A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD OCTOBER 20, 2003 AT 1:00 P.M. IN WARRENTON, VIRGINIA

P R E S E N T Mr. Harry F. Atherton, Chairman; Mr. Joe Winkelmann, Vice-Chairman; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

A B S E N T None

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

AN OVERVIEW OF THE WORKFORCE INVESTMENT ACT

Dr. Merry Hanson, Director of Workforce Programs, explained the Workforce Investment Act and discussed the benefits of the Workforce Programs to Fauquier County. Dr. Hanson announced that the Local Workforce Investment Board is seeking nominations for two business people within Fauquier County to serve on the Local Workforce Investment Board.

RAPPAHANNOCK RIVER BASIN COMMISSION

Eldon James, Legislative Liaison, and Rob Whitman, Chairman of the Rappahannock River Basin Commission (RRBC), provided an update on the progress of the RRBC and discussed a draft resolution, for future consideration by the Board of Supervisors, to encourage and support the RRBC's efforts to improve the effectiveness of water supply planning in the Rappahannock River Basin area.

FAUQUIER COUNTY VISITOR CENTER

Talmage Reeves, Director of Economic Development, discussed the concept of partnering with Parks and Recreation to potentially locate a Fauquier County Visitors Center at the Raymond Farm property at Route 29 and Route 605, and to establish a Satellite Information Center at Monroe Park in Goldvein on Route 17, as well as in Marshall. Mr. Winkelmann recommended bringing the proposal to the next Town/County Liaison Committee meeting for discussion, and directed staff to schedule a work session during the Board of Supervisors' meeting on December 15, 2003. Mr. Weeks concurred.

PARKS AND RECREATION UPDATE

Larry Miller, Director of Parks and Recreation, and Carl Bailey, Chairman of the Parks and Recreation Board, provided an update on the status of projects and services currently underway, and issues that the Department is presently facing.

SCHOOL BOND REFERENDUM

Bryan Tippie, Director of the Budget Office, discussed a proposed resolution to amend the Debt Referendum Policy for Fauquier County. Bronwyn Lambelet, Chair of the Fauquier County School Board, and David Martin, School Superintendent, described the merits of the School Division's request in regard to the intent of the referendum resolution. Mr. Atherton

directed staff to prepare a resolution for consideration during the Board of Supervisors' meeting on November 20, 2003.

The meeting was reconvened in Regular Session at 6:30 p.m. at Warrenton Community Center.

ADOPTION OF THE AGENDA

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

Ayes:	***Mr. Harry Atherton; Mr. Joe Winkelmann; Ms. Sharon McCamy; Mr. Raymond E. Graham; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***None***
Abstention:	***None***

- Postpone Citizens' Time until 7:00 p.m.
- Add A Proclamation to Designate October 25, 2003 as Public Safety Day.
- Accept a substitute resolution for Consent Agenda item #1.h, A Resolution to Approve Acceptance of a New Road Alignment for Meetze Road, Lunsford Road, and Green Road in the Cedar Run Magisterial District.
- Accept a substitute resolution for Regular Agenda item #3, A Resolution Manifesting the Willingness of the Board of Supervisors to Work with the Town of Remington on Mutually Agreeable Changes to the Boundaries of the Town.
- Accept a substitute resolution for Public Hearing Agenda item #9, A Resolution to Amend the FY 2003 Adopted Budget in the Amount of $763,864.73 and the FY 2004 Adopted Budget in the Amount of $923,166.79.

PROCLAMATIONS AND RECOGNITIONS

- Mr. Atherton presented A Proclamation to Declare October 2003 as Disability Employment Awareness Month in Fauquier County to Tom W. Reese, Jr., Vice-Chairman of the Disability Services Board.

CONSENT AGENDA

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

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***

Nays: ***None***
Absent During Vote: ***None***
Abstention: ***None***

Approval of the Minutes for the September 15, 2003 Regular Meeting and September 27, 2003 Adjourned Meeting of the Fauquier County Board of Supervisors

Chairman's Correspondence Review

A Resolution Authorizing the Creation of a Career Ladder for the Planning Division of the Department of Community Development

RESOLUTION

A RESOLUTION AUTHORIZING THE CREATION OF A CAREER LADDER FOR THE PLANNING DIVISION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT

WHEREAS, a need exists within the Department of Community Development to provide career opportunities as a means of assisting with retention of trained and experienced staff; and

WHEREAS, the Department of Community Development requests authorization to implement a career ladder in the Planning Division; and

WHEREAS, the career ladder would allow employees to advance through the levels of Planning Associate, Planner, Planner II and Senior Planner as the following criteria are met:

Planning Associate:

1. Three (3) years of prior experience in the Department of Community Development in processing and checklist review of applications filed for building, construction, planning or zoning approval/zoning inspections, and experience working with and answering questions from the general public and developers; and either the
2. Successful completion of and/or designation as a Certified Zoning Official through the Virginia Association of Zoning Officials Certification Program, or completion of the basic ESI course regarding the development process; or
3. Completion of an Associate Degree in Urban Planning, City/Regional Planning, Environmental Resources, Geographic Information Systems, Public Administration, or a closely related field; and
4. A rating of "Exceeds Standards" or higher on the most recent annual performance evaluation; and
5. Recommendation of the Director of Community Development and the approval of the County Administrator or the Deputy County Administrator.

Planner:

1. Associate Degree in Urban Planning, City/Regional Planning, Environmental Resources, Geographic Information Systems or Geographic related disciplines, Public Administration, or a closely related field, supplemented by five (5) years prior experience and/or training that includes land development review, planning, ongoing site plan review, and/or code enforcement; and
2. Completion of the basic ESI coursework (Land Development and Technology, Site Design Process: Steps and Procedures) and other ESI courses completed and approved through the Department of Community Development; and
3. Two (2) years of prior experience in the full range of services provided by the Department of Community Development; and
4. Completion of a Bachelors Degree in Urban Planning, City/Regional Planning, Geography, Environmental Resources, Public Administration, or a closely related field; and
5. A rating of "Exceeds Standards" or higher on the most recent annual performance evaluation; and
6. Recommendation of the Director of Community Development and the approval of the County Administrator or the Deputy County Administrator.

Planner II:

1. Associate Degree in Urban Planning, City/Regional Planning, Environmental Resources, Geographic Information Systems or Geographic related disciplines, Public Administration, or a closely related field, supplemented by five (5) years prior experience and/or training that includes land development review, planning, ongoing site plan review, and/or code enforcement; and
2. Completion of the basic ESI coursework (Land Development and Technology, Site Design Process: Steps and Procedures) and other Engineers and Surveyors Institute (ESI) courses completed and approved through the Department of Community Development; and
3. Three (3) years of prior experience in the full range of services provided by the Department of Community Development; or
4. Completion of a Bachelors Degree in Urban Planning, City/Regional Planning, Geography, Environmental Resources, Public Administration, or a closely related field;
5. Special considerations: (a) unique scholarship, experience and work credentials; (b) specialized technical training; (c) certifications/registrations, for example, Certified Zoning Administrator through the Virginia Association of Zoning Officials Certification Program, American Institute of Certified Planners (AICP-Certification) or similar certification/ registration; and
6. A rating of "Exceeds Standards" or higher on the most recent annual performance evaluation; and
7. Recommendation of the Director of Community Development and the approval of the County Administrator or the Deputy County Administrator.

Senior Planner:

1. Associate degree in Urban Planning, City/Regional Planning, Environmental Resources, Geographic Information Systems or Geographic related disciplines, Public Administration, or a closely related field, supplemented by seven (7) years prior experience and/or training that includes land development review, planning, ongoing site plan review, and/or code enforcement; or
2. Completion of a Bachelors Degree in Urban Planning, City/Regional Planning, Geography, Environmental Resources, Public Administration, or a closely related field; supplemented by six (6) years prior experience and/or training that includes land development review, planning, ongoing site plan review, and/or code enforcement; and
3. Special considerations: (a) unique scholarship, experience and work credentials; (b) specialized technical training; (c) certifications/registrations, for example, Certified Zoning Administrator through the Virginia Association of Zoning Officials Certification Program, American Institute of Certified Planners (AICP-Certification) or similar certification/ registration; and
4. Special program training completion of Engineers and Surveyors Institute (ESI) coursework (Land Development and Technology, Site Design Process: Steps and Procedures) and other ESI special technical courses completed and approved through the Department of Community Development; or
5. Three (3) years of prior experience in the full range of services and increasing responsibilities provided through the Department of Community Development; and
6. A rating of "Exceeds Standards" or higher on the most recent annual performance evaluation; and
7. Recommendation of the Director and the approval of the County Administrator or the Deputy County Administrator; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That a career ladder program be, and is hereby, established within the Planning Division of the Department of Community Development.

A Resolution Authorizing the Addition of a Part-Time Permanent Office Associate I Position

RESOLUTION

A RESOLUTION AUTHORIZING THE ADDITION OF A PART-TIME PERMANENT OFFICE ASSOCIATE I POSITION

WHEREAS, the Office of the County Administrator previously utilized the services of a part-time temporary receptionist position; and

WHEREAS, over time, the duties of the part-time temporary receptionist position evolved to the level of an Office Associate I position; and

WHEREAS, the provision of Office Associate I type duties have been identified as vital and as an ongoing need within the Office of the County Administrator; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That an additional position of Office Associate I be approved and established for the Office of the County Administrator, effective October 20, 2003.

A Resolution Authorizing the Addition of an Accounting Clerk Position

RESOLUTION

A RESOLUTION AUTHORIZING THE ADDITION OF AN ACCOUNTING CLERK POSITION

WHEREAS, through August of 2003, the Office of the Clerk of the Circuit Court has recorded 19,412 documents in the deed books, compared with 14,247 for the same period last year; and

WHEREAS, the Office of the Clerk of the Circuit Court is increasingly falling behind in recording the documents received by mail and remains behind in completing the processing of these documents for public use; and

WHEREAS, the Office of the Clerk of the Circuit Court requests an additional full-time Accounting Clerk position to record deeds and other land records, collect taxes and fees, receipt for the same, and scan land records for retrieval in the Records Management System; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That an additional position of Accounting Clerk be, and is hereby, approved and established for the Office of the Clerk of the Circuit Court, effective October 20, 2003.

A Resolution Authorizing the Conversion of a Part-Time Temporary Engineer and Part-Time Temporary Office Associate II to Full-Time Permanent Positions and the Addition of an Office Manager Position

RESOLUTION

A RESOLUTION AUTHORIZING THE CONVERSION OF A PART-TIME TEMPORARY ENGINEER AND PART-TIME TEMPORARY OFFICE ASSOCIATE II TO FULL-TIME PERMANENT POSITIONS AND THE ADDITION OF AN OFFICE MANAGER POSITION

WHEREAS, with the Planning Division's relocation to the Warren Green Building, there exists an expectation of establishment of effective and seamless staffing coordination with the Technical and Zoning, Permitting & Inspections Divisions for the requisite and expected improved public service; and

WHEREAS, there exists a continued need for the Department of Community Development to meet the established regulation and ordinance action deadlines for increased

building plan and land development applications, as well as daily permit and inspection volumes; and

WHEREAS, a need exists for the Department of Community Development to achieve established Balanced Scorecard tasks and measures, as well as Board of Supervisors and Planning Commission directed and established projects; and

WHEREAS, there exists a Board of Supervisors stated objective of establishing a more property owner/applicant responsive, predictable application review/approval process, with easy access to referral comments, as well as fewer resubmissions; and

WHEREAS, the addition of full-time permanent Engineer, Office Associate II, and Office Manager positions are required to meet the aforementioned needs and expectations; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That the additional positions of Engineer, Office Associate II, and Office Manager be, and are hereby, approved and established within the Department of Community Development, effective October 20, 2003.

Preliminary Subdivision Plat Application FNPL04-SC-009, Leighton Property

No action was taken.

A Resolution to Approve Acceptance of a New Road Alignment for Meetze Road, Lunsford Road, and Green Road in the Cedar Run Magisterial District

RESOLUTION

A RESOLUTION TO APPROVE ACCEPTANCE OF A NEW ROAD ALIGNMENT FOR MEETZE ROAD, LUNSFORD ROAD, AND GREEN ROAD IN THE CEDAR RUN MAGISTERIAL DISTRICT

WHEREAS, the Virginia Department of Transportation has reconstructed portions of Meetze Road, Route 643 and Lunsford Road/Green Road, Route 674, on a new alignment under Project 0643-030-302,C501; and

WHEREAS, the project sketch defines adjustments required in the Secondary System of State Highways as a result of that construction; and

WHEREAS, the new road serves the same citizens as those portions of the old road identified to be abandoned and those segments no longer serve a public need; and

WHEREAS, the portion of the old road identified to be discontinued is deemed by the Virginia Department of Transportation to no longer provide a public convenience sufficient to

warrant maintenance at public expense as part of the Secondary System of State Highways; now therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That this Board requests the Virginia Department of Transportation to add the portion of road identified in the sketch as Sections 5, 6, 7, 8 and 9 to the Secondary System of State Highways, pursuant to 33.1-229 of the Code of Virginia; and, be it

RESOLVED FURTHER, That this Board abandons as part of the Secondary System of State Highways the portion of road identified in the sketch as Section 4, pursuant to 33.1-155, Code of Virginia; and, be it

RESOLVED FURTHER, That this Board concurs with the Commonwealth Transportation Board's discontinuance of the portion of road identified in the sketch as Sections 1, 2 and 3 as part of the Secondary System of State Highways, pursuant to 33.1-150 of the Code of Virginia; and, be it

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

A Resolution in Support of Telecommuting

RESOLUTION

A RESOLUTION IN SUPPORT OF TELECOMMUTING

WHEREAS, the Fauquier County Board of Supervisors recognizes that approximately sixty percent of Fauquier County's workforce commutes out of this County to work on a daily basis, frequently traveling long distances of an hour or more each way; and

WHEREAS, our roads, particularly Routes 29, 17 and 28, and Interstate 66, are becoming increasingly congested due to high volumes of commuter traffic, making travel difficult for both local residents and for those traveling through Fauquier County; and

WHEREAS, as a consequence of improved technological resources, and as a means to be more productive in the workforce without the requirement of commuting time, telecommuting has become more utilized by Fauquier County's workforce; and

WHEREAS, telecommuting helps to improve the quality of life for all residents by relieving workers from the need to travel congested roads, by taking drivers off the roads, and by offering more family-friendly opportunities for flexible working arrangements; and

WHEREAS, the technological industry is one of five sectors targeted by the Fauquier County Board of Supervisors' Economic Development Plan for promotion and support; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That the Board of Supervisors does hereby endorse efforts to promote the practice of telecommuting in public and private sectors, and commends those public leaders who have undertaken such initiatives to promote the practice of telecommuting; and, be it

RESOLVED FURTHER, That the Fauquier County Board of Supervisors endorses private sector efforts to promote access to the necessary technological resources that support not only our local high tech industry but also aid the regional practice of telecommuting.

AN ORDINANCE APPROVING RZ03-C-04, THE REZONING OF APPROXIMATELY 64 ACRES KNOWN AS RAYMOND FARM, FROM R-1 TO A PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRD); MARGARET RAYMOND AND OTHERS, OWNERS, AND LANDMARK PROPERTY DEVELOPMENT, LLC, APPLICANT

Mr. Winkelmann moved to adopt the following Ordinance. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***None***
Abstention:	***None***

ORDINANCE

AN ORDINANCE APPROVING RZ03-C-04, THE REZONING OF APPROXIMATELY 64 ACRES KNOWN AS RAYMOND FARM, FROM R-1 TO A PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRD); MARGARET RAYMOND AND OTHERS, OWNERS, AND LANDMARK PROPERTY DEVELOPMENT, LLC, APPLICANT

WHEREAS, the property identified as PIN: 6995-21-1875-000 and the existing colonial-style manor home, known as Raymond Farm, are long-standing community landmarks; and

WHEREAS, the current zoning will allow the owners of this property to develop up to 57 building lots on this property as a by-right use; and

WHEREAS, the owners and the Applicant have proposed to develop this property in a way that will preserve the existing home and retain the frontage, approximately 40 percent of the site, in permanent open space; and

WHEREAS, in order to facilitate the proposed development and preservation activity, the Applicant must cluster the development within the balance of the property; and

WHEREAS, this proposed clustering will require certain waivers of yard and setback requirements; and

WHEREAS, the proposed rezoning of this property to the Planned Residential Development (PRD) District is appropriate to meeting the development objectives and the need for certain waivers; and

WHEREAS, by adoption of this Ordinance, the Board of Supervisors has determined that the public necessity, convenience, general welfare, and 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 20th day of October 2003, That Rezoning RZ03-C-04, Landmark Property Development, LLC, Applicant, be, and is hereby, approved subject to the Concept Development Plan (Option B – 66 residential lots), with a revision date of September 4, 2003 and Proffer Statement dated September 4, 2003, and further provided that this Ordinance also approves the modifications and waivers requested by the Applicant as follows:

2-409 Extensions in to Yard Areas: Extensions of various design elements of homes are allowed by the Ordinance. The Applicant is seeking reductions in all yard areas, but is requesting that allowed extensions remain the same regardless of the reduced yard size (i.e., a reduced front yard would not bring with it a commensurate or proportional reduction in allowed extensions into that yard).

3-402 Minimum Lot Size: The proposed configuration retains the frontage along Lee Highway in open space, preserves the existing pond, retains the existing colonial style farm house and the tree lined drive to the house, and provides a 100 foot buffer to the south and a 300 foot buffer to the east. In order to develop this configuration, a reduction in lot sizes is required. The proposed PRD development will offer two distinctive dwelling types, with two lot sizes to accommodate the differing home styles. The Applicant is requesting that lot sizes be allowed to vary. The larger homes would be sited on lots 9,000 to 10,000 square feet in size and located on the perimeter of the developed area. The smaller homes, to be located to the interior of the development, would be sited on lots of 4,000 to 5,000 square feet.

3-403 Minimum Lot Width: To accommodate the Section 3-402 waiver request, the new smaller lots must be narrower than the 135 feet required for conventional development in the R-1 district. The Applicant is requesting that the width of the lots be allowed to vary as low as 40 feet in width. In general, as depicted on the proffered development plan, larger lots will have a width of 90 to 110 feet and the smaller lots will have a width of 40 to 60 feet.

3-404 Minimum Front Yard: In the R-1 district the requirement is for a 60-foot front yard setback. The proposed development concept presents a more urban style community with the homes being set closer to the road and sidewalk. The stated intent is to encourage more interaction among neighbors, promoting a more vital community. The

Applicant is requesting a reduction of the front yard requirement and is proposing a minimum of 15 feet from the sidewalk.

3-405 Minimum Side and Rear: The R-1 district calls for 25-foot side and rear yards. Raymond Farm will develop as a small lot community of 4,000 and 10,000 square foot lots. The lots will be narrower and shallower than a conventional lot. The smaller (± 4,000 square feet) will essentially have a "zero lot line." These lots are proposed to be as close as 3 feet to the side yard lot line and as close as 15 feet to the rear yard lot line. Since nearly all of the proposed lots will back up to multi-acre community open space, the Applicant feels that a sense of openness will be retained even with the smaller lots. The Applicant is, therefore, requesting a reduction in the side yards to a minimum of 3 feet, and rear yards to a minimum of 15 feet.

A RESOLUTION ESTABLISHING AN AD HOC COMMITTEE OF THE BOARD OF SUPERVISORS TO DRAFT AN AGREEMENT IN LIEU OF ANNEXATION WITH THE TOWN OF REMINGTON TO MAKE MUTUALLY AGREEABLE CHANGES TO THE BOUNDARIES OF THE TOWN

Ms. McCamy moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***None***
Abstention:	***None***

RESOLUTION

A RESOLUTION ESTABLISHING AN AD HOC COMMITTEE OF THE BOARD OF SUPERVISORS TO DRAFT AN AGREEMENT IN LIEU OF ANNEXATION WITH THE TOWN OF REMINGTON TO MAKE MUTUALLY AGREEABLE CHANGES TO THE BOUNDARIES OF THE TOWN

WHEREAS, the Town of Remington has previously expressed its interest in expansion of the boundaries of the Town; and

WHEREAS, the Board of Supervisors recognizes the benefits attendant to having viable and dynamic towns within the County; and

WHEREAS, by the adoption of this resolution, the Board of Supervisors manifests its willingness to work with the Town of Remington on an Agreement In Lieu of Annexation to the adjustment of boundaries of the Town; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That the Board hereby establishes an Ad Hoc Committee to draft an Agreement in Lieu of

Annexation with the Town of Remington to make mutually agreeable changes to the boundaries of the Town; and, be it

RESOLVED FURTHER, That the Lee District Supervisor shall appoint the County's representatives to the Ad Hoc Committee with such other persons and officials as the Town Council for the Town of Remington shall appoint to: (a) review the areas proposed by the Town to be adjusted; (b) review conditions for adjusting the boundary; (c) draft an Agreement in Lieu of Annexation; and (d) such other matters related to the proposed boundary adjustment as the Committee shall see fit.

A RESOLUTION TO ADOPT PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM OPERATING PROCEDURES WITHIN THE OLD DOMINION ELECTRIC COOPERATIVE (ODEC) MITIGATION AREA

Ms. McCamy moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was 4 to 1 as follows:

Ayes:	***Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***Mr. Harry F. Atherton***
Absent During Vote:	***None***
Abstention:	***None***

RESOLUTION

A RESOLUTION TO ADOPT PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM OPERATING PROCEDURES WITHIN THE OLD DOMINION ELECTRIC COOPERATIVE (ODEC) MITIGATION AREA

WHEREAS, on February 19, 2002, the Board of Supervisors adopted the Farmland Preservation – Purchase of Development Rights (PDR) Program; and

WHEREAS, it is anticipated that the County of Fauquier will receive $1,500,000 from Old Dominion Electric Cooperative (ODEC) for the purchase of development rights within a five mile radius of the new peaking power plant; and

WHEREAS, the area within the five mile radius contains many smaller, but yet viable tracts for agricultural production; and

WHEREAS, the Board of Supervisors approves eligibility criteria, ranking criteria, and an application timeline; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That the funding from Old Dominion Electric Cooperative (ODEC) will be applied to the PDR Program solely for qualified PDR's within the five mile radius of the power plant and may not be borrowed or otherwise used for any other projects; and, be it

RESOLVED FURTHER, That the Board of Supervisors will appoint a PDR Review Committee; and, be it

RESOLVED FINALLY, That the following procedures will be used by the Agricultural Development Officer for operation of the PDR Program within the five mile radius of the ODEC power plant:

ODEC Mitigation Area Eligibility Criteria for PDR Program

- Land must be used for a bona fide agricultural operation.
- Tract(s) must be located within a five-mile radius from the site of the new power plant.
- Parcel is at least 10 acres or comprises a combined area of contiguous parcels of at least
- 10 acres <u>or</u> duly enrolled in an adopted Agricultural or Forestal District.
- The parcel(s) must not be under conservation easement or pending consideration for conservation easement or otherwise restricted from development.

PDR Review Committee Criterion

Standards for Ranking (High – Medium – Low)

Quality of Farmland
- Parcel Size
- Quality of soils

Farm Income (Contribution to Agricultural Economy)
- Income derived from farming operation

Surrounding Support Quality
- Strategic Location
- Proximity to protected (eased) property

Historic Qualities
- Historic Values

Environmental Qualities
- Water Resources

Zoning
- RA or RC
- Other

<u>Price</u>

Payment for a Development Right = $20,000 per unit
Based on gross by-right allotment per sliding scale

Bargain Sale: landowner to obtain appraisal

Number of development rights for all parcels to be determined by:
County Zoning Department – lotting potential (based on gross by-right allotment per RA/RC Land Subdivision Sliding Scale)

Type 1 soils analysis

Landowner(s) to identify any development rights to be retained

PDR Review Committee for ODEC Mitigation Area
Susannah Grove
Keith Dickinson
Ray Pickering
Carl Dulaney
Bob Sinclair

Timetable for PDR Applications
November 3, 2003 Open Application Period
December 22, 2003 Close Application Period
January – March, 2004 Application Review and Ranking
April – June, 2004 Purchase Approval
July – September, 2004 Purchases Completed

A RESOLUTION DENYING WAVR04-MA-001: A WAIVER OF ZONING ORDINANCE SECTION 7-302.1.C TO ALLOW A PRIVATE STREET (VALLEY DALE LANE) THAT IS FORTY (40) FEET IN WIDTH, INSTEAD OF THE REQUIRED MINIMUM OF FIFTY (50) FEET, FARZIN SADEGHI, OWNER/APPLICANT

Mr. Atherton moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***None***
Abstention:	***None***

RESOLUTION

A RESOLUTION DENYING WAVR04-MA-001: A WAIVER OF ZONING ORDINANCE SECTION 7-302.1.C TO ALLOW A PRIVATE STREET (VALLEY DALE LANE) THAT IS FORTY (40) FEET IN WIDTH, INSTEAD OF THE REQUIRED MINIMUM OF FIFTY (50) FEET, FARZIN SADEGHI, OWNER/APPLICANT

WHEREAS, Farzin Sadeghi, owner/applicant, has filed a Waiver of Zoning Ordinance Section 7-302.1.C to Allow a Private Street (Valley Dale Lane) that is forty (40) feet in width, instead of the required minimum of fifty (50) feet; and

WHEREAS, on September 24, 2003, the Planning Commission held a public hearing on this application and has made a recommendation of denial to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has considered the written and orally presented information of the applicants; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That the application be, and is hereby, denied as it does not satisfy the general standard for approval of a waiver application as outlined in Section 7-302 (Limitations) of the Fauquier County Zoning Ordinance.

APPOINTMENTS

By unanimous consent, the following appointment was approved:

- Disability Services Board – Director of Special Education, Dr. Michael Romanelli.

SUPERVISORS' TIME

- Mr. Graham stated that the Fall Farm Tour held over the weekend was very successful.

ANNOUNCEMENTS

- Mr. Lee had no announcements.

CITIZENS' TIME

- Joe Higgs, Jr., Sheriff, introduced Corporal Sean Healy and his family, and commended Corporal Healy on his bravery in the line of duty during a traffic stop in which Corporal Healy was shot and critically injured. Mr. John Jones, Executive of the Virginia Sheriff's Association, presented the Association's annual award of valor to Corporal Healy.

- Mr. Winkelmann presented a Proclamation to Designate October 25, 2003 as Public Safety Day to Corporal Sean Healy and expressed his appreciation to John Jones for traveling to Warrenton from Richmond.

- Bob Sisk commented on a tax surplus and suggested rebates to taxpayers.

- "PJ the DJ" of WKCW Radio presented a petition protesting a format change of the radio station to Spanish, and requesting reinstatement of country music.

- Bob Rankin spoke against the change of format of WKCW radio from country music to Spanish and encouraged the Board to write a letter of displeasure to the Federal Communications Commission and the new owners of the radio station.

- Carry Worsham spoke in opposition to WKCW radio's change in format and stated that he is a member of an investment group that hopes to purchase the station and return it to a country music format.

AMENDMENT TO THE FAUQUIER COUNTY COMPREHENSIVE PLAN

A public hearing was held to consider a request to update the Warrenton Service District Plan. Rick Carr, Director of Community Development, summarized the Comprehensive Plan Amendment. Doug Campbell, speaking on behalf of Huntsman Ridge Homeowners' Association, opposed a proposed Western bypass recommended by the Planning Commission. Lloyd Beckner, Gainesville, representing the Rogers family, requested the property be included in the service district in the light industrial category. Malcolm Hoffman, business owner in Fauquier, supported the Comprehensive Plan Amendment. James Downey, speaking on behalf of Dan O'Connell, referenced a letter from the Arrington family, and requested the Board to leave the public hearing open for one month. Mr. Myer, Marshall District, spoke in opposition to the proposed Comprehensive Plan Amendment. Kitty Smith, Marshall District, was opposed to a proposed bypass at Route 17 and 211. No one else spoke. The public hearing was closed. Mr. Winkelmann moved to continue the public hearing to allow additional citizen comments at the next meeting on November 20, 2003. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***None***
Abstention:	***None***

PROPOSED TEXT AMENDMENT TO THE ZONING AND SUBDIVISION ORDINANCES AND THE FAUQUIER COUNTY CODE

A public hearing was held to consider a text amendment to Sections 3-317.1 and 3-317.2 of the Fauquier County Zoning Ordinance, to eliminate "salvage yard" as a separate use from "junkyard". Kimberley Johnson, Zoning Administrator, summarized the proposed text amendment. No one spoke. The public hearing was closed. Mr. Weeks moved to adopt the following Ordinance. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***None***
Abstention:	***None***

ORDINANCE

AN ORDINANCE ADOPTING TEXT AMENDMENTS TO SECTIONS 3-317.1 AND 3-317.2 OF THE FAUQUIER COUNTY ZONING ORDINANCE IN ORDER TO ELIMINATE SALVAGE YARDS FROM THOSE SECTIONS

WHEREAS, the Fauquier County Zoning Ordinance currently allows junkyards and salvage yards as separate uses; and

WHEREAS, the Ordinance does not contain a specific definition for salvage yards; and

WHEREAS, almost all other jurisdictions in Virginia cite junkyards and salvage yards as being the same use; and

WHEREAS, the Fauquier County Planning Commission considered adding a definition for salvage yards to the Ordinance or eliminating the use from Section 3-317 (General Industrial); and

WHEREAS, on September 25, 2003, the Planning Commission held a public hearing on the issue; and

WHEREAS, on September 25, 2003, the Planning Commission voted to delete salvage yards as a separate use; and

WHEREAS, on October 20, 2003, the Fauquier County Board of Supervisors held a public hearing on these amendments; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That Sections 3-317.1 and 3-317.2 of the Fauquier County Zoning Ordinance be, and are hereby, amended to read as follows:

	Approval Required By Zoning District		
Use	**RA/RC**	**I1**	**I2**
Section 3-317.1 Any industrial use which is not entirely contained within a building or completely screened from view including ~~salvage yards and~~ contractor's offices, shops and materials storage yards less than one acre	SE	SP	P
Section 3-317.2 Any industrial use which is not contained entirely within a building or completely screened from view, including ~~salvage yards and~~ contractor's offices, shops and materials storage yards more than one acre used			SP

PROPOSED TEXT AMENDMENTS TO THE ZONING AND SUBDIVISION ORDINANCES AND THE FAUQUIER COUNTY CODE

A public hearing was held to consider text amendments to the Zoning Ordinance and Fauquier County Code relating to the provision of public water within the Marshall Service District. On July 21, 2003, the Board of Supervisors referred and requested recommendations from the Planning Commission regarding text amendments to Sections 3-331 and 7-501 of the Zoning Ordinance and Sections 17-5 and 19-18 of the Fauquier County Code. On August 28, 2003, the Planning Commission held a public hearing and forwarded the text amendments with a recommendation of approval. Rick Carr, Director of Community Development, summarized the proposed text amendments. No one spoke. The public hearing was closed. Mr. Atherton moved to approve the following Ordinance. Mr. Graham seconded, and the vote for the motion was 4 to 0 as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***Mr. Joe Winkelmann***
Abstention:	***None***

ORDINANCE

AN ORDINANCE APPROVING THE AMENDMENT TO SECTIONS 3-331 AND 7-501 OF THE ZONING ORDINANCE AND SECTIONS 17-5 AND 19-18 OF THE FAUQUIER COUNTY CODE

WHEREAS, the Fauquier County Zoning Ordinance currently permits use of wells within service districts under certain circumstances; and

WHEREAS, the Fauquier County Code prohibits the use of wells in service districts where the landowner is within 300 feet of a public water line; and

WHEREAS, on July 21, 2003, the Board of Supervisors referred and requested recommendations from the Planning Commission regarding text amendments to Sections 3-331 and 7-501 of the Zoning Ordinance and Sections 17-5 and 19-18 of the Fauquier County Code; and

WHEREAS, on August 28, 2003, the Planning Commission held a public hearing and forwarded the text amendments with a recommendation of approval; and

WHEREAS, on October 20, 2003, the Fauquier County Board of Supervisors held a public hearing; and

WHEREAS, the adoption of this text amendment would be in the spirit of the Zoning Ordinance and Fauquier County Code, and is in the best interest of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 20th day of October 2003, That Sections 3-331 and 7-501 of the Zoning Ordinance and Sections 17-5 and 19-18 of the Fauquier County Code be, and are hereby, amended to read as follows:

Text Amendments to the Zoning Ordinance:

3-331 Waiver of Public/Central Water Requirement (Category 30)

RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	I-1	I-2
.		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	SE

7-500 Water and Sewer requirements and Central Water System Requirements.

7-501 Public water requirement.

Public water shall be required for:

1. all residential subdivisions, multifamily or townhouse development of 7 or more lots or units under the following circumstances:

   A. Within the Bealeton, Marshall, New Baltimore, Opal, Remington and Warrenton and Catlett service districts except in those areas designated as non-sewered and/or non-public water growth areas in the Comprehensive Plan.

   B. Outside service districts in the R-I, R-2, RR-2 and V zones.

2. commercial or industrially zoned properties located in the following service districts: Marshall

3.~~C.~~ these circumstances; however, the requirement for a public water system may be removed by special exception pursuant to Section~~s~~ 5-3100.

Text Amendments to the Fauquier County Code:

Sec. 19-18. Installation, replacement or repair of individual water systems within three hundred feet of public water supply system.

The owner of any building or structure for which water is required, and for which building permits for such building or structure are issued after April 20, 1982, shall be required to connect such building or structure to approved public water supply system, provided that said building or structure is within three hundred (300) feet of approved public water supply system and that the public water system provider has the necessary capacity to permit the connection. In addition, if any water system is found by the county health department to be polluted or not potable, it shall

be unlawful for any person to replace or repair any water system or any part thereof in any manner to improve its operating conditions, if the public water supply system is within three hundred (300) feet of any building or structure which such water system served; provided, that it not be unlawful to make emergency repairs so as to permit use of the facility pending connection to the public water supply system, provided such connection is made in the most expedient manner and provided the health department is notified of such connection or temporary repairs. It is further provided that the owner of any building or structure for which water is required and which is connected to an approved public water supply system shall not disconnect the building or structure from such public water supply system. If the public water system provider does not have the necessary capacity to permit the connection to the public water system, the landowner may install an individual well upon the grant of a special exception pursuant to Section 3-331 of the Fauquier County Zoning Ordinance.

Sec. 17-5. Installation, replacement or repair of individual sewage disposal systems within three hundred feet of sanitary sewer.

The owner of any building or structure for which sewage disposal is required shall be required to connect such building or structure to approved public or private sewer, provided that said building or structure is within three hundred (300) feet of approved public or private sewer, and provided further that the owner of any such private system permits such connections and the public or private sewage system has the necessary capacity to permit the connections. In addition, if any privy system or individual sewage disposal or individual treatment system is found by the county health department to have become unsanitary or malfunctioning, it shall be unlawful for any person to replace, repair or clean any such system or any part thereof in any manner to improve its operating conditions if a public or private sewer is within three hundred (300) feet of any building or structure which such privy or individual sewage disposal or individual treatment system served; provided, that it shall not be unlawful to make emergency repairs or clean out so as to permit use of the facilities pending connection to the public or private sewer, provided such connection is made in the most expedient manner and provided the health department is notified of such connection or temporary repairs; and provided further that individual sewage disposal systems that serve property adjacent to a force main sewer line can be replaced, repaired or cleaned, notwithstanding the provisions hereof, subject to county health department approval. It is further provided that the owner of any building or structure for which sewage disposal is required and which is connected to an approved public or private sewer shall not disconnect the building or structure from such public or private sewer. If the public or private sewer system provider does not have the necessary capacity to permit the connection to the sewer system, the landowner may install an individual septic system upon the grant of a special exception pursuant to Section 3-330 of the Fauquier County Zoning Ordinance and any other approval required under this Code or the Zoning Ordinance.

SPECIAL EXCEPTION #SPEX04-CR-004 – PHYLLIS A. GIROUX, OWNER / APPLICANT – DEEP RUN FARM

A public hearing was held to consider an application to obtain Special Exception approval under Category 9, which would allow for Class "C" dog field events. The property is located on the east side of Blackwells Mill Road (Route 617), in Cedar Run District, further

identified as PIN #7825-74-5296-000. Rick Carr, Director of Community Development, gave a summary of the application. Phyllis Giroux, applicant, asked the Board to support the application. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was 4 to 0 as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***Mr. Joe Winkelmann***
Abstention:	***None***

RESOLUTION

A RESOLUTION APPROVING SPEX04-CR-004: A CATEGORY 9 SPECIAL EXCEPTION TO ALLOW FOR CLASS "C" DOG FIELD EVENTS

WHEREAS, Dr. Phyllis Giroux, owner/applicant, is seeking Special Exception approval for Class "C" dog field events on approximately eighty (80) acres of a one hundred fifteen (115) acre tract known as Deep Run Farm; and

WHEREAS, in 1999, the Fauquier County Board of Supervisors granted Dr. Giroux and Deep Run Farm a Special Exception for Class "C" dog field events for a period of three (3) years; and

WHEREAS, the Special Exception approved in 1999 expired in 2002; and

WHEREAS, on September 25, 2003, the Fauquier County Planning Commission held a public hearing and recommended approval of the proposed Special Exception; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That SPEX04-CR-004 be, and is hereby, approved subject to the following conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.

2. This Special Exception is granted only for the purpose(s), structure(s), and/or uses indicated on the Special Exception Plat approved with the application, as qualified by these development conditions.

3. A Minor Site Plan shall be submitted and approved by the Fauquier County Zoning Office. The Site Plan shall be generally consistent with the plat approved with this Special Exception, with modifications only as necessary to meet the requirements of the Zoning Ordinance.

- A dustless surface waiver will need to be submitted to the Fauquier County Zoning Office with the Minor Site Plan.

4. This Special Exception shall be granted for the period beginning with the date of Site Plan approval and shall expire three (3) years from that date. Should there be no violations associated with this use, three (3) additional years shall be granted administratively by the Fauquier County Zoning Administrator.

5. This Special Exception is subject to the provisions of the Fauquier County Zoning Ordinance, as may be determined by the Fauquier County Department of Community Development.

6. The Special Exception holder shall provide adequate security, emergency, traffic control, sanitation, and refreshment services at every Class C event or activity. At least thirty (30) days prior to holding a Class C event, the holder of the Special Exception for the property upon which a Class C event will be held shall provide to the Zoning Administrator written proof, including copies of any permits or licenses if required, from the following agencies that traffic control, security, emergency services and on-site sanitary and refreshment facilities are adequate for the size and type of event to be held: Fauquier County Emergency Services, Fauquier County Sheriff's Office, Virginia Department of Transportation, and Fauquier County Health Department.

7. All entrances shall be approved by VDOT in accordance with the <u>Minimum Standards of Entrances to State Highways.</u>

8. All entrances shall meet VDOT's minimum sight distance standards.

9. The Virginia Department of Transportation (VDOT) and the Department of Community Development shall determine all entrances for ingress/egress to events. The entrance(s) shall be from either Sillamon Road or Blackwells Mill Road.

10. No artificial lighting shall be installed nor shall it be used for any event.

11. No amplified sound shall be permitted.

12. Events shall be limited to the following:

- Ten (10) three (3) day dog field events to be held either Thursday, Friday, and Saturday, or Thursday, Friday, and Sunday.

    - Total attendance including staff, judges, volunteers, stewards, trainers, grooms, and spectators shall not exceed 200 persons per day.

    - Hours of Operation shall be limited to:

Thursday: 8:30 A.M. to 6:00 P.M.
Friday: 8:30 A.M. to 6:00 P.M.
Saturday: 8:30 A.M. to 6:00 P.M.

OR

Friday: 8:30 A.M. to 6:00 P.M.
Saturday: 8:30 A.M. to 6:00 P.M.
Sunday: 8:30 A.M. to 6:00 P.M.

- Access to site shall be available no earlier than 7:00 A.M.
- The total number of dogs on the site shall not exceed 80 per event.
- Use of shotguns shall be limited to Thursday, Friday, Saturday, and Sunday between the hours of 8:30 A.M. and 6:00 P.M.

- One (1) regional event, per calendar year, to be held on Thursday, Friday, and Saturday, or Friday, Saturday, and Sunday.
  - Total attendance including staff, judges, volunteers, stewards, trainers, grooms, and spectators shall not exceed 300 persons per day.
  - The total number of dogs on the site shall not exceed 100 for this event.
  - Use of shotguns shall be limited to Thursday, Friday, Saturday, and Sunday between the hours of 8:30 A.M. and 6:00 P.M.

SPECIAL EXCEPTION #SPEX04-CR-005 – SMITH-MIDLAND CORPORATION, OWNER / APPLICANT

A public hearing was held to consider an application to obtain Special Exception approval under Category 23, which would allow for a time extension on #SE01-CR-10. The property is located on the south side of Catlett Road (Route 28), Cedar Run District (former PIN #7900-75-6202-000). Rick Carr, Director of Community Development, summarized the application. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays: ***None***
Absent During Vote: ***None***
Abstention: ***None***

RESOLUTION

A RESOLUTION APPROVING SPEX04-CR-005: A CATEGORY 23 SPECIAL EXCEPTION TO ALLOW FOR A TIME FRAME EXTENSION FOR SIX (6) MONTHS