on billing sent to WSA by Fauquier County Board of Supervisors and Fauquier County School Board Human Resources Department. Payments are due within forty-five (45) days of billing date via check or wire transfer. A late fee of 0.05% will be assessed every five (5) days, if payment is not received by the scheduled due date. If WSA is delinquent on any payment hereunder, the Fauquier County Board of Supervisors may offset any amount due and owing under this agreement from any payments due to WSA.

Responsibilities Administrative

Fauquier Water & Sanitation Authority will agree to:

- ◆ Provide Fauquier County Board of Supervisors and Fauquier County School Board with enrollment packet for new hires within 30 days of the employee start date. This packet shall include an election form and appropriate insurance enrollment forms.
- ◆ Provide Fauquier County Board of Supervisors and Fauquier County School Board with “change in family status” packet within 30 days of an employee’s qualifying event. This packet shall include the change in family status form, qualifying event verification, election form, and appropriate enrollment forms.
- ◆ Provide Fauquier County Board of Supervisors and Fauquier County School Board with termination notification within 10 days of the separation date of the employee. This notification shall include the employee’s name, separation date, and coverage end date.
- ◆ Notify Fauquier County Board of Supervisors’ and Fauquier County School Board’s consultants immediately of any plans to change eligibility requirements for employees/retirees or contributions to premiums, which may impact the health insurance or dental contracts or costs.

Fauquier County Board of Supervisors and Fauquier County School Board will agree to:

- ◆ Provide education to WSA employees on plan offerings.
- ◆ Provide WSA with enrollment and change in family status packets.
- ◆ Report enrollment eligibility to the medial and dental carriers/administrators.
- ◆ Assist WSA employees in understanding benefits and claims.
- ◆ Assist WSA employees with concerns/issues regarding their coverage/eligibility.
- ◆ Provide annual open enrollment materials and informational meetings.
- ◆ Provide a monthly financial/billing report to WSA for administrative and claims costs associated with the programs.
- ◆ Provide quarterly financial tracking report to WSA for the previous months medial and prescription drug fees and claims costs.
- ◆ Provide annual renewal and utilization information and associated meetings.
- ◆ Provide contract maintenance.
- ◆ Provide HIPAA administration and legal notices.
- ◆ Provide COBRA administration, including legal notices, eligibility, payment collection/reconciliation, and termination of benefits.

Changes & Termination of Agreement

This agreement may be reviewed periodically, as necessary, but at least annually, to reflect the needs of both entities. Any changes to the agreement must be in writing and agreeable to both entities. Changes will be become effective within 30-days of such agreement.

Either party may terminate this agreement without cause with at least a 120-day advance written notice. This agreement may be terminated with cause upon 30 days written notice by the Board of Supervisors and School Board in the event of a breach of any material term herein by the WSA, including but not limited to failure to purchase the reinsurance required herein or failure to maintain the required IBNR reserve. The WSA shall be given the opportunity to cure the default during the 30 day period. In the event this agreement is terminated, WSA shall be responsible for the claims run-out for a 24-month consecutive period. After the 24-month claims “run-out” period, Fauquier County Board of Supervisors and Fauquier County School Board shall return any surplus remaining in the claims IBNR reserve to WSA. WSA shall be responsible for a variable termination fee of 2.0% of claims paid during the “run-out” period and reinsurance fees equal to 3-months of estimated reinsurance fees, in the event this agreement is terminated.

Agreement

All parties have reviewed this document and by signing below, acknowledge that they understand the terms of the Anthem and Delta Dental contracts and agree to all terms and conditions outlined in this agreement. This agreement shall be effective July 1, 2008.

Signed: _____ Date: _____
Name: Mr. Chester Stribling
Title: Chairman
Fauquier County Board of Supervisors

Signed: _____ Date: _____
Name: Mr. Duke Bland
Title: Chairman
Fauquier County School Board

Signed: _____ Date: _____
Name: Mr. Paul McCulla
Title: County Administrator
Fauquier County Board of Supervisors

Signed: _____ Date: _____
Name: Mr. Barney Durrett
Title: General Manager
Fauquier County Water & Sanitation Authority

A Resolution to Approve Training and Travel Expenses for an Employee in the Department of Community Development

RESOLUTION

A RESOLUTION TO APPROVE TRAINING AND TRAVEL EXPENSES FOR AN EMPLOYEE IN THE DEPARTMENT OF COMMUNITY DEVELOPMENT

WHEREAS, the Board of Supervisors approved a \$1,000 threshold for expenses authorized under the County Policy of Training and Career Development; and

WHEREAS, the Department of Community Development needs to send Jennifer Kilanski to the Federal Emergency Management Agency (FEMA) certified HEC RAS Training Course being offered at Penn State University August 11-13, 2008; and

WHEREAS, course completion will provide current practice and methodologies for the Department’s benefit and in Ms. Kilanski’s in her floodplain study review responsibilities; and

WHEREAS, the anticipated amount, including the three-day course registration (\$1,595), lodging, per diem and mileage travel expenses (\$700), is estimated to be \$2,295; and

WHEREAS, according to County policy on Training and Career Development, the Board of Supervisors must authorize any amount exceeding \$1,000; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the required prior approval for attendance of this class has been granted by the County Administrator; and, be it

RESOLVED FURTHER, That the Department of Community Development's FY 2009 Budget can absorb this cost with no additional funding being requested; and, be it

RESOLVED FINALLY, That authorization and approval be, and is hereby, granted to the Department of Community Development for training and travel expenses relating to this training course in the amount of \$2,295.

A Resolution to Address Virginia's Transportation Funding Crisis

RESOLUTION

A RESOLUTION TO ADDRESS VIRGINIA'S TRANSPORTATION FUNDING CRISIS

WHEREAS, the package of transportation taxes and fees enacted by the 2007 Session of the General Assembly to address statewide maintenance and regional transportation needs failed because the Virginia Supreme Court invalidated the Northern Virginia regional fees and because the 2008 General Assembly repealed the abusive driver fee program; and

WHEREAS, the Commonwealth Transportation Board is ready to approve a \$1.1 billion reduction in the official six-year forecast, forcing a 44 percent cut in primary, urban roads and secondary roads construction; and

WHEREAS, the Virginia Municipal League has advocated for a transportation funding model that is adequate, sustainable and dedicated with non-general funds to support Virginia's transportation network; and

WHEREAS, Governor Timothy M. Kaine has called the General Assembly into special session on June 23, 2008, to address these funding matters; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the Board does hereby support the efforts of the Governor and the General Assembly to act swiftly and decisively to approve legislation that will address the transportation funding crisis at the statewide, regional and local levels; and, be it

RESOLVED FURTHER, That such legislation should recognize that it is the Commonwealth's responsibility to impose the new taxes and fees; that the funding purposes must be restricted to ensuring safe roads, relieving traffic congestion, maintaining and increasing transit investments, promoting economic development throughout the state, and providing multi-modal options; and, that providing consumer choices, including the use of tolls on new transportation facilities, is part of the solution to the transportation crisis.

A Resolution to Reinstitute Thirty Thousand Dollars (\$30,000) in Funding for FY 2009 for the Virginia Small Business Development Center at the Fauquier Campus of the Lord Fairfax Community College

RESOLUTION

A RESOLUTION TO REINSTITUTE THIRTY THOUSAND DOLLARS (\$30,000) IN FUNDING FOR FY 2009 FOR THE VIRGINIA SMALL BUSINESS DEVELOPMENT CENTER AT THE FAUQUIER CAMPUS OF THE LORD FAIRAX COMMUNITY COLLEGE

WHEREAS, the Board of Supervisors had provided the Virginia Small Business Development Center at the Fauquier Campus of the Lord Fairfax Community College with \$40,000 in funding for FY 2008; and

WHEREAS, the County's FY 2009 Budget does not include any funding for the Virginia Small Business Development Center at the Fauquier Campus of the Lord Fairfax Community College; and

WHEREAS, the Virginia Small Business Development Center at the Fauquier Campus of the Lord Fairfax Community College has requested that the County re-institute its funding for the FY 2009 Budget; and

WHEREAS, the Board of Supervisors does, by the adoption of this resolution, determine that it is the best interest of the citizens of the County and the businesses located in Fauquier County to re-institute the funding for the Virginia Small Business Development Center at the Fauquier Campus of the Lord Fairfax Community College in the amount of \$30,000; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the Board of Supervisors does hereby re-institute the funding for the Virginia Small Business Development Center at the Fauquier Campus of the Lord Fairfax Community College in the amount of \$30,000 for FY 2009; and, be it

RESOLVED FURTHER, That such funding shall be taken from the Contingency Reserve.

A Resolution in Favor of Amtrak's Proposed New Daily Passenger Rail Service in the US 29 Corridor and in Support of Related Infrastructure Improvements

RESOLUTION

A RESOLUTION IN FAVOR OF AMTRAK'S PROPOSED NEW DAILY PASSENGER RAIL SERVICE IN THE US 29 CORRIDOR AND IN SUPPORT OF RELATED INFRASTRUCTURE IMPROVEMENTS

WHEREAS, the Virginia Department of Rail and Public Transportation (VDRPT) is developing a State Rail Plan that will address the present and future needs for rail in the Commonwealth and provide a strategy to address them; and

WHEREAS, the State Rail Plan will address commuter, intercity, higher speed and high speed rail services as well as multimodal integration of rail with other modes of transportation; and

WHEREAS, the VDRPT has asked for public input on the needs, priorities and rail improvements to be considered when developing the State Rail Plan; and

WHEREAS, the US 29 – Interstate 66 (Piedmont) rail corridor between Danville and Alexandria is home to 30% of the State’s population; and

WHEREAS, the cities, towns and counties of the US 29 Corridor have experienced significant residential and commercial growth and with it, significant increases in highway traffic, congestion and travel time on through trips; and

WHEREAS, fifty years ago, the Piedmont Corridor was served by 22 passenger trains a day operated by the Southern and C & O Railroads; and

WHEREAS, today, the Piedmont Corridor is served by only one daily round trip train (Amtrak’s Crescent) between New Orleans and New York, and for stations north of Charlottesville, by an additional train (Amtrak’s Cardinal) three days a week; and

WHEREAS, these long-distance trains are frequently overbooked, with most seats reserved for long-distance ticket holders, the schedule is not conducive to business travel, trains are frequently late, and the existing level and quality of passenger rail service offered by these trains cannot meet the demands of business travelers, tourists, students or the traveling public; and

WHEREAS, increased passenger rail service offers an additional method of transportation to the Washington D.C. metropolitan area providing an additional alternative to transportation by automobile helping to ease congested roads in Fauquier County and the Washington D.C. metropolitan are; and

WHEREAS, the rising cost of oil and the environmental concerns brought on by carbon based emissions have heightened the interest in energy efficient and environmentally friendly alternatives to the automobile; and

WHEREAS, recognizing the Piedmont Corridor as an underserved market, Amtrak has recommended to VDRPT that steps be taken to implement new Lynchburg to Washington rail service “as soon as possible” including any capital improvements needed to the existing rail line by the host railroad; and

WHEREAS, Amtrak reports that the addition of a second daily train can be accomplished easily and at a relatively low cost; and

WHEREAS, ridership on the Piedmont Corridor can be expected to increase significantly as direct service results in reliable, on-time trains with available seats; and

WHEREAS, the Route 29 passenger rail corridor is significantly under-served compared to the I-95 corridor, where the State has made massive investments for rail infrastructure and operations; and

WHEREAS, an application for State Rail Enhancement Funds (REF) for capital investments in the corridor in support of the proposed new Amtrak passenger service has been developed by Norfolk Southern Railroad and is included in the list of projects recommended by VDRPT for inclusion in the State's 2009-2014 Six Year Improvement Program; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 12th day of June 2008, That the Board of Supervisors urges the VDRPT to include enhanced passenger rail service for the US 29 (Piedmont) Corridor in the State Rail Plan, specifically the proposed new daily direct service between Lynchburg and Washington, D.C. and on to New York and Boston, as proposed by Amtrak; and, be it

RESOLVED FURTHER, That the Fauquier County Board of Supervisors urges the Commonwealth Transportation Board to approve VDRPT's recommended REF funding for infrastructure investments needed to support new passenger service in the corridor; and, be it

RESOLVED FINALLY, That the Fauquier County Board of Supervisors requests that VDRPT identify the US 29 corridor as the State's top priority for funding new rail service according to Amtrak's recommended Short Term Action Plan for Advancing Passenger Rail in the Commonwealth.

A Resolution to Appropriate the Fiscal Year 2009 Budget

RESOLUTION

A RESOLUTION TO APPROPRIATE THE FISCAL YEAR (FY) 2009 BUDGET

WHEREAS, it is the responsibility of the Fauquier County Board of Supervisors to approve and control the County's fiscal plan for FY 2009; and

WHEREAS, the Board of Supervisors adopted the FY 2009 County Budget on April 2, 2008; and

WHEREAS, it is the intent of the Board of Supervisors that departments and agencies shall adhere to the funds appropriated in accordance with departmental budgets presented by the County Administrator and adjusted by the Board of Supervisors; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 12th day of June 2008, That local tax supported appropriations of the School Division's overall budget of \$141,051,084 shall not exceed \$98,070,037 of local funds; and, be it

RESOLVED FURTHER, That the following appropriations be, and are hereby, approved effective July 1, 2008, as set forth below; and, be it

RESOLVED FINALLY, That all financial activities, purchases, travel, personnel actions, etc., shall be in accordance with the policies and procedures established by the Board of Supervisors and administered by the County Administrator.

FY 2009 APPROPRIATED BUDGET

GENERAL FUND

General Government

Board of Supervisors	\$271,370
Commissioner of the Revenue	\$1,291,810
County Administration	\$1,084,512
County Attorney	\$651,884
Finance	\$1,517,985
Independent Auditor	\$123,411
Information Technology	\$2,290,059
Budget Office	\$340,660
Human Resource Management	\$1,544,984
Geographic Information System	\$296,494
Registrar	\$324,555
Treasurer	<u>\$1,047,886</u>
Subtotal	\$10,785,610

Judicial Administration

Adult Court Services	\$763,905
Circuit Court	\$146,113
Clerk of the Circuit Court	\$1,129,750
Commissioner of Accounts	\$2,400
Commonwealth's Attorney	\$878,037
General District Court	\$14,685
Juvenile & Domestic Relations Court	\$14,866
Magistrates	<u>\$82,895</u>
Subtotal	\$3,032,651

Public Safety

Detention Center	\$567,328
Detention Center-Regional Facility	\$1,586,428
Juvenile Detention	\$407,683
Juvenile Probation	\$33,147
Joint Communications	\$2,039,486
Fire and Emergency Services	\$2,790,999
Sheriff	<u>\$10,613,526</u>
Subtotal	\$18,038,597

Public Works

Environmental Services - Convenience Sites	\$2,196,258
General Services	<u>\$5,413,626</u>
Subtotal	\$7,609,884

Health and Welfare

Community Services Board	\$326,124
Comprehensive Services Act	\$3,118,372
Public Health	\$530,624
Social Services	<u>\$5,422,753</u>
Subtotal	\$9,397,873

Culture

Lord Fairfax Community College	\$242,958
Parks and Recreation	\$3,471,395
Library	<u>\$2,127,911</u>
Subtotal	\$5,842,264

Community Development

Agriculture Development	\$41,360
Community Development	\$3,191,248
Contributions	\$472,650
Economic Development	\$457,702
Extension Office	\$152,114
John Marshall SWCD	\$338,961
Planning Commission/BZA/ARB	<u>\$167,928</u>
Subtotal	\$4,821,963

Non-Departmental

Debt Service	\$928,165
Alice Jane Childs Building	\$162,131
Non-Departmental	<u>\$2,889,387</u>
Subtotal	\$3,979,683

Transfers

Capital Improvements Fund	\$410,000
Affordable Housing Fund	\$230,860
Airport	\$16,000
School Division Operating	<u>\$98,070,037</u>
Subtotal	\$98,726,897

Total General Fund **\$162,235,422**

OTHER FUNDS

Airport Enterprise Fund

Airport	\$954,835
Subtotal	\$954,835

Affordable Housing Fund

Affordable Housing	\$230,860
Subtotal	\$230,860

Environmental Services

Environmental Services	\$6,764,875
Subtotal	\$6,764,875

Internal Services Fund	
Fleet Maintenance	\$3,205,178
Subtotal	\$3,205,178
School Division Fund	
School Operating	\$127,120,885
Debt Services	\$13,930,199
Subtotal	\$141,051,084
School Food Service Fund	
School Food Service	\$4,529,547
Subtotal	\$4,529,547
School Textbook Fund	
School Textbook	\$750,000
Subtotal	\$750,000
Volunteer Fire and Rescue Fund	
Volunteer Fire and Rescue	\$4,637,445
Subtotal	\$4,637,445
Conservation Easement	
Conservation Easement Service District	\$1,349,667
Subtotal	\$1,349,667
Capital Fund	
Sheriff's Vehicles	\$410,000
Subtotal	\$410,000
TOTAL ALL FUNDS	\$326,118,913
<i>Less County Transfer</i>	<i>(\$98,726,897)</i>
TOTAL COUNTY EXPENDITURES	\$227,392,016

FY 2009 Revenues

LOCAL REVENUE

General Property Taxes

Real Estate Tax	\$85,797,036
Public Service	\$3,850,000
Personal Property Tax	\$21,580,000
Delinquent Real Estate Tax	\$725,000
Delinquent Personal Property Tax	\$450,000
Delinquent Public Service	\$20,000
Penalties - Real Property - All	\$825,000
Interest - All	<u>\$350,000</u>
Subtotal	\$113,597,036

Other Local Taxes

Sales Tax (Local)	\$7,400,000
Utility Tax	\$1,408,000
Utility Consumption Tax	\$205,000
Communications Tax	\$3,132,200
BPOL Tax	\$1,700,000
Auto License Fees	\$1,800,000
Bank Stock Tax	\$180,000
Recording Tax & Fees (Deeds)	\$2,000,000
Recording Tax & Fees (Wills)	\$30,000
Transient Tax	<u>\$121,000</u>
Subtotal	\$17,976,200

Permits, Fees, and Licenses

Dog Tags	\$5,000
Land Use Fees	\$13,000
Transfer Fees	\$2,300
Concealed Weapon Permits	\$2,000
Parks & Recreation	\$534,539
Community Development Fees	<u>\$2,000,000</u>
Subtotal	\$2,556,839

Fines and Forfeitures

Local Fines	\$500,000
Court Judgement Proceeds	\$3,000
Interest On Local Fines	<u>\$5,100</u>
Subtotal	\$508,100

Use of Money and Property

Interest Income General Fund	\$1,300,000
Sale of Equipment/Vehicles	\$29,700
Rental Of County Property	\$21,600
Rental Health Department	\$23,000
Rental of Armory	\$22,440
Rental Alice Jane Childs Building	<u>\$204,175</u>
Subtotal	\$1,600,915

Charges for Services

Excess Fees	\$350,000
Sheriff Fees	\$3,742
Courtroom Security	\$75,000
Detention Fee	\$3,500
Law Library Fees	\$15,000
Local Cost	\$3,200
Courthouse Maintenance Fees	\$38,500
Inmate Processing Fee	\$5,000
Commonwealth's Attorney Fees	\$2,300
Correction and Detention Charges	\$37,000
Street Signs	\$2,000
Library Fees	\$60,000
Sales of Tax Maps	\$756
Sales of GIS Maps	\$34,000
Sales of Commissioner of Revenue GIS Maps	<u>\$500</u>
Subtotal	\$630,498

Miscellaneous	\$62,440
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Recovered Costs

Other Government Charges	\$10,500
Jail Boarding - Other Governments	\$500
Work Release	\$60,000
Canteen Medical Reimbursement	\$4,500
Home Incarceration Fees	\$12,000
CSA Refunds	<u>\$42,638</u>
Subtotal	\$130,138

Total Local Revenue **\$137,062,166**

STATE REVENUE**Non-Categorical Aid**

ABC Profits	\$27,893
Wine & Spirits Tax	\$29,237
Rolling Stock Tax	\$60,478
Mobile Home Titling Tax	\$57,119
Rental Car Tax	\$14,672
State Personal Property Tax Relief	\$13,659,496
E-911 Wireless Program	<u>\$93,677</u>
Subtotal	\$13,942,572

Categorical Aid**Shared Expenses**

Commonwealth's Attorney	\$470,388
Sheriff	\$3,574,551
Commissioner of the Revenue	\$206,587
Treasurer	\$207,569
Registrar	\$60,122
Clerk of the Court	\$451,583
Adult Confinement - Detention	<u>\$300,000</u>
Subtotal	\$5,270,800

Welfare

Social Services	\$992,689
Comprehensive Services Act	<u>\$1,260,526</u>
Subtotal	\$2,253,215

Other Categorical Aid	
Recordation Tax	\$450,000
Library Aid	\$196,754
Commissioner of the Arts	\$5,000
Jury Duty Reimbursement	\$25,000
Adult Court Services - Pretrial	\$185,000
Comprehensive Community Corrections	\$242,254
VA Juvenile Community Crime Control	\$51,478
Armory	\$16,439
Miscellaneous	<u>\$15,000</u>
Subtotal	\$1,186,925
Possible State Reduction	<u>(\$486,000)</u>
Total State Revenue	\$22,167,512
 FEDERAL REVENUE	
Categorical Aid	
Welfare Administration	<u>\$2,360,906</u>
Subtotal	\$2,360,906
 Total Federal Revenue	 \$2,360,906
 Intergovernmental	 \$644,838
 Total General Fund	 \$162,235,422
 Other Funds	
School Division Fund	\$141,051,084
School Textbook Fund	\$750,000
School Cafeteria Fund	\$4,529,547
Internal Services - Fleet Maintenance	\$3,205,178
Conservation Easement Fund	\$1,349,667
Fire and Rescue Fund	\$4,637,445
Affordable Housing Fund	\$230,860
Capital Improvements Fund	\$410,000
Airport Enterprise Fund	\$954,835
Environmental Services	<u>\$6,764,875</u>
Total Other Funds	\$163,883,491

TOTAL ALL FUNDS	\$326,118,913
<i>Less Local Support</i>	<i>(\$98,726,897)</i>
TOTAL COUNTY REVENUE	\$227,392,016

A RESOLUTION TO APPROVE A CATEGORY 9 SPECIAL EXCEPTION (SPEX08-MA-013) TO OPERATE A HUNTING PRESERVE AND A CATEGORY 9 SPECIAL PERMIT (SPPT08-MA-032) FOR CLAY TARGET SHOOTING AND A FIRING RANGE – MARRIOTT RANCH, MARSHALL DISTRICT

Mr. Schwartz moved to adopt the following resolution. Mr. Trumbo seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE A CATEGORY 9 SPECIAL EXCEPTION (SPEX08-MA-013) TO OPERATE A HUNTING PRESERVE AND A CATEGORY 9 SPECIAL PERMIT (SPPT08-MA-032) FOR CLAY TARGET SHOOTING AND A FIRING RANGE – MARRIOTT RANCH, MARSHALL DISTRICT

WHEREAS, Marriott Westfields Conference Center, Inc., Marriott Ranch, owner and applicant, is seeking a Category 9 Special Exception to operate a hunting preserve and a Category 9 Special Permit for clay target shooting and a firing range on PINs 6908-83-3361-000, 6919-15-9657-000, 6917-47-0965-000 & 6918-55-8536-000; and

WHEREAS, on April 24, 2008, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception and Special Permit and recommended approval of the applications, subject to conditions; and

WHEREAS, on May 8, 2008, the Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, the Board of Supervisors has determined that the applications satisfies the standards of Zoning Ordinance Articles 5-006 and 5-900; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That SPEX08-MA-013 and SPPT08-MA-032 be, and are hereby, approved, subject to the following conditions:

General Special Exception (SPEX08-MA-013) & Special Permit (SPPT08-MA-032) Conditions:

1. The Special Exception and Special Permit are granted for and run with the land indicated in this application and are not transferable to other land.
2. This Special Exception and Special Permit are granted only for the purpose(s), and/or uses indicated on the Special Exception/Special Permit Plat received in the Planning Office on February 19, 2008 and approved with the application, as qualified by these development conditions.
3. The development of the property shall be in general conformance with the Special Exception Plat received in the Planning Office on February 19, 2008.
4. A Site Plan shall be required, pursuant to Article 12 of the Zoning Ordinance.
5. The Special Exception and Special Permit shall be granted for two (2) years from the date of Board of Supervisors approval and then be eligible for a one year administrative renewal.
6. These Special Exception and Special Permit uses shall only be available to individuals/groups who are already guests of Marriott Ranch per its approved Special Exception (SEA00-M-02).
7. The facility shall operate in accordance with all applicable state and local regulations.
8. No hunting is allowed within 100 yards of a property line.
9. No structure used for or in conjunction with the use shall be located closer than 100 feet to any lot line.
10. All hunters shall be accompanied by Marriott Ranch employees or agents.
11. No lead shot shall be used in any FEMA 100-year floodplain.
12. The entrance shall meet minimum sight distance and entrance requirements in accordance with the VDOT Minimum Standard of Entrances to State Highways.

Category 9 Special Exception (SPEX08-MA-013) Bird Hunting Preserve Conditions:

13. The bird hunting preserve areas shall be allowed to operate January 1 through April 15; and may operate daily between the hours of 9:00 a.m. and 4:00 p.m., but not on Sunday.
14. The bird hunting preserve areas 1, 2, & 3 are generally located as follows:

- Preserve Area 1: This site is located approximately 3/10 of a mile south west from the Marriott Ranch Trail Ride Barn and 3/10 of a mile north east from Fiery Run Road (Route 726).
- Preserve Area 2: This site is located approximately 1.1 miles east from Hume Road (Route 635) in an area known as "Paradise Valley" on Marriott Ranch and is north of The Dell property line by approximately 2/10 of a mile.
- Preserve Area 3: This site is located approximately 4/10 of a mile north of Hume Road (Route 635) directly across from the Cooper property driveway.

See Exhibit A for the Special Exception Plat/map of these areas.

15. The bird hunting preserve areas shall be limited to bird hunting and the use of no greater than a 12 gauge shotgun.
16. No more than six (6) hunters per day shall use the bird hunting preserve areas.
17. To the maximum extent practicable, bird hunting within the designated bird hunting preserve areas shall be confined to the hollows or low areas.
18. A 100-yard buffer zone, for safety, shall be provided and maintained around the perimeter of the designated bird hunting preserve areas. Only Marriott Ranch employees or agents (without guns) shall be permitted to enter the safety zone to retrieve downed game.
19. The border between the bird hunting preserve areas and the 100-yard buffer area shall be adequately designated and posted with brightly colored signs to indicate the area is a hunting preserve/no trespassing.
20. Commercial hunting for grown or stocked game outside the designated bird hunting preserve areas is prohibited.
21. The applicant shall submit, to the Zoning Administrator, its permit with Virginia Department of Game and Inland Fisheries for release of non-native game for its hunting preserve.
22. Birds released in the bird hunting preserve areas that are prepared for human consumption on Marriott Ranch shall meet Virginia Department of Health standards and be "pen raised" birds obtained from an approved source which is inspected and certified by the USDA or Virginia Department of Agriculture and Consumer Services. The applicant shall be responsible for collecting and maintaining copies of any applicable health records and/or facility certifications.
23. Birds hunted on the property may be served to the individuals participating in the hunting program but shall not be served to the general public for consumption.

Category 9 Special Permit (SPPT08-MA-032) Clay Target Shooting & Firing Range Conditions:

24. Clay target shooting may occur any month during the year but shall not be allowed on Sunday.
25. The location for clay target shooting shall be located in the open field behind the James Marshall manor house, near the arena (northern end).
26. A firing range may be located on Marriott Ranch in the location designated on the Special Exception plat.
27. When used for commercial purposes, the firing range may be used only for guests of Marriott Ranch to cite weapons immediately prior to and during deer hunting season.

A RESOLUTION TO RECONSIDER THE APPROVAL OF A RESOLUTION TO INITIATE A ZONING ORDINANCE TEXT AMENDMENT AND COMPREHENSIVE PLAN AMENDMENT TO ELIMINATE DENSITY CREDIT FOR SLOPES GREATER THAN 25 PERCENT AND FLOODPLAIN WITHIN THE RA AND RC ZONING DISTRICTS

Mr. Stribling moved to adopt a Resolution to reconsider the approval of a Resolution to initiate a Zoning Ordinance text amendment and Comprehensive Plan amendment to eliminate density credit for slopes greater than 25 percent and floodplain within the RA and RC Zoning Districts. Mr. Graham seconded and, following discussion, the motion failed by a vote of 2 to 3 as follows:

Ayes: Mr. Raymond E. Graham; Mr. Chester W. Stribling
Nays: Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. R. Holder Trumbo
Absent During Vote: None
Abstention: None

A RESOLUTION TO EXTEND THE DATE FOR PLANNING COMMISSION RECOMMENDATIONS REGARDING THE ZONING ORDINANCE TEXT AMENDMENT TO ELIMINATE DENSITY CREDIT FOR SLOPES GREATER THAN 25 PERCENT AND THE FLOODPLAIN WITHIN THE RA AND RC ZONING DISTRICT

Mr. Trumbo moved to adopt the following resolution. Mr. Schwartz seconded and, following discussion, the motion passed by a vote of 3 to 2 as follows:

Ayes: Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. R. Holder Trumbo
Nays: Mr. Raymond E. Graham; Mr. Chester W. Stribling
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO EXTEND THE DATE FOR PLANNING COMMISSION RECOMMENDATIONS REGARDING THE ZONING ORDINANCE TEXT AMENDMENT TO ELIMINATE DENSITY CREDIT FOR SLOPES GREATER THAN 25 PERCENT AND FLOODPLAIN WITHIN THE RA AND RC ZONING DISTRICTS

WHEREAS, development near and within floodplains and steep slopes causes environmental degradation, increases erosion and diminishes the environmental benefit of floodplains; and

WHEREAS, the County is located within the watershed of the Chesapeake Bay, Rappahannock and Potomac Rivers and the Occoquan reservoir and is the site of significant floodplain and steep slopes; and

WHEREAS, elimination of density credit for areas with steep slopes and floodplain will serve to reduce erosion, preserve valuable floodplain and protect water quality, scenic and environmental resources; and

WHEREAS, the initiation of a zoning ordinance text amendment to eliminate density credit within areas of steep slopes and floodplain will serve the public necessity, convenience, general welfare and is required by good zoning practice; and

WHEREAS, the Board of Supervisors referred this text amendment at its May 8, 2008 regular meeting to the Planning Commission; and

WHEREAS, the affected property owners need to be properly noticed by letter of the Planning Commission public hearing regarding this density calculation change in the RA and RC Districts; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the deadline for Planning Commission recommendation regarding the text amendment eliminating density credit for floodplain and steep slopes within the RA and RC zones be, and is hereby, extended to September 25, 2008.

A RESOLUTION APPROVING THE BUDGET REDUCTION PLAN FOR THE FY 2008-2009 BUDGET, DIRECTING A REDUCTION IN FORCE AND AUTHORIZING SEVERANCE PACKAGES

Mr. Stribling moved to adopt the following resolution. Mr. Trumbo seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION APPROVING THE BUDGET REDUCTION PLAN FOR THE FY 2008-2009 BUDGET, DIRECTING A REDUCTION IN FORCE AND AUTHORIZING SEVERANCE PACKAGES

WHEREAS, on April 2, 2008, the Board of Supervisors adopted a budget for FY 2009 that called for the County Administrator to identify budget reductions in order to align expenditures with the adopted budget; and

WHEREAS, the County Administrator has worked with County Department Heads to reorganize programs and to achieve budget savings; and

WHEREAS, the implementation of the Budget Reduction plan requires a reduction in force that is hereby directed, and it is further directed that severance packages are to be made available to impacted employees that would provide salary and health coverage for a period not to exceed three months depending upon the length of service of the impacted employee; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the Fauquier County Administrator be, and is hereby, directed to implement the reduction in force directive and to offer severance benefits consistent with County policy.

APPOINTMENTS

By unanimous consent, the following appointments were approved:

- Disability Services Board - Town of Remington Representative: Sharon Lee was appointed for a three-year term that ends June 12, 2011.
- Transportation Committee – Lee District: Laurence Mason was reappointed for a four-year term that ends December 31, 2011.

SUPERVISORS' TIME

- Mr. Graham announced that at 10:00 A.M. on Friday, June 13, 2008, a charity golf tournament will be held at Kastle Greens Golf Club to benefit the Head Start Bright Stars program and he encouraged citizens to support the organization.
- Mr. Trumbo expressed his gratitude to Mr. Dean Eckleberry for his years of service representing Scott District on the Architectural Review Board. Mr. Trumbo encouraged citizens to attend a Father's Day breakfast on Sunday, June 15, 2008, hosted by the New Baltimore Fire Department.
- Mr. Nyhous announced the Fauquier County Department of Community Development and the Town of Warrenton are hosting a community meeting at the Warren Green Building meeting room to discuss the Fauquier-Warrenton Bicycle and Trail Master Plan, beginning at 7:00 P.M. on Thursday, June 26, 2008. Mr. Nyhous wished to remind everyone that is 65 years of age or older to consider applying for the Real Estate Tax Exemption program available through the Commissioner of the Revenue; Mr. Nyhous expressed his appreciation to Ross D'Urso and his staff, with special thanks to Elaine Watkins for her helpful assistance to a constituent. Mr. Nyhous stated that the Board of Supervisors received a presentation this afternoon from two very gifted students of the Mountain Vista Governor's School. He added that it was a tremendous experience and he was quite impressed with the students and their school.
- Mr. Stribling extended congratulations to all recent high school graduates and he urged them to be safe as they travel on the roads, as well as in life. Mr. Stribling encouraged citizens to purchase the County's 250th anniversary commemorative license plates that are available for sale.

ANNOUNCEMENTS

- Mr. McCulla announced that applications for the County's 250th anniversary commemorative license plates are available on the table near the door to the meeting room; they are available on the County web site; and they are available by calling the County Administration office at (540) 347-8680. He added that 350 license plates must be sold within the next couple of months.
- Mr. McCulla announced the Board of Supervisors will hold its next regular meeting at 6:30 P.M. on July 10, 2008, in the Warren Green Building meeting room located at 10 Hotel Street in Warrenton, Virginia.

A RESOLUTION TO AMEND THE FY 2008 ADOPTED BUDGET IN THE AMOUNT OF \$3,493,529

A public hearing was held to consider various budget related issues in the amount of \$2,876,379 in appropriations and \$617,150 in transfers for FY 2008. Bryan Tippie, Director of the Budget Office, summarized the proposed amendment. No one else spoke. The public hearing was closed. Mr. Trumbo moved to adopt the following Resolution. Mr. Graham seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION TO AMEND THE FY 2008 ADOPTED BUDGET
IN THE AMOUNT OF \$3,493,529

WHEREAS, the Fauquier County Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, on March 29, 2007, the Board of Supervisors adopted the Fauquier County FY 2008 Budget and, on April 2, 2008, adopted the Fauquier County FY 2009 Budget; and

WHEREAS, during the course of the fiscal year certain events occur that necessitate changing the budget plan by increasing or decreasing the total budget; and

WHEREAS, at its meeting on May 1, 2008, the Finance Committee recommended for FY 2008 budget adjustments of \$3,493,529 for the purposes set forth below; and

WHEREAS, on June 12, 2008, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the FY 2008 Budget be, and is hereby, amended in the amount of \$3,493,529 as follows:

<u>Source</u>	<u>FROM Code</u>	<u>Amount</u>	<u>Department</u>	<u>TO Code</u>	<u>Amount</u>
<u>FY 2008</u>					
Federal Funds	3-205-332000-0024	\$6,942	School Division	4-205-0061130-6013-300-300	\$6,942
Sheriff's Sale	3-100-152100-0002	\$1,977	Sheriff's Office	4-100-031200-3160 4-100-031200-3600	\$1,825 \$152
State Funds	3-100-241000-0050	\$60,000	Social Services	4-100-053120-5706	\$120,000
Federal Funds	3-100-335000-0010	\$60,000			
Federal Funds	3-100-331000-0181	\$60,120	County Attorney (Piedmont Dispute Resolution Center)	4-100-012210-5694	\$60,120

Affordable Housing Fund Balance	3-285-419000-0010	\$100,000	County Administration (Affordable Housing Fund)	4-285-081300-5634	\$100,000
Airport Sales	3-505-0189916-0010	\$118,620	Airport Fuel & Flight Line Services	4-505-086200-6015	\$106,000
	3-505-0189916-0020	\$1,600		4-505-086200-9999	\$14,220
State Funds Proffer Fund Balance	3-302-244910-0020	\$744,920	Community Development	4-302-81200-8310	\$1,473,420
VH Proffer Fund Balance	3-280-419000-0010	\$308,500			
	3-741-419000-0010	\$420,000			
State Funds	3-205-242000-0073	\$487,980	School Division	4-205-067100-9140-900-000	\$487,980
State Funds	3-100-244100-0145	\$9,540	Commonwealth's Attorney	4-100-022100-9999	\$9,540
State Funds	3-270-244100-0080	\$46,180	F&RA	4-270-032200-6150	\$46,180
Local Revenue	3-210-161000-0001	\$450,000	Fleet Maintenance	4-210-043414-6008	\$450,000
Capital Fund (Transfer)	4-302-091400-205	\$45,000	School Division Capital Construction Reserve	4-302-66630-8713	\$45,000
F&RA Contingency Fund (Transfer)	4-270-032200-9999	\$12,642	F&RA	4-270-032200-8101	\$12,642
Capital Contribution F&RA Debt Service (Transfer)	4-270-032200-5699	\$40,839	Marshall F&RA	4-270-032303-5699	\$254,000
	4-270-093100-9302	\$213,161			
School Division Capital Project Funds (Transfer)	4-302-66610-8711	\$305,508	Community Development	4-302-81200-8310	\$305,508
TOTAL		\$3,493,529			\$3,493,529

A PUBLIC HEARING TO AUTHORIZE THE ACQUISITION OF A PORTION OF THE PROPERTY OF SOUTHCOATE VILLAGE HOMEOWNERS ASSOCIATION THROUGH CONDEMNATION OR OTHER MEANS

A public hearing was held to consider the acquisition of a fee-simple interest to extend the existing 50' wide right-of-way of Callie Jo Court over a portion of the open space of Southcoate Village owned by the Southcoate Village Homeowners Association to its border with the property of Melvin C. Bender. The proposed acquisition is to complete an interparcel connection from Callie Jo Court to the adjoining property of Melvin C. Bender for public

transportation purposes. Kevin J. Burke, County Attorney, summarized the proposed property acquisition through condemnation. Mark Moorstein, Esquire, representing the developer, D.C. Diamond Corporation, requested favorable consideration of the proposed property condemnation. James Outzen, Lee District, president of the Southcoate Village Homeowners Association, spoke in opposition to the proposed property condemnation. No one else spoke. Mr. Stribling moved to continue the public hearing and postpone action on the matter until the next regular Board meeting on July 10, 2008. Mr. Graham seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo
Nays: None
Absent During Vote: None
Abstention: None

A PUBLIC HEARING TO CONSIDER INCREASING THE TIPPING FEE FOR DISPOSAL OF COMMERCIAL LOADS OF MUNICIPAL SOLID WASTE AT THE CORRAL FARM LANDFILL FROM \$45.00 A TON TO \$50.00 A TON EFFECTIVE JULY 1, 2008

A public hearing was held to consider increasing the tipping fee for disposal of commercial loads of municipal solid waste at the Corral Farm Landfill from \$45.00 a ton to \$50.00 a ton effective July 1, 2008. Paul S. McCulla, County Administrator, summarized the proposed increase. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following Resolution. Mr. Trumbo seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO INCREASE THE MUNICIPAL SOLID WASTE TIPPING FEE FOR COMMERCIAL WASTE TO FIFTY DOLLARS (\$50.00) PER TON AT THE CORRAL FARM LANDFILL TO BE EFFECTIVE JULY 1, 2008

WHEREAS, the Environmental Services Enterprise Fund has determined an increase in tipping fees is necessary to maintain effective operations of the landfill; and

WHEREAS, an increase from the current rate of \$45 per ton for commercial carriers to \$50 per ton is recommended; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That the Fauquier County Administrator be, and is hereby, directed to increase tipping fees for commercial loads of municipal solid waste to \$50 per ton effective July 1, 2008.

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 6-302.1.D TO ALLOW A TRAILER IN CONJUNCTION WITH A MINOR HOME OCCUPATION

The public hearing was continued from May 8, 2008, to consider a Zoning Ordinance text amendment to Section 6-302.1.D. to allow a trailer in conjunction with a minor home occupation. Kimberley Johnson, Zoning Administrator, summarized the proposed text amendment. No one else spoke. Mr. Trumbo moved to continue the public hearing and postpone action until the next regular Board meeting on July 10, 2008. Mr. Graham seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo
Nays: None
Absent During Vote: None
Abstention: None

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 3-305.1 TO ADD PRESCHOOL/DAY CARE CENTER/NURSERY AS A SPECIAL PERMIT USE IN THE C-2 / COMMERCIAL HIGHWAY ZONING DISTRICT

A public hearing was held to consider a Zoning Ordinance text amendment to Section 3-305.1 to add Preschool / Day Care Center / Nursery as a Special Permit use in the C-2 / Commercial Highway Zoning District. Kimberley Johnson, Zoning Administrator, summarized the proposed amendment. No one else spoke. The public hearing was closed. Mr. Trumbo moved to adopt the following Ordinance. Mr. Nyhous seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 3-305.1 TO ADD PRESCHOOL / DAY CARE CENTER / NURSERY AS A USE IN THE C-2 / COMMERCIAL HIGHWAY ZONING DISTRICT

WHEREAS, on March 27, 2008, the Planning Commission initiated this text amendment; and

WHEREAS, on April 24, 2008, the Planning Commission held a public hearing on the proposed text amendment and forwarded the proposed text amendment to the Board of Supervisors with a recommendation of approval; and

WHEREAS, on June 12, 2008, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, adoption of the attached amendment to Section 3-305.1 supports good zoning practices, convenience, and the general welfare; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 12th day of June 2008, That Section 3-305.1 be, and is hereby, amended as follows:

See Page III-5 for Key																		
	SITE PLAN	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	I-1	I-2
3-305 EDUCATIONAL USES (CATEGORY 5)																		
1. Preschool/Day Care Center/Nursery																		
School	X	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	P	SP P	P			SP
2. Primary School	X		SE	SE	SE	SE	SE	SE	SE				SE					
3. Secondary/Advanced School	X		SE	SE		SE	SE	SE	SE									
4. Technical School, Indoor	X		SE										SE	SP		SP	SP	
5. Technical School, Outdoor	X	SE	SE											SE				SE
6. College/University	X		SE			SE	SE											
7. Dormitory, fraternity/sorority house or other residential facilities for use by students, faculty or other affiliated with an educational institution	X		SP	SP		SP	SP											

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 8-1502 TO ALLOW EXCEPTIONS AND VARIATIONS TO SIGN LIMITS BY APPROVAL OF A SPECIAL EXCEPTION BY THE BOARD OF SUPERVISORS

A public hearing was held to consider a Zoning Ordinance text amendment to Section 8-1502 to allow exceptions and variations to sign limits by approval of a Special Exception by the Board of Supervisors. Andrew Hushour, Assistant Zoning Administrator, summarized the proposed amendment. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following Ordinance. Mr. Stribling seconded and, following discussion, the motion passed by a vote of 4 to 1 as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Chester W. Stribling; Mr. R. Holder Trumbo*

Nays: *Mr. Peter B. Schwartz*

Absent During Vote: *None*

Abstention: *None*

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 8-1502 TO ALLOW EXCEPTIONS AND VARIATIONS TO SIGN REGULATIONS IN THE COMMERCIAL AND INDUSTRIAL DISTRICTS BY APPROVAL OF A SPECIAL EXCEPTION BY THE BOARD OF SUPERVISORS

WHEREAS, on February 14, 2008, the Board of Supervisors initiated this text amendment; and

WHEREAS, on April 24, 2008, the Planning Commission held a public hearing on the proposed text amendment and forwarded the proposed text amendment to the Board of Supervisors with a recommendation of denial; and

WHEREAS, on June 12, 2008, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, adoption of the attached amendment to Section 8-1502 supports good zoning practices, convenience, and the general welfare; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 12th day of June 2008, That Section 8-1502 be, and is hereby, amended as follows:

8-1502 Special Exceptions and Special Permits

1. Notwithstanding any provisions of this Zoning Ordinance to the contrary, the Board of Supervisors may approve signs in the Commercial and Industrial Districts that are not in accordance with the standards set forth above in Section 8-1501 by approval of a Special Exception. In considering a request for such special exception, the Board may approve or deny the request in accordance with the general standards for Special Exceptions set forth in Section 5-006, and by consideration of the following, provided, however, that the total permitted sign area not be increased by more than one hundred percent (100%) and that the total area for any one sign not exceed the allowable limits already set forth in Section 8-1501 for particular permitted sign types:
 - A. The nature of the proposed use, including such factors as whether the use is a destination or one that relies more on drive-by visibility; and
 - B. The character of the existing area and the impact on the visual appearance of adjacent and nearby properties and rights-of-way, particularly entrances to the County from the interstate highways or surrounding jurisdictions, and the major streets leading from those entrances; and
 - C. Whether a unique situation exists, causing a need that is not recurring in nature; and
 - D. The area's designation in the County's Comprehensive Plan; and

E. The existence of a special visual obstruction or difficulty in locating the use, making the application of the general provisions of this section too restrictive.

2. Notwithstanding the foregoing, the amount, size, and type of signage in Commercial and Industrial Districts may be increased by special use permit in multiple use developments that are pedestrian friendly, and build upon urban design and architectural characteristics of small town Main Street. In issuing such permits, the decision maker shall take into consideration the location of the development, site specific needs for such signage, surrounding uses, the Comprehensive Plan, and good zoning practices, provided, however, that the total permitted sign area not increase by more than one hundred percent (100%).

PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN CHAPTER 6 – SERVICE DISTRICTS – BEALETON PORTION OF THE BEALETON, OPAL AND REMINGTON SERVICE DISTRICT PLAN

A public hearing was held to consider amendments to the Comprehensive Plan Chapter 6 – Bealeton portion of the Bealeton, Opal and Remington Service District Plan. Susan Eddy, Chief of Planning, summarized the proposed amendment. James Downey, Esquire, Center District, representing Donald Tharpe, Trustee, spoke in opposition to the amendment and requested the Board consider postponing action pending further review. Chuck Floyd, representing Carson-Ashley Associates, spoke in favor of encouraging redevelopment of the existing shopping centers by fostering commercial competition. No one else spoke. Mr. Stribling moved to continue the public hearing and postpone action on the matter for up to sixty days. Mr. Nyhous seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo

Nays: None

Absent During Vote: None

Abstention: None

SPECIAL EXCEPTION SPEX08-CR-015 – STANLEY C. HAWORTH & MILDRED W. HAWORTH, TRUSTEE, OWNERS AND APPLICANTS – HAWORTH PROPERTY

A public hearing was held to consider an application to obtain a Category 26 Special Exception to allow for a decrease in the amount of non-common open space required. The property is located on the north side of Beach Road (Route 616) across from its intersection with Green Meadows Road (Route 801), Cedar Run District, further described as PIN 6982-84-8395-000. Melissa Dargis, Assistant Chief of Planning, summarized the proposed amendment. Chuck Floyd, representing Carson-Ashley Associates, requested favorable consideration of the application on behalf of the owner. No one else spoke. The public hearing was closed. Mr.

Graham moved to adopt the following Resolution. Mr. Trumbo seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: *Mr. Raymond E. Graham; Mr. Terrence L. Nyhous; Mr. Peter B. Schwartz; Mr. Chester W. Stribling; Mr. R. Holder Trumbo*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

A RESOLUTION TO APPROVE A CATEGORY 26 SPECIAL EXCEPTION (SPEX08-CR-015) TO ALLOW FOR A DECREASE IN THE AMOUNT OF NON-COMMON OPEN SPACE REQUIRED - HAWORTH PROPERTY, CEDAR RUN DISTRICT

WHEREAS, Stanley C. Haworth, Trustee, owner and applicant, is seeking a Category 26 Special Exception to allow for a decrease in the amount of non-common open space required from 85% to 81% to create one lot approximately 7.90 acres in size on the parcel known as PIN 6982-84-8395-000; and

WHEREAS, on April 24, 2008, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception and recommended approval of the applications, subject to conditions; and

WHEREAS, on June 12, 2008, the Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, the Board of Supervisors has determined that the applications satisfies the standards of Zoning Ordinance Articles 5-006 and 5-2600; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 12th day of June 2008, That SPEX08-CR-015 be, and is hereby, approved, subject to the following conditions:

1. The Special Exception is granted for and runs with the land, PIN 6982-84-8395-000, indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat titled "Special Exception Plat, Category 26 – Open Space Reduction on the Property of Stanley C. Haworth, Trustee" dated March 4, 2008 and received in Community Development on March 14, 2008, approved with the application, as qualified by these development conditions.
3. The reduction of non-common open space shall be no more than 81% (leaving a 297.00 non common open space parcel) in order to allow for the creation of one lot.
4. The residue parcel shall be deed restricted from further subdivision and the required non-common open space easement shall be recorded.

With no further business, the meeting was adjourned at 8:36 P.M.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on June 12, 2008.

Paul S. McCulla
Clerk to the Board of Supervisors