

***A MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD
SEPTEMBER 13, 2007 AT 11:00 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Harry F. Atherton, Chairman; Mr. Raymond E. Graham, Vice-Chairman;
Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling;
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.

**VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) PROJECT STATUS
UPDATE**

David Cabbage, Assistant Resident Engineer of the VDOT Warrenton Residency Office, INTRODUCED Quintin Elliott, Acting Culpeper District Administrator. Mr. Cabbage briefed the Board of Supervisors on the status of specific projects within Board members' Magisterial Districts.

TRANSPORTATION IMPACT FEES

Frederick P.D. Carr, Director of Community Development, provided the Board of Supervisors with an overview of State legislative changes affecting the analyses, modeling, amendments to the Comprehensive Plan, and the process through which the actual implementation of transportation impact fees for designated areas must proceed. Mr. Carr also discussed requirements for the formation of an impact fee advisory committee.

**A WORK SESSION WITH REPRESENTATIVES OF CENTEX AND THE TOWN OF
WARRENTON**

Mayor George Fitch of the Town of Warrenton introduced Andrew Vinisky of Centex, who updated the Board of Supervisors on the proposed Centex/Arrington Knolls development. Mayor Fitch also discussed a proposed reduction in annual family membership fees to the Town of Warrenton Aquatic Center for non-Town residents, in exchange for a boundary line adjustment of the commercial district in the Warrenton Service District along Route 29 into the corporate Town limits.

A WORK SESSION ON THE TOWN OF WARRENTON'S BIO-REFINERY PROJECT

Mayor George Fitch of the Town of Warrenton introduced Larry Kozales of the Environmental Protection Agency Office of Solid Waste, and Brad Snyder of Siemens, who updated the Board of Supervisors on the Town's proposed bio-refinery project and associated waste energy gasification technology.

A WORK SESSION TO REVIEW THE FISCAL YEAR 2008 PROGRAM PLAN FOR RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD AND AREA AGENCY ON AGING AND TO CONSIDER A SUPPORTING RESOLUTION

Brian Duncan, Executive Director of the Rappahannock-Rapidan Community Services Board Area Agency on Aging (RRCBSB-AAA), presented the 2008 Program Plan for RRCBSB-AAA operations for the citizens who are elderly and those with disabilities related to mental illness, mental retardation, and substance abuse problems. Mr. Duncan asked the Board of Supervisors to consider approving a Resolution acknowledging receipt and review of this Plan.

A WORK SESSION TO REVIEW LIBRARY FACILITIES AND POSSIBLE ACQUISITION OF 19 WINCHESTER STREET

Mr. McCulla announced that this briefing was withdrawn from the agenda due to the Town of Warrenton's decision not to purchase the property.

A WORK SESSION TO REVIEW ADDITIONAL SYNCHRO TRAFFIC IMPACT ANALYSIS FOR THE CROSS CREEK PROJECT IN NEW BALTIMORE

Kimberley Fogle, Assistant Director for the Department of Community Development, introduced Joe Mehra of MCV Associates, and John Callow of PHR&A, who provided the Board of Supervisors with a follow-up analysis that compares the proposed build-out of the area with the Costco Store and projected road improvements with a by-right development scenario involving the same square footage of general retail use and no additional road improvements by the developer, with the exception of Cross Creek Drive and its intersection with Route 29.

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

INVOCATION

Reverend Patti Mary Andrews, St. Stephens Episcopal Church, offered the invocation.

PLEDGE OF ALLEGIANCE

G. Robert Lee led the pledge of allegiance.

ADOPTION OF THE AGENDA

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

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. William G. Downey; Mr. Raymond E. Graham; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

- Add new consent agenda item #6.t., A Resolution to Approve Training and Travel Expenses for an Employee of the Economic Development Department.
- Remove regular agenda item #8, A Resolution Authorizing the County Administrator and the County Attorney to Execute on Behalf of the County the 2007 Town of Warrenton / Fauquier County Voluntary Annexation Settlement Agreement to Take All Actions Necessary to Effectuate the Terms of That Agreement.
- Add new regular agenda item #8, A Resolution in Support of the Bishop’s Run Project.

CITIZENS’ TIME

- Jim Van Luven, Lee District, expressed his concern for the number of rezoning applications that have been approved, and recommended the Comprehensive Plan be reviewed.
- Jonathan Whichard, Center District, expressed his disagreement with the disparate membership rates for the Town of Warrenton Aquatic Center.
- Bill Crummett, Marshall District, expressed his unhappiness with the unequal membership rates for the Aquatic Center between Town residents and non-Town residents.

PROCLAMATIONS AND RECOGNITIONS

- Mr. Robison presented to Jerry Simms of the VDGIF Fredericksburg Office, a Proclamation to Recognize the Virginia Department of Game and Inland Fisheries for Receiving the Disability Friendly Award.
- Mr. Atherton presented to Jolly deGive, Mimi Moore, Butter Strother, Hazle Edens and Barry Starke, a Proclamation to Recognize Members of the Goose Creek Scenic River Task Force for Attaining Scenic River Status for Fauquier County’s Goose Creek.

CONSENT AGENDA

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

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. William G. Downey; Mr. Raymond E. Graham; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

Approval of the Minutes for the June 14, 2007 Regular Meeting (as amended), and for the August 9, 2007 Regular Meeting of the Fauquier County Board of Supervisors

A Resolution Providing for the Implementation of the Comprehensive Community Corrections Act for Local Responsible Offenders and the Pretrial Services Act and Confirming the Establishment of the Fauquier/Rappahannock Community Criminal Justice Board

RESOLUTION

A RESOLUTION PROVIDING FOR THE IMPLEMENTATION OF THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT FOR LOCAL RESPONSIBLE OFFENDERS, THE PRETRIAL SERVICES ACT AND CONFIRMING THE ESTABLISHMENT OF THE FAUQUIER/RAPPAHANNOCK COMMUNITY CRIMINAL JUSTICE BOARD

WHEREAS, the Virginia General Assembly has adopted legislation entitled the Comprehensive Community Corrections Act for Local Responsible Offenders, Article 9 (§ 9.1-173 et. seq.) of the Code of Virginia and the Pretrial Services Act, Article 5 (§ 19.2-152.2 et seq.) of the Code of Virginia, both of which were effective July 1, 1995; and

WHEREAS, § 9.1-174 and § 19.2-152.2 of the Code of Virginia permit counties and cities or combinations thereof to develop and establish local pretrial or community-based probation services pursuant to these Acts; and

WHEREAS, § 9.1-178 and § 19.2-152.5 of the Code of Virginia require that each county and city establishing and operating local community-based probation and pretrial services establish a Community Criminal Justice Board, and in the case of multi-jurisdictional efforts, that each jurisdiction mutually agree upon the number of appointments to said board; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That Fauquier County jointly agrees with Rappahannock County to continue implementation of the services and programs required by the Comprehensive Community Corrections Act for Local Responsible Offenders and the Pretrial Services Act, pursuant to § 9.1-183, with Fauquier County acting as the administrator and fiscal agent; and, be it

RESOLVED FURTHER, That Fauquier County confirms that it has established the Fauquier/Rappahannock Community Criminal Justice Board, that said Board shall fulfill its responsibilities pursuant to § 9.1-180, and shall be composed of the following members, pursuant to § 9.1-178 of the Code of Virginia:

- One representative of the governing bodies of each participating jurisdiction,
- A circuit court judge representing the 20th Judicial Circuit as agreed upon by the judges of said circuit,
- A judge of general district court, representing the 20th Judicial District as agreed upon by said judges of the district,

- A judge of the juvenile and domestic relations district court representing the 20th Judicial District as agreed upon by the said judges of the district,
- The Chief Magistrate,
- A Commonwealth's Attorney representing all of the Commonwealth's Attorneys of the participating jurisdictions,
- A public defender where available in the participating localities and/or an attorney experienced in the defense of criminal matters who are current members of the Virginia State Bar,
- A sheriff or, where available, the regional jail administrator responsible for jail(s) serving the jurisdictions involved in local pretrial and community-based probation services,
- A Chief of Police or a Sheriff in a jurisdiction not served by a police department to represent all law enforcement agencies of the participating jurisdictions,
- A Community Services Board Administrator representing all agencies providing such services to participating jurisdictions,
- A representative of local adult education representing all agencies providing such services to participating jurisdictions; and, be it

RESOLVED FINALLY, That this resolution supersedes and replaces all prior resolutions relating to the establishment of services and formation of the Fauquier/Rappahannock Community Criminal Justice Board.

A Resolution to Authorize the County Administrator to Execute a Contract for the Purchase of Fire Training Trailer Funded by a Federal Assistance to Firefighters Grant

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A CONTRACT FOR THE PURCHASE OF A FIRE TRAINING TRAILER FUNDED BY A FEDERAL ASSISTANCE TO FIREFIGHTERS GRANT

WHEREAS, the Fauquier County Department of Fire and Emergency Services was awarded an 80/20 grant for a fire training project totaling \$517,395; and

WHEREAS, the Fauquier Volunteer Fire and Rescue Association has approved funding for the matching 20 percent; and

WHEREAS, the Request for Proposal (RFP) process has identified the best offer to be submitted by Kidde Fire Trainers of Montvale, New Jersey, for a contract in the amount of \$446,900; and

WHEREAS, the remaining funds will be applied to supportive equipment for this program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the County Administrator be, and is hereby, authorized to execute this contract for and on behalf of Fauquier County, a public entity established under the laws of the Commonwealth of Virginia.

A Resolution Requesting the Virginia General Assembly to Authorize Fauquier County to Request from the Virginia Department of Motor Vehicles (DMV) the Development of a Special License Plate Commemorating Fauquier County's 250th Anniversary

RESOLUTION

A RESOLUTION REQUESTING THE VIRGINIA GENERAL ASSEMBLY TO AUTHORIZE FAUQUIER COUNTY TO REQUEST FROM THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) THE DEVELOPMENT OF A SPECIAL LICENSE PLATE COMMEMORATING FAUQUIER COUNTY'S 250th ANNIVERSARY

WHEREAS, on May 1, 2009, Fauquier County will celebrate its 250th Anniversary; and

WHEREAS, the Board of Supervisors wishes to request the Department of Motor Vehicles (DMV) to develop a special commemorative license plate for this occasion; and

WHEREAS, DMV advises that a resolution of the Virginia General Assembly is necessary to accomplish this; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the Board of Supervisors does hereby request the Virginia General Assembly to adopt legislation authorizing the development of a special commemorative license plate for Fauquier County's 250th Anniversary.

A Resolution Approving an Increase in the LEOS Retirement Benefit Multiplier for Officers of the Northwestern Regional Jail Authority

RESOLUTION

A RESOLUTION APPROVING AN INCREASE IN THE LEOS RETIREMENT BENEFIT MULTIPLIER FOR OFFICERS OF THE NORTHWESTERN REGIONAL JAIL AUTHORITY

WHEREAS, the 1999 Virginia General Assembly enacted legislation allowing the officers of regional jails to participate in the Law Enforcement Officer Retirement System (LEOS) of benefits available to State police officers, State correctional officers and Sheriffs' deputies, in those jurisdictions that have chosen to participate in the program; and

WHEREAS, in 2004, the Clarke-Fauquier-Frederick-Winchester Regional Jail Board and the Governing Bodies of the participating political subdivisions legally adopted and approved by resolution the provision of LEOS benefits to Regional Jail correctional officers; and

WHEREAS, in 2007, the Virginia General Assembly increased the retirement allowance multiplier from 1.70% of the average final compensation to 1.85% for retirements on or after July 1, 2007; and

WHEREAS, Code of Virginia Section 51.1-138 requires approval from the Regional Jail Authority and the Governing Bodies of the participating political subdivisions in order to implement the increase; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That Fauquier County does hereby authorize the increased retirement allowance multiplier in the LEOS benefit for Regional Jail officers, as provided in Code of Virginia Section 51.1-138.

A Resolution Authorizing the County Administrator to Enter Into Contracts for the Improvement of Roads Within Bethel Academy Subdivision for Inclusion on the Virginia Department of Transportation's State Secondary System of Highways

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO CONTRACTS FOR THE IMPROVEMENT OF ROADS WITHIN BETHEL ACADEMY SUBDIVISION FOR INCLUSION ON THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S STATE SECONDARY SYSTEM OF HIGHWAYS

WHEREAS, the roads within the Bethel Academy Subdivision are not within the Virginia Department of Transportation's State Secondary System of Highways; and

WHEREAS, the roads within Bethel Academy Subdivision are currently titled in the name of the Bethel Academy Homeowners Association; and

WHEREAS, more than fifty-one percent (51%) of the residents of the Bethel Academy Subdivision have petitioned the Board of Supervisors to create a special taxing district to fund the necessary improvements to the Bethel Academy Roads to permit them to be taken into the State Secondary System of Highways; and

WHEREAS, the residents have requested that the Board of Supervisors advance the funds to make the necessary improvements to the roads in order to permit the roads to be taken into the State Secondary System of Highways at this time; and

WHEREAS, by the adoption of this resolution the Board of Supervisors has determined to advance the funds necessary to improve the roads in Bethel Academy to permit them to be taken into the State Secondary System of Highways; and

WHEREAS, the Board of Supervisors has determined that the advanced funds shall be repaid through the imposition of a special taxing district on the residents of Bethel Academy whose lots are served by the roads; and

WHEREAS, the Board of Supervisors has determined that the repayment terms for the advanced funds shall be on a 10-year repayment schedule, principal only with no interest; and

WHEREAS, the cost of improving the roads to State Secondary System of Highways standards is estimated at \$600,000; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the County Administrator be, and is hereby, authorized to enter into contracts for the construction of such improvements to the Bethel Academy Subdivision and the management of said construction, so as to permit the roads to be taken into the Virginia Department of Transportation's State Secondary System of Highways; and, be it

RESOLVED FURTHER, That the total of said contracts and expenses shall not exceed \$600,000; and, be it

RESOLVED FURTHER, That the County Administrator is hereby authorized to apply for all permits and to take all actions necessary to have the roads taken into the State Secondary System of Highways; and, be it

RESOLVED FURTHER, That the County Attorney be, and is hereby, directed to prepare the necessary Ordinance to create the special taxing district and to impose the tax necessary to ensure the repayment of the advanced funds on the terms and conditions as previously set forth in this resolution; and, be it

RESOLVED FINALLY, That the advanced funds shall be drawn from County Utility Fund Account Code 4-310-044915-3160.

A Resolution Directing the County Administrator to Schedule a Public Hearing to Consider an Amendment to Chapter 9 of the Code of Fauquier County Article III Titled Volunteer Fire and Rescue Companies

RESOLUTION

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO CHAPTER 9 OF THE CODE OF FAUQUIER COUNTY ARTICLE III TITLED VOLUNTEER FIRE AND RESCUE COMPANIES

WHEREAS, in consideration of the mutual benefits and the enhancements of their ability to serve the public, the Catlett Volunteer Fire Company, Inc. and the Cedar Run Volunteer Rescue Squad have merged into one entity named Catlett Volunteer Fire and Rescue Company, Inc. effective July 1, 2007; and

WHEREAS, at such time that the new fire rescue station to be located at 3447 Catlett Road, Catlett, Virginia 20119, is completed, all firefighting and Emergency Medical Service (EMS) operations and related apparatus will move to and work from that location; and

WHEREAS, the duly authorized Companies 7 and 12 are now combined, the unit number 7 remains designated for fire apparatus and the unit number 12 is designated for EMS apparatus; and

WHEREAS, “Company 7 Catlett Volunteer Fire Company” and “Company 12 Cedar Run Volunteer Rescue Squad” will be deleted from the list of duly authorized companies and replaced with “Company 7/12 Catlett Volunteer Fire and Rescue Company, Inc.,” now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the County Administrator be, and is hereby, directed to schedule a public hearing to consider the proposed revision to Chapter 9 of the Fauquier County Code.

A Resolution Directing the County Administrator to Schedule a Public Hearing to Consider an Ordinance to Classify Real Property Owned by The Plains Community League as Exempt from Real Property Taxation

RESOLUTION

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO CLASSIFY REAL PROPERTY OWNED BY THE PLAINS COMMUNITY LEAGUE AS EXEMPT FROM REAL PROPERTY TAXATION

WHEREAS, Fauquier County Code Section 8-71 authorizes the Board of Supervisors to designate property as exempt from taxation where such property is held by an organization that uses the property exclusively for charitable purposes; and

WHEREAS, Virginia Code §58.1-3651 sets forth the process and procedure by which a locality may designate property as tax exempt; and

WHEREAS, Virginia Code §58.1-3651.B requires that, prior to the adoption of any Ordinance exempting property from local taxation, the Board of Supervisors shall hold a public hearing on the proposed application; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the County Administrator be, and is hereby, directed to schedule a public hearing on a proposed Ordinance on the application of The Plains Community League for an exemption of its real property from taxation.

A Resolution to Authorize the Assignment of Aviation Maintenance Services from Essar Aviation, LLC to Airfield Services, LLC

RESOLUTION

A RESOLUTION TO AUTHORIZE THE ASSIGNMENT OF AVIATION MAINTENANCE SERVICES FROM ESSAR AVIATION, LLC, TO AIRFIELD SERVICES, LLC

WHEREAS, the Airport Committee has received a request from, Essar Aviation, LLC, to approve the transfer of aviation maintenance services to Airfield Services, LLC, under the terms of current contract for lease of facilities at the Warrenton-Fauquier Airport; and

WHEREAS, the Airport Committee believes that the proposed change of service providers will have a positive impact and assist in the expansion of small businesses at the airport; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the County Attorney and County Administrator be, and are hereby, authorized to enter into agreements to facilitate the transfer of aviation maintenance services from Essar Aviation, LLC, to Airfield Services, LLC.

A Resolution for Subdivision Street Acceptance for Station Drive, Bealeton Station, Lee Magisterial District

RESOLUTION

A RESOLUTION FOR SUBDIVISION STREET ACCEPTANCE FOR STATION DRIVE,
LEE MAGISTERIAL DISTRICT

WHEREAS, Station Drive, as depicted on the attached site location map, and described on the attached Additions Form AM-4.3, fully incorporated herein by reference, is shown on plats of record in the Clerk's Office of the Circuit Court of Fauquier County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board of Supervisors that this street meets the requirements established by the *Subdivision Street Requirements* of the Virginia Department of Transportation; and

WHEREAS, the above street serves a genuine public need; and

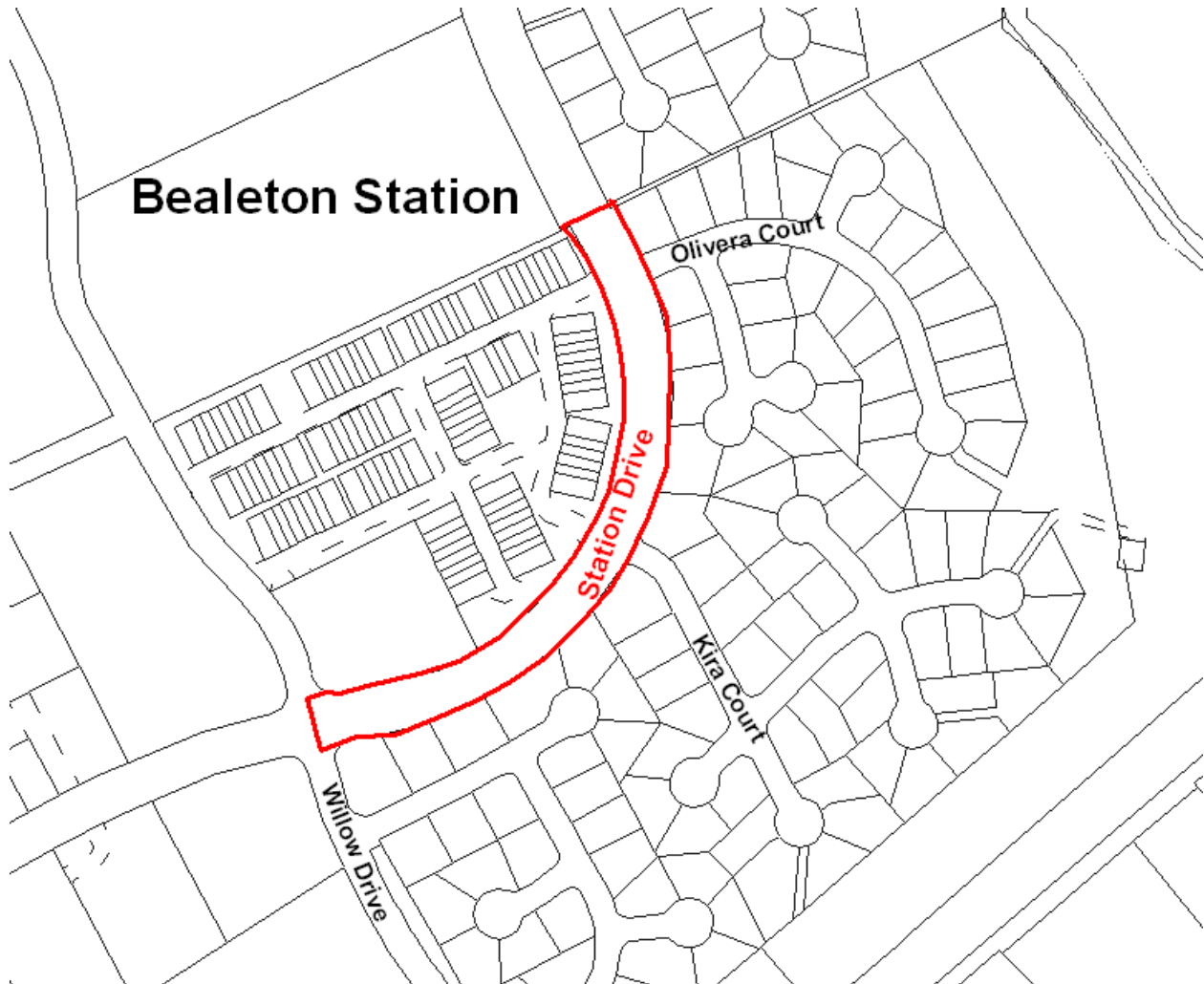
WHEREAS, in February of 1995, Fauquier County and the Virginia Department of Transportation entered into an agreement for comprehensive stormwater detention, which applies to this request for addition; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the Virginia Department of Transportation be, and is hereby, requested to take the necessary action to add the above-described streets into the Secondary System of State Highways for maintenance, as provided in Section 33.1-229, Code of Virginia, and the Virginia Department of Transportation's *Subdivision Street Requirements*; and, be it

RESOLVED FURTHER, That the Board of Supervisors guarantees the Commonwealth of Virginia a minimum unrestricted right-of-way of fifty (50) feet in the Bealeton Station Subdivision, with necessary easements for cuts, fills, and drainage, as recorded in Deed Book

789 Page 1438 approved on December 21, 1987, Deed Book 887 Page 0684 approved on January 31, 2001, Deed Book 999 Page 1033 approved on January 8, 2003; and, be it

RESOLVED FINALLY, That this resolution shall become effective and a certified copy will be forwarded to the Resident Engineer for the Virginia Department of Transportation.



In the County of Fauquier

By resolution of the governing body adopted September 13, 2007

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official):

Report of Changes in the Secondary System of State Highways

Project/Subdivision Bealeton Station

Type Change to the Secondary System of State Highways: Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: **New subdivision street**

Pursuant to Code of Virginia Statute: **§33.1-229**

Street Name and/or Route Number

▶ **Station Drive, State Route Number 853**

Old Route Number: 0

- From: CL Willow Drive South Route 1072
To: 673 FT East to CL Kira Court, a distance of: 0.13 miles.
Recordation Reference: DB 789 PG 1438
Right of Way width (feet) = 90 Feet

▶ **Station Drive, State Route Number 853**

Old Route Number: 0

- From: CL Kira Court
To: 600 FT North East to CL Olivera Avenue, a distance of: 0.11 miles.
Recordation Reference: DB 887 PG 0684
Right of Way width (feet) = 95 Feet

▶ **Station Drive, State Route Number 853**

Old Route Number: 0

- From: CL Olivera Avenue
To: 129 FT North East CL Olivera Avenue, a distance of: 0.02 miles.
Recordation Reference: DB 0999 PG 1033
Right of Way width (feet) = 95 Feet

A Resolution for Subdivision Street Acceptance for Cedar Brooke: Station Drive, King Nobel Lane, Lord Chancellor Lane, Tibert Court, Grimbert Court, Bellyn Court, Tulamore Court, Reynard Fox Drive, Lee Magisterial District

RESOLUTION

A RESOLUTION FOR SUBDIVISION STREET ACCEPTANCE FOR CEDAR BROOKE SUBDIVISION, STATION DRIVE, KING NOBEL LANE, LORD CHANCELLOR LANE, TIBERT COURT, GRIMBERT COURT, BELLYN COURT, TULAMORE COURT, AND REYNARD FOX DRIVE, LEE MAGISTERIAL DISTRICT

WHEREAS, Station Drive, King Nobel Lane, Lord Chancellor Lane, Tibert Court, Grimbert Court, Bellyn Court, Tulamore Court, and Reynard Fox Drive, as depicted on the attached site location map, and described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats of record in the Clerk's Office of the Circuit Court of Fauquier County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board of Supervisors that these streets meet the requirements established by the *Subdivision Street Requirements* of the Virginia Department of Transportation; and

WHEREAS, the above streets serve a genuine public need; and

WHEREAS, in February of 1995, Fauquier County and the Virginia Department of Transportation entered into an agreement for comprehensive stormwater detention, which applies to this request for addition; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the Virginia Department of Transportation be, and is hereby, requested to take the necessary action to add the above-described streets into the Secondary System of State Highways for maintenance, as provided in Section 33.1-229, Code of Virginia, and the Virginia Department of Transportation's *Subdivision Street Requirements*; and, be it

RESOLVED FURTHER, That the Board of Supervisors guarantees the Commonwealth of Virginia a minimum unrestricted right-of-way of fifty (50) feet in the Cedar Brooke Subdivision with necessary easements for cuts, fills, and drainage, as recorded in Deed Book 0962, Page 1387 approved on February 22, 2005, and Deed Book 1142, Page 2472-2510 approved on February 22, 2005; and, be it

RESOLVED FINALLY, That this resolution shall become effective and a certified copy will be forwarded to the Resident Engineer for the Virginia Department of Transportation.

In the County of Fauquier

By resolution of the governing body adopted September 13, 2007

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official):

Report of Changes in the Secondary System of State Highways

Project/Subdivision Cedar Brooke

Type Change to the Secondary System of State Highways: Addition

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: **New subdivision street**
Pursuant to Code of Virginia Statute: **§33.1-229**

Street Name and/or Route Number

▶ **Station Drive, State Route Number 853**

Old Route Number: 0

- From: CL Route 859, Village Center Drive
To: 180 FT North to CL Route 1106 King Nobel Lane, a distance of: 0.03 miles.
Recordation Reference: DB 0962 PG 1387
Right of Way width (feet) = 110 Feet

▶ **King Nobel Lane, State Route Number 1106**

Old Route Number: 0

- From: CL Route 853 Station Drive
To: 460 FT West to Cul-de-sac, a distance of: 0.09 miles.
Recordation Reference: DB 0962 PG 1387
Right of Way width (feet) = 50 Feet

▶ **King Nobel Lane, State Route Number 1106**

Old Route Number: 0

- From: CL Route 853 Station Drive
To: 209 FT South East to CL Lord Chancellor Lane, a distance of: 0.04 miles.
Recordation Reference: DB 0962 PG 1387
Right of Way width (feet) = 50 Feet

Report of Changes in the Secondary System of State Highways

► **King Nobel Lane, State Route Number 1106**

Old Route Number: 0

- From: CL Route 1107 Lord Chancellor Lane
To: 290 FT South East to CL Route 1108 Tibert Court, a distance of: 0.06 miles.
Recordation Reference: DB 0962 PG 1387
Right of Way width (feet) = 50 Feet

► **King Nobel Lane, State Route Number 1106**

Old Route Number: 0

- From: CL Route 1108 Tibert Court
To: 370 FT South East to Cul-de-sac, a distance of: 0.07 miles.
Recordation Reference: DB 0962 PG 1387
Right of Way width (feet) = 50 Feet

► **Lord Chancellor Lane, State Route Number 1107**

Old Route Number: 0

- From: CL Route 1106 King Nobel Lane
To: 710 FT South to Cul-de-sac, a distance of: 0.13 miles.
Recordation Reference: DB 0962 PG 1387
Right of Way width (feet) = 50 Feet

► **Lord Chancellor Lane, State Route Number 1107**

Old Route Number: 0

- From: CL Route 1106 King Nobel Lane
To: 250 FT North East to Cul-de-sac, a distance of: 0.05 miles.
Recordation Reference: DB 0962 PG 1387
Right of Way width (feet) = 50 Feet

► **Tibert Court, State Route Number 1108**

Old Route Number: 0

- From: CL of Route 1106 King Nobel Lane
To: 266 FT North East to Cul-de-sac, a distance of: 0.05 miles.
Recordation Reference: DB 0962 PG 1387
Right of Way width (feet) = 50 Feet

► **Station Drive, State Route Number 853**

Old Route Number: 0

- From: CL Route 859 Village Center Drive
To: 856 FT South of Route 859, a distance of: 0.16 miles.
Recordation Reference: DB 0962 PG 1387
Right of Way width (feet) = 110 Feet

Report of Changes in the Secondary System of State Highways

► **Station Drive, State Route Number 853**

Old Route Number: 0

- From: CL Route 1106 King Nobel Lane
To: 658 FT North to CL Route 1109 Grimbert Court, a distance of: 0.12 miles.
Recordation Reference: DB 1142 PG 2472-2510
Right of Way width (feet) = 110 Feet

► **Station Drive, State Route Number 853**

Old Route Number: 0

- From: CL Route 1109 Grimbert Court
To: 356 FT North to CL Route 1112 Tulamore Court, a distance of: 0.07 miles.
Recordation Reference: DB 1142 PG 2472-2510
Right of Way width (feet) = 110 Feet

► **Station Drive, State Route Number 853**

Old Route Number: 0

- From: CL Route 1112 Tulamore Court
To: 413 FT North to CL Route 28 Catlett Road, a distance of: 0.08 miles.
Recordation Reference: DB 1142 PG 2472-2510
Right of Way width (feet) = 110 Feet

► **Grimbert Court, State Route Number 1109**

Old Route Number: 0

- From: CL Route 853 Station Drive
To: 543 FT West to Cul-de-sac, a distance of: 0.10 miles.
Recordation Reference: DB 1142 PG 2472-2510
Right of Way width (feet) = 50 Feet

► **Bellyn Court, State Route Number 1110**

Old Route Number: 0

- From: CL Route 853 Station Drive
To: 243 East to CL of Route 1113 Reynard Fox Lane, a distance of: 0.05 miles.
Recordation Reference: DB 1142 PG 2472-2510
Right of Way width (feet) = 50 Feet

► **Tulamore Court, State Route Number 1112**

Old Route Number: 0

- From: CL Route 853 Station Drive
To: 201 FT East to CL Reynard Fox Drive, a distance of: 0.04 miles.
Recordation Reference: DB 1142 PG 2472-2510
Right of Way width (feet) = 50 Feet

Report of Changes in the Secondary System of State Highways

▶ **Reynard Fox Drive, State Route Number 1113**

Old Route Number: 0

- From: CL Route 1112 Tulamore Court
To: 553 FT East to Cul-de-sac, a distance of: 0.10 miles.
Recordation Reference: DB 1142 PG 2472-2510
Right of Way width (feet) = 50 Feet

▶ **Reynard Fox Drive, State Route Number 1113**

Old Route Number: 0

- From: CL Route 1112 Tulamore Court
To: 469 FT South to CL Route 1110 Bellyn Court, a distance of: 0.09 miles.
Recordation Reference: DB 1142 PG 2472-2510
Right of Way width (feet) = 50 Feet

▶ **Reynard Fox Drive, State Route Number 1113**

Old Route Number: 0

- From: CL Route 1110 Bellyn Court
To: 250 FT South to Cul-de-sac, a distance of: 0.05 miles.
Recordation Reference: DB 1142 PG 2472-2510
Right of Way width (feet) = 50 Feet

Dyson Subdivision: Preliminary Plat PPLT05-LE-017, Lee District

No action was taken.

Scheps Subdivision: Preliminary Plat PPLT07-CR-011 and Waiver WVRP07-CR-021, Cedar Run District

No action was taken.

A Resolution to Designate an Alternative Agent for Subdivision Ordinance Administration

RESOLUTION

A RESOLUTION TO DESIGNATE AN ALTERNATIVE AGENT FOR
SUBDIVISION ORDINANCE ADMINISTRATION

WHEREAS, Chapter 22, Code of Virginia, authorizes the Board of Supervisors to designate an Agent for Subdivision Ordinance Administration; and

WHEREAS, due to personnel changes, the Board desires to amend previous designations; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisor this 13th day of September 2007, That the following designations be, and are hereby, made:

- Agents for Subdivision Ordinance Administration are Frederick P.D. Carr, Susan K. Eddy, and Kimberley P. Fogle

; and, be it

RESOLVED FURTHER, That these designations supersede previous designations.

A Resolution to Approve a Waiver for a Right-Of-Way Less Than Fifty Feet in Width, Cedar Run District

RESOLUTION

A RESOLUTION TO APPROVE A WAIVER FOR A RIGHT-OF-WAY LESS THAN FIFTY FEET IN WIDTH, CEDAR RUN DISTRICT

WHEREAS, Simon N. and Pauline E. Schrock, owners, 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 applicant proposes to create one family transfer lot and a residual lot from the 28.3-acre parcel identified as PIN 7932-94-0018-000, with access via a less than fifty-foot easement that connects to Dumfries Road (Route 606); and

WHEREAS, on August 30, 2007, 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 13th day of September 2007, That Zoning Ordinance Section 7-302 1.A.(3) be, and is hereby, waived to permit Simon N. and Pauline E. Schrock to create a family transfer 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 Receive the Rappahannock-Rapidan Community Services Board and Area Agency on Aging (RRCSB-AAA) FY 2008 Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Area Plan for Aging Services

RESOLUTION

A RESOLUTION TO RECEIVE THE RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD AND AREA AGENCY ON AGING (RRCSB-AAA) FY 2008 PERFORMANCE CONTRACT WITH THE DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES AND THE AREA PLAN FOR AGING SERVICES

WHEREAS, in June 2007, the RRCSB-AAA adopted its Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services, and its Area Plan for Aging Services with the Department of Aging; and

WHEREAS, the Fauquier County Board of Supervisors has received a request from the RRCSB-AAA that it endorse the Contract and Plan by either approving both documents or acknowledging that the Board of Supervisors participated in the review process and has no further additional comments; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 13th day of September 2007, That the Board of Supervisors does hereby receive the FY 2008 RRCSB-AAA with the Department of Mental Health, Mental Retardation and Substance Abuse Services and the 2008 Area Plan for Aging Services, and acknowledges that the Fauquier County Board of Supervisors participated in the review process and has no additional comments regarding the Contract or Plan.

A Resolution Authorizing the County Administrator to Execute a “Letter of Moral Obligation” on Behalf of Fauquier County Guaranteeing Funding for the Renovation of Catlett Volunteer Fire and Rescue Company by the United States Department of Agriculture (USDA)

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A
“LETTER OF MORAL OBLIGATION” ON BEHALF OF FAUQUIER COUNTY
GUARANTEEING FUNDING FOR THE RENOVATION OF
CATLETT VOLUNTEER FIRE AND RESCUE COMPANY BY THE
UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)

WHEREAS, the Fauquier Volunteer Fire and Rescue Association has requested a “letter of moral obligation” to guarantee USDA funding for the construction of the Catlett Fire and Rescue Station; and

WHEREAS, such a letter would be subject to the approval of appropriations by the current and future Boards; and

WHEREAS, in December 2005, the Board of Supervisors conducted a work session to receive advice on this request from the County Finance Director, Bond Counsel, and Financial Advisors; and

WHEREAS, the Board of Supervisors has concluded that execution of such a letter is in the best interests of the County; and

WHEREAS, the Board of Supervisors, as a condition of the execution of such a letter, requires the Volunteer Fire and Rescue Association to enter into a mutually agreeable User

Agreement for use of the Catlett facility and will require that the USDA approve such funding; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the County Administrator be, and is hereby, authorized to execute a “letter of moral obligation” to guarantee the funding for the renovation of the Catlett Volunteer Fire and Rescue Company.

A Resolution Authorizing the County Administrator to Execute a “Letter Of Moral Obligation” on Behalf of Fauquier County Guaranteeing Funding for the Renovation of the Warrenton Volunteer Fire Company by the United States Department of Agriculture (USDA)

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A
“LETTER OF MORAL OBLIGATION” ON BEHALF OF FAUQUIER COUNTY
GUARANTEEING FUNDING FOR THE RENOVATION OF THE
WARRENTON VOLUNTEER FIRE COMPANY BY
THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)

WHEREAS, the Fauquier Volunteer Fire and Rescue Association has requested a “letter of moral obligation” to guarantee USDA funding for the renovation of the Warrenton Fire Rescue Station; and

WHEREAS, such a letter would be subject to the approval of appropriations by the current and future Boards; and

WHEREAS, in December 2005, the Board of Supervisors conducted a work session to receive advice on this request from the County Finance Director, Bond Counsel, and Financial Advisors; and

WHEREAS, the Board of Supervisors has concluded that execution of such a letter is in the best interests of the County; and

WHEREAS, the Board of Supervisors, as a condition of the execution of such a letter, required the Volunteer Fire and Rescue Association to enter into a mutually agreeable User Agreement for use of the Warrenton facility and will require that the USDA approve such funding; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the County Administrator be, and is hereby, authorized to execute a “letter of moral obligation” to guarantee the funding for the renovation of the Warrenton Volunteer Fire Company.

A Resolution Expressing Concern Over the County's Assumption of Transportation Responsibilities Traditionally Relegated to the Commonwealth, the Desire for Greater Flexibility for Localities Wishing to Participate in Regional Transportation Solutions, and Appreciation to the Potomac Rappahannock Transportation Commission (PRTC) and the Virginia Railway Express (VRE)

RESOLUTION

A RESOLUTION EXPRESSING CONCERN OVER THE COUNTY'S ASSUMPTION OF TRANSPORTATION RESPONSIBILITIES TRADITIONALLY RELEGATED TO THE COMMONWEALTH, THE DESIRE FOR GREATER FLEXIBILITY FOR LOCALITIES WISHING TO PARTICIPATE IN REGIONAL TRANSPORTATION SOLUTIONS, AND APPRECIATION TO THE POTOMAC RAPPAHANNOCK TRANSPORTATION COMMISSION (PRTC) AND THE VIRGINIA RAILWAY EXPRESS (VRE)

WHEREAS, the Fauquier County Board of Supervisors is engaged in addressing the transportation needs of its citizens which were traditionally addressed by the Commonwealth of Virginia; and

WHEREAS, the achievement of long-term transportation solutions for the citizens of Fauquier County is made more challenging by the lack of adequate State funding for transportation; and

WHEREAS, much of the Commonwealth's traditional transportation responsibility to localities has effectively been shifted to counties; and

WHEREAS, the Commonwealth has not redirected revenue to Fauquier County to fund this shift in responsibility; and

WHEREAS, the Fauquier County Board of Supervisors is engaged in a process of exploring several transportation options and identifying those which are most cost-effective for its taxpayers and most valuable to its citizens; and

WHEREAS, one of the options explored has been proposed membership in the Potomac Rappahannock Transportation Commission (PRTC) and the Virginia Railway Express (VRE); and

WHEREAS, the leadership and staff of PRTC and VRE have demonstrated the highest degree of professionalism, efficiency and patience in their dealings with Fauquier County; and

WHEREAS, at this time, the Board of Supervisors has determined that it will continue to explore membership in PRTC and VRE, but is concerned by the associated costs, the long delay in gaining rail service, and the differing needs amongst Fauquier County and the jurisdictions comprising Northern Virginia; and

WHEREAS, the Board of Supervisors will continue to explore other regional options as well, and would encourage the Commonwealth to be flexible and innovative in its consideration of any proposals developed by Fauquier County for this purpose; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the Board of Supervisors requests the Commonwealth of Virginia to redirect revenues to Fauquier County and other localities in such amounts necessary to compensate them for the costs of assuming transportation responsibilities; and, be it

RESOLVED FURTHER, That the Fauquier County Board of Supervisors expresses its deep appreciation to the leadership and staff of PRTC and VRE for their patience and professional assistance during this process; and, be it

RESOLVED FURTHER, That the Fauquier County Board of Supervisors will continue to rigorously explore transportation options and identify those that are most cost-effective and valuable to its citizens; and, be it

RESOLVED FINALLY, That the Fauquier County Board of Supervisors requests that the Commonwealth of Virginia receive any future proposals as to regional transportation options for Fauquier County with a spirit of flexibility and innovation.

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

RESOLUTION

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

WHEREAS, the Board of Supervisors approved a \$1,000.00 threshold for expenses authorized under the County Policy of Training and Career Development; and

WHEREAS, the Department of Economic Development wishes to send a member of its staff to the Virginia Institute for Economic Development (VIED); and

WHEREAS, participation in the Virginia Institute for Economic Development certificate program will be beneficial to the professional development of the Fauquier County Economic Development Department staff; and

WHEREAS, the Virginia Institute for Economic Development is sponsored jointly by the Virginia Department of Business Assistance, the Virginia Economic Development Partnership, the Virginia Tourism Corporation and Virginia Tech; and

WHEREAS, the anticipated amount, including local travel expenses, is estimated to be \$1,385.19; 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 13th day of September 2007, That the required prior approval for attendance of this class has been granted by the County Administrator; and, be it

RESOLVED FURTHER, That the Economic Development Department's FY08 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 Economic Development Department for training and travel expenses relating to this class in the amount of \$1,385.19.

APPOINTMENTS

By unanimous consent, the following appointments were approved:

- Disability Services Board – Consumer: Brenda Presley was appointed to fill an unexpired term ending February 10, 2008.
- Parks and Recreation – Marshall District: Dave Graham was reappointed to a four-year term ending September 30, 2011.
- Transportation Committee – Scott District: William Weber was appointed in the interim for a term to end February 1, 2008.

A RESOLUTION IN SUPPORT OF THE BISHOP'S RUN PROJECT

Mr. Downey moved to adopt the following resolution. Mr. Stribling seconded and, following discussion, the vote for the motion was 3 to 2 as follows:

Ayes: *Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Chester W. Stribling*
Nays: *Mr. Harry F. Atherton; Mr. Richard W. Robison*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

A RESOLUTION IN SUPPORT OF THE BISHOP'S RUN PROJECT

WHEREAS, major tenets of the Fauquier County Comprehensive Plan are to concentrate and guide growth in Service Districts; and

WHEREAS, Bishop's Run is located within the New Baltimore Service District where properties have been planned, zoned and developed for over 30 years as a mix of residential and business development; and

WHEREAS, the Board of Supervisors approved the Bishops Run Rezoning (REZN03-SC-015) in 2004, and found it to be consistent with the County's Comprehensive Plan; and

WHEREAS, the residential preliminary plat (PPLT05-SC-021), construction plan (CPRV06-SC-007) and the commercial major site plan (SPMA06-SC-009) for Bishop's Run have been approved; now therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the Board of Supervisors supports the U.S. Army Corps of Engineers (USACE) issuance of the Nationwide Permit for the Bishop's Run project, as the developer meets the Corps' wetland requirements; and, be it

RESOLVED FURTHER, That the Board of Supervisors directs staff to attend the upcoming USACE meeting and respond to any questions regarding the project's approved and pending applications and the Comprehensive Plan.

SUPERVISORS' TIME

- Mr. Downey stated that the school site search committee has identified some properties, and he encouraged the current Board members and future Board members to consider co-locating a future elementary school #12 with a future southern sports field complex in order to save construction and maintenance costs. Mr. Downey acknowledged public concerns regarding the disparity in the fees for membership to the Town of Warrenton Aquatics Center, and stated that the Board of Supervisors is working through those issues with the Warrenton Town Council to reach some resolution to create a rate structure that is more equitable between residents of the Town and residents of the County.
- Mr. Graham expressed condolences to the family of Becky McClure who recently passed away after battling with cancer. Mr. Graham announced the retirement of Dennis Hunsberger who has retired from many years of service to the County and the Vint Hill Economic Development Authority. Mr. Graham stated that he and some of his colleagues attended the ribbon cutting ceremony for a new facility in Opal for Didlake, an organization that provides training for individuals with disabilities. Mr. Graham stated that he, along with Mr. Downey, Mr. Schwartz, and Mr. Wolf, attended a ribbon cutting ceremony for the opening of new building for Athena Technologies in Vint Hill. Mr. Graham reiterated that the purpose of the Fauquier County Working Together Committee golf tournament is to raise funds to provide assistance for local citizens in need throughout the year, and he saluted the Fauquier County employees and other members of the community for supporting those efforts.
- Mr. Atherton added that the Board of Supervisors plans to prepare a proclamation to honor Dennis Hunsberger for his years of service to the community. Mr. Atherton stated that Saturday, September 15, 2007, is Hume Day with many exhibits and fun family activities, including a jousting contest. Mr. Atherton announced that also on September 15, 2007, the Virginia Scottish Games and Festival will be held at Sky Meadows Park, and he encouraged the public to attend. Mr. Atherton stated he has asked the County Attorney to draft a letter inquiring of Norfolk Southern Railroad what exactly their

intentions are regarding locating a very substantial railroad track siding between Delaplane and Linden. He continued that this proposed railroad siding will be going through a considerable amount of acreage that Fauquier County currently holds in conservation easement; and, in his opinion condemnation is not an option since it happens to run along Goose Creek and will cause quite a dramatic impact to the scenic value of that area.

- Mr. Stribling stated that last Saturday, September 8, 2007, he attended the Monroe Park Jubilee and participated in the dedication of various buildings, including the Assay Office and the Bunkhouse. He added that the Monroe Park Gold Mining Museum is an official State gold mining museum. He also stated that the Sheriff's Office K-9 unit was present at the event and provided live demonstrations of the dog handler's law enforcement skills and techniques. Mr. Stribling announced that on Saturday, September 15, 2007, an antique car and tractor show will be held at the Fauquier Fairgrounds and he encouraged the community to attend.
- Mr. Robison announced that Saturday, September 29, 2007, is the Warrenton Fauquier Heritage Days celebration; citizens may contact Paula Johnson for more information. Mr. Robison announced that October 6, 2007, is The Plains Day during which there will be many family activities in The Plains, including complimentary popcorn and cotton candy for the children; citizens may contact Joyce Pearson for additional information. Mr. Robison announced that the Bethel Academy road project is moving forward toward completion and it pleased him to see such strong support for this project in the community. Mr. Robison stated that the Warrenton Aquatic Center is a Town of Warrenton project, not a Fauquier County project, and he encouraged citizens to contact him directly for additional information in this regard.

ANNOUNCEMENTS

- Mr. McCulla announced that beginning at 9:00 A.M. on Friday, September 21, 2007, the Fauquier County Working Together Committee will hold its fourth annual charity golf tournament at Kastle Greens golf course. All proceeds from that tournament will go to local charities and citizens of the County in need.
- Mr. McCulla announced that the Board of Supervisors' will reconvene for its next regular meeting on October 11, 2007, at 6:30 P.M. at the Warrenton Community Center, located at 430 East Shirley Avenue in Warrenton, Virginia, contingent upon the outcome of the public hearing related to the Cross Creek / Costco application.
- Mr. McCulla announced that there is a speaker's sign up sheet located on the table against the wall to his right. He requested citizens who wish to speak regarding Costco sign the sheet and they will be called forward to speak in list order.
- Mr. McCulla read the Board of Supervisors' public meeting protocols and rules of decorum.

A RESOLUTION TO AMEND THE FY 2007 ADOPTED BUDGET IN THE AMOUNT OF \$37,536 AND AMEND THE FY 2008 ADOPTED BUDGET IN THE AMOUNT OF \$1,356,501

A public hearing was held to consider various budget related issues in the amount of \$37,536 in appropriations for FY 2007, and \$1,024,530 in appropriations and \$331,971 in transfers for FY 2008. Bryan Tippie, Budget Director, summarized the proposed budget amendments. No one else spoke. The public hearing was closed. Mr. Downey moved to adopt the following resolution. Mr. Graham seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*
Nays: *None*
Absent During Vote: *None*
Abstention: *None*

RESOLUTION

A RESOLUTION TO AMEND THE FY 2007 ADOPTED BUDGET
 IN THE AMOUNT OF \$37,536 AND AMEND THE FY 2008 ADOPTED BUDGET IN THE
 AMOUNT OF \$1,356,501

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 30, 2006, the Board of Supervisors adopted the Fauquier County FY 2007 Budget and, on March 29, 2007, adopted the Fauquier County FY 2008 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 August 9, 2007, the Finance Committee recommended for FY 2007 budget adjustments of \$37,536 and for FY 2008 budget adjustments of \$1,356,501 for the purposes set forth below; and

WHEREAS, on September 13, 2007, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the FY 2007 Budget be, and is hereby, amended in the amount of \$37,536 and the FY 2008 Budget amended in the amount of \$1,356,501 as follows:

<u>Source</u>	<u>FROM Code</u>	<u>Amount</u>	<u>Department</u>	<u>TO Code</u>	<u>Amount</u>
FY 2007					
State Funds	3-100-244100-0150	\$821	Sheriff's Office	4-100-031240-8201	\$821
Federal Funds	3-100-331000-0040	\$36,715	Sheriff's Office	4-100-031230-8201	\$36,715

FY 2008					
State Funds	3-100-244600-0009	\$2,020	Library	4-100-073100-6050	\$2,020
Contingency Reserve	4-100-091400-9999	\$30,000	Library – New Baltimore Site	4-302-073100-8308	\$30,000
FY 07 Carryover	3-100-419000-0010	\$50,258	Sheriff’s Office	4-100-031240-8201 4-100-031230-8201	\$8,043 \$42,215
Fee for Service Funds	3-272-160402-0001 3-272-160402-0002	\$642,252 \$300,000	Fire & Emergency Services	4-272-032300-6004 4-272-032300-3160 4-270-032301-5652 4-270-032302-5652 4-270-032303-5652 4-270-032304-5652 4-270-032305-5652 4-270-032307-5652 4-270-032308-5652 4-270-032309-5652 4-270-032310-5652 4-270-032311-5652 4-270-032312-5652 4-100-032420-1101	\$125,000 \$71,500 \$25,500 \$25,500 \$25,500 \$25,500 \$25,500 \$25,500 \$25,500 \$25,500 \$25,500 \$25,500 \$25,500 \$25,500 \$465,252
Capital Funds (Transfer)	4-302-066610-8712	\$283,000	School Division	4-302-066630-8713	\$283,000
Capital Funds (Transfer)	4-302-066600-8702 4-302-066600-8718	\$3,018 \$1,953	School Division	4-302-066600-8701	\$4,971
Capital Fund (Transfer)	4-302-031400-8600	\$44,000	General Services	4-302-033200-8305	\$44,000
TOTAL		\$1,394,037			\$1,394,037

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS, SERIES 2007B, OF THE COUNTY OF FAUQUIER, VIRGINIA, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$39,485,000 TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

A public hearing was held to consider the proposed issuance of general obligation school bonds of Fauquier County in the estimated maximum principal amount of \$39,485,000. The purpose of the proposed bonds is to finance capital projects for public schools, including without limitation, Kettle Run High School, Greenville Elementary School, and the addition of a second entrance on the property shared by the two schools. Anthony I. Hooper, Deputy County Administrator, summarized the proposed bond issuance. No one else spoke. The public hearing was closed. Mr. Downey moved to adopt the following resolution. Mr. Graham seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS, SERIES 2007, OF THE COUNTY OF FAUQUIER, VIRGINIA, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$35,905,000 TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board of Supervisors (the “Board”) of the County of Fauquier, Virginia (the “County”), has determined that it is necessary and expedient to borrow a principal amount not to exceed \$35,905,000 and to issue its general obligation school bonds for the purpose of financing certain capital projects for school purposes; and

WHEREAS, the County has held a public hearing, duly noticed, on September 13, 2007, on the issuance of the Bonds (as hereinafter defined) in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the “Virginia Code”); and

WHEREAS, the School Board of the County has, by resolution adopted on July 9, 2007, requested the Board to authorize the issuance of the Bonds and consented to the issuance of the Bonds; and

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$35,905,000 is the amount of proceeds requested (the “Proceeds Requested”) from the Virginia Public School Authority (the “VPSA”) in connection with the sale of the Bonds; and

WHEREAS, the VPSA’s objective is to pay the County a purchase price for the Bonds which, in VPSA’s judgment, reflects the Bonds’ market value (the “VPSA Purchase Price Objective”), taking into consideration such factors as the amortization schedule the County has requested for the Bonds relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA for its bonds and other market conditions relating to the sale of the VPSA’s bonds; and

WHEREAS, such factors may result in the Bonds having a purchase price other than par and consequently (i) the County may have to issue a principal amount of Bonds that is less than the Proceeds Requested but in no case greater than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Bonds set forth in Section 1 below does not exceed the Proceeds Requested by at least the amount of any discount the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FAUQUIER, VIRGINIA:

1. Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bonds in an aggregate principal amount not to exceed \$35,905,000 (the “Bonds”) for the purpose of financing certain capital projects for school purposes, including without limitation, the projects

described in Exhibit B. The Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

2. Sale of the Bonds. It is determined to be in the best interest of the County to accept the offer of the VPSA to purchase from the County, and to sell to the VPSA, the Bonds at a price, determined by the VPSA to be fair and accepted by the Chairman of the Board and the County Administrator, either of whom may act, that is substantially equal to the Proceeds Requested, except that the Bonds may be sold for a purchase price not lower than 95% of the Proceeds Requested if issuing the Bonds in the maximum principal amount authorized by Section 1 of this Resolution is insufficient, given the VPSA Purchase Price Objective and market conditions, to generate an amount of proceeds substantially equal to the Proceeds Requested. The Chairman of the Board and the County Administrator, either of whom may act, and such officer or officers of the County as either may designate, any of whom may act, are hereby authorized and directed to enter into a Bond Sale Agreement dated as of September 26, 2007 (the "Bond Sale Agreement"), with the VPSA providing for the sale of the Bonds to the VPSA. The Bond Sale Agreement shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officer executing the Bond Sale Agreement, his execution to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes.

3. Details of the Bonds. The Bonds shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 2007"; shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15 beginning July 15, 2008 (each an "Interest Payment Date"), at the rates established in accordance with Section 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts as determined by the County Administrator (the "Principal Installments"), subject to the provisions of Section 4 of this Resolution.

4. Interest Rates and Principal Installments. The County Administrator is hereby authorized and directed to accept the interest rates on the Bonds established by the VPSA, provided that each interest rate shall be ten one-hundredths of one percent (0.10%) over the interest rate to be paid by the VPSA for the corresponding principal payment date of the bonds to be issued by the VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further that the true interest cost of the Bonds does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates are subject to change at the request of the VPSA. The County Administrator is hereby authorized and directed to accept changes in the Interest Payment Dates at the request of the VPSA and to accept the Principal Installments requested by the VPSA, provided that the aggregate principal amount of the Bonds shall not exceed the amount authorized by this Resolution and provided further that the final maturity of the Bonds occurs no later than December 31, 2027. The execution and delivery of the Bonds as described in Section 8 hereof shall conclusively evidence such interest rates established by the VPSA and Interest Payment Dates and the Principal Installments requested by the VPSA as having been so accepted by the County Administrator as authorized by this Resolution.

5. Form of the Bonds. The Bonds shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6. Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Bonds:

(a) For as long as the VPSA is the registered owner of the Bonds, all payments of principal, premium, if any, and interest on the Bonds shall be made in immediately available funds to the VPSA at or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds.

(c) U.S. Bank, Richmond, Va. is designated as bond registrar and paying agent for the Bonds (the "Bond Registrar"). The County may, in its sole discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar.

7. Prepayment or Redemption. The Principal Installments of the Bonds held by the VPSA coming due on or before July 15, 2017, and the definitive Bonds for which the Bonds held by the VPSA may be exchanged that mature on or before July 15, 2017, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Bonds held by the VPSA coming due after July 15, 2017, and the definitive bonds for which the Bonds held by the VPSA may be exchanged that mature after July 15, 2017, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2017, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2017, through July 14, 2018	101.0%
July 15, 2018, through July 14, 2019	100.5
July 15, 2019, and thereafter	100.0

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

8. Execution of the Bonds. The Chairman or Vice Chairman of the Board, either of whom may act, and the Clerk of the Board or any Deputy Clerk, either of whom may act, are authorized and directed to execute and deliver the Bonds and to affix the seal of the County thereto.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of and premium, if any, and the interest on the Bonds as the same shall become due, the full faith and

credit of the County are hereby irrevocably pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. Use of Proceeds Certificate and Certificate as to Arbitrage. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate, any of whom may act, are hereby authorized and directed to execute a Certificate as to Arbitrage and a Use of Proceeds Certificate, each setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Certificate as to Arbitrage and such Use of Proceeds Certificate and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for Federal income tax purposes.

11. State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the Director of Finance of the County to participate in the State Non-Arbitrage Program in connection with the Bonds. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate, any of whom may act, are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, the VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the officer executing such Proceeds Agreement, his execution to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes.

12. Continuing Disclosure Agreement. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate, any of whom may act, are hereby authorized and directed to execute a Continuing Disclosure Agreement, substantially in the form attached as Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12 and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by the VPSA to be a MOP (as defined in the Continuing Disclosure Agreement).

13. Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

14. Further Actions. The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

15. Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Fauquier, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on September 13, 2007, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: Harry F. Atherton, William G. Downey, Raymond E. Graham, Richard W. Robison, Chester W. Stribling. Members absent from the meeting were: None. Members voting in favor of the foregoing resolution were: Harry F. Atherton, William G. Downey, Raymond E. Graham, Richard W. Robison, Chester W. Stribling. Members voting against the foregoing resolution were: None. Members abstaining from voting on the foregoing resolution were: None.

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Fauquier, Virginia, this 13th day of September, 2007.

Paul S. McCulla, Clerk,
Board of Supervisors of the County
of Fauquier, Virginia

[SEAL]

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TR-1

\$ _____

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA**

COUNTY OF FAUQUIER

General Obligation School Bond

Series 2007

The **COUNTY OF FAUQUIER, VIRGINIA** (the “County”), for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY** the principal amount of _____ DOLLARS (\$ _____), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 2008, and annually on July 15 thereafter to and including July 15, 20__ (each a “Principal Payment Date”), together with interest from the date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on July 15, 2008 (each an “Interest Payment Date”; together with any Principal Payment Date, a “Payment Date”), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Both principal of and interest on this Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Bond, _____, _____, _____, or any successor appointed by the County, as bond registrar and paying agent (the “Bond Registrar”), shall make all payments of principal of and premium, if any, and interest on this Bond, without the presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal of and premium, if any, or interest on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next preceding the scheduled Payment Date or

date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the County Board of Supervisors authorizing the issuance of the Bonds provides, and Section 15.2-2624, Code of Virginia 1950, as amended, requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal of and premium, if any, and interest on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia 1950, as amended, and resolutions duly adopted by the County Board of Supervisors and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the Virginia Public School Authority, at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, and having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due

execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive Bonds as hereinabove provided, such definitive Bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 2017, and the definitive Bonds for which this Bond may be exchanged that mature on or before July 15, 2017, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due after July 15, 2017, and the definitive Bonds for which this Bond may be exchanged that mature after July 15, 2017, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2017, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2017, through July 14, 2018	101.0%
July 15, 2018, through July 14, 2019	100.5
July 15, 2019, and thereafter	100.0

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Fauquier, Virginia, has caused this Bond to be issued in the name of the County of Fauquier, Virginia, to be signed by its Chairman or Vice Chairman, its seal to be affixed hereto and attested by the signature of its Clerk of the Board or any of its Deputy Clerks, and this Bond to be dated _____, 2007.

COUNTY OF FAUQUIER, VIRGINIA

(SEAL)
ATTEST:

Clerk, Board of Supervisors, County of
Fauquier, Virginia

Chairman, Board of Supervisors, County
of Fauquier, Virginia

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE, OF
ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE: _____

the within Bond and irrevocably constitutes and appoints

_____ attorney to exchange said Bond for
definitive bonds in lieu of which this Bond is issued and to register the transfer of such definitive bonds
on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

Signature Guaranteed: _____

(NOTICE: Signature(s) must be
guaranteed by an "eligible guarantor
institution" meeting the requirements
of the Bond Registrar which
requirements will include Membership or
participation in STAMP or such other "signature
guarantee program" as may be determined by
the Bond Registrar in addition to, or in substitution for,
STAMP, all in accordance with the Securities Exchange
Act of 1934, as amended.

Registered Owner
(NOTICE: The signature above
must correspond with the name
of the Registered Owner as it
appears on the front of this
Bond in every particular,
without alteration or change.)

EXHIBIT B

PROJECT DESCRIPTION

This project includes Kettle Run High School construction, Greenville Elementary construction, and the addition of a second entrance on the property for Kettle Run High School and Greenville Elementary.

COMPREHENSIVE PLAN AMENDMENT

A public hearing was continued from August 9, 2007, to consider adoption of The Fauquier County Connections Plan by reference in Chapter 9-Public Facilities and Utilities and Chapter 10-Transportation. Frederick P.D. Carr, Director of Community Development, summarized the proposed budget amendments, and stated that the plan amendment is available for review in the Planning Office and staff will be available to respond to any detailed questions. Debbie Reedy, Scott District; and Ken George representing the Fauquier Trails Coalition, spoke in favor of the proposed amendment. No one else spoke. The public hearing was closed. Mr. Atherton moved to postpone action on the matter until the next regular meeting on October 11, 2007. Mr. Downey seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

AN ORDINANCE TO AUTHORIZE HOUSING GRANTS AND LOANS TO LOCAL GOVERNMENT EMPLOYEES

A public hearing was held to consider adoption of an Ordinance pursuant to Virginia Code Section 15.2-958.2 to authorize grants and loans to local government and school employees for affordable housing purposes. Anthony I. Hooper, Deputy County Administrator, summarized the proposed Ordinance. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following Ordinance. Mr. Downey seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

AN ORDINANCE TO AUTHORIZE AFFORDABLE HOUSING GRANTS TO LOCAL GOVERNMENT AND SCHOOL EMPLOYEES WITHIN FAUQUIER COUNTY

WHEREAS, the Board of Supervisors is authorized pursuant to Section 15.2-958.2 of the Code of Virginia to offer affordable housing grants of up to \$25,000 to employees to assist in the purchase of housing; and

WHEREAS, the County must first adopt an Ordinance in order to exercise its authority; and

WHEREAS, the Board of Supervisors has considered public comment on the proposed Ordinance and determined that it is appropriate and in the public interest to adopt such an Ordinance; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the County Code be amended to add the following provision:

Sec. 2-5.3 Grants or Loans to Employees for Home Ownership

Subject to availability of funds and the administrative guidelines provided for herein, the County hereby establishes a program to provide grants or loans to qualifying local government and school employees within the County to purchase their primary residence in the County. The County Administrator shall establish administrative guidelines for determining eligibility for the program, and the administrative guidelines shall be approved by the Board of Supervisors. No direct grant may exceed \$25,000 per employee and lifetime cumulative grants may not exceed \$25,000 per employee.

This Ordinance shall take effect upon adoption.

A RESOLUTION TO CONSIDER GRANTING AN EASEMENT AT THE WARRENTON FAUQUIER AIRPORT

A public hearing was held to consider the grant of an easement of approximately 15' x 76.12' at the border of the property of Ross Industries, Inc. and the Warrenton-Fauquier Airport to permit Ross Industries to connect to the septic treatment system at the Airport. Anthony I. Hooper, Deputy County Administrator, summarized the application. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Mr. Stribling seconded and, following discussion, the vote for the motion was unanimous as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

RESOLUTION

A RESOLUTION TO GRANT AN EASEMENT FOR A CONNECTION TO THE
WARRENTON-FAUQUIER AIRPORT SEWER SYSTEM

WHEREAS, Fauquier County has received a request from Ross Industries, Inc. for an easement to make a connection to the Warrenton-Fauquier Airport sewer system; and

WHEREAS, the connection to the sewer system is consistent with the airport sewer plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the County Attorney and County Administrator be, and are hereby, authorized to execute an easement to provide for a connection to the Warrenton-Fauquier Airport sewer system.

REZONING REZN07-CR-005 – MARY A. & JACKIE H. RAINES SR., OWNERS AND APPLICANTS

A public hearing was held to consider an application to obtain a rezoning of approximately 4.60 acres from Rural Agriculture (RA) to Rural Residential-2 (RR-2) to allow for the creation of a family division. The property is located at 9124 Green Road, east of Beach Road (Route 616), Cedar Run District, more particularly described as PIN 6982-64-6344-000. Frederick P.D. Carr, Director of Community Development, summarized the proposed application. Kenneth Lane, Cedar Run District, spoke in favor of the application; John Foster, stated that he was the surveyor of the property and offered to answer any technical questions related to the application. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following Ordinance. Mr. Stribling seconded and, following discussion, the vote for the motion was 4 to 1 as follows:

Ayes: *Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Chester W. Stribling*
Nays: *Mr. Richard W. Robison*
Absent During Vote: *None*
Abstention: *None*

ORDINANCE

AN ORDINANCE TO APPROVE REZONING REQUEST (REZN07-CR-005),
CEDAR RUN DISTRICT

WHEREAS, Mary A. and Jackie H. Raines, Sr., owners and applicants, have submitted a proffered rezoning request to rezone a 4.600-acre portion of their 28.91-acre parcel identified by PIN 6982-64-6344-000 from Rural Agriculture (RA) to Rural Residential-2 (RR-2); and

WHEREAS, the applicant seeks rezoning approval to allow for a family transfer; and

WHEREAS, on July 26, 2007, the Fauquier County Planning Commission held a public hearing on the Rezoning request and recommended unanimously that the application be denied given that the development rights on the RA zoned parent parcel have been fully developed subject to sliding scale zoning provisions; and

WHEREAS, the Board of Supervisors did not concur with the judgment of the Planning Commission; and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning Map; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 13th day of September 2007, That the Rezoning request REZN07-CR-005, Raines Property, to change the Zoning Map designation of 4.600 acres of RA zoned property to RR-2, be, and is hereby, approved, subject to the Raines Property Plat prepared by Foster Engineering, dated February 14, 2007, as revised, and the Proffer Statement dated April 16, 2007.

REZONING REZN07-SC-007 AND SPECIAL EXCEPTIONS SPEX07-SC-013 & SPEX07-SC-014 – CROSS CREEK INVESTMENTS, LLC, OWNERS AND APPLICANTS – CROSS CREEK

A public hearing was held to consider an application to rezone approximately 8.5 acres from Residential-1 (R-1) to Commercial-2 (C-2). The applicant also wishes to obtain a Category 12 Special Exception to allow for a shopping center of more than 50,000 square feet and a Special Exception for additional signage. The property is located on the south side of Route 29/15 and connects to Broad Run Church Road (Route 600), Scott District, more particularly described as: PINs 7906-83-2379-000, 7906-82-4798-000, 7906-72-7276-000, 7906-82-3462-000, 7906-82-1816-000, 7906-72-6542-000, 7906-72-8385-000, 7906-82-5418-000, 7906-72-6341-000, 7906-82-0266-000, 7906-92-0958-000, 7906-83-7378-000 Kimberley Fogle, Assistant Director for the Department of Community Development, summarized the proposed rezoning and special exception applications. John Foote, Esquire, representing the applicant, requested favorable consideration of the application.

Speakers testifying in favor of the applications were:

- Phil Dorn, Center District;
- Peggy Kierstead, Scott District;
- Larry Manwaring, Marshall District;
- Wendy Campbell, Marshall District;
- David Bierlein, Scott District;
- Debbie Reedy, Scott District;
- Brian Hughes, Scott District;
- Bill Swick, Scott District;
- Jill Pawlak, Center District;
- Ronnie Jessee, Cedar Run District (submitted petition with eleven signatures representing Fauquier County businesses in support of Cross Creek development project and Costco);
- Robert Oliveri, Cedar Run District;
- Jonathan Whichard, Center District;
- Steve Potucek, Marshall District;

- Karol Anne Wayland, New Baltimore business owner;
- Steve Vento, Center District; representing Angler Development;
- Tom Lahey, Marshall District; and
- Peter Karanovich, Scott District.

Mr. (name inaudible), Scott District, questioned the impact of the requested rezoning on existing residences along Route 600.

Speakers testifying in opposition to the applications were:

- Bruce Patterson, Scott District;
- Kathy Dove, Scott District;
- Mindi O'Connor, Scott District;
- Pat Evans, Scott District;
- Kendal Blaser, Center District;
- Nancy Premen, Scott District;
- Chuck Medvitz, Scott District;
- Helen Ford, Cedar Run District;
- William Ziegler, Scott District;
- Bob Kube, Scott District;
- Jerry Christian, Scott District;
- Kim Baird, Scott District;
- Peggy Blackman, Scott District;
- Art Miles, Scott District;
- Bob Talbot, Marshall District;
- Amy Trotto, Scott District;
- Cindy Vorder Bruegge, Scott District; and
- Mara Seaforest, Cedar Run District.

No one else spoke. Mr. Downey moved to continue the public hearing and postpone action on this matter until the next regular meeting on October 11, 2007. Mr. Robison seconded and the vote for the motion was unanimous as follows:

<i>Ayes:</i>	<i>Mr. Harry F. Atherton; Mr. Raymond E. Graham; Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>None</i>
<i>Abstention:</i>	<i>None</i>

With no further business, the meeting was adjourned at 10:01 P.M.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on September 13, 2007.

Paul S. McCulla
Clerk to the Board of Supervisors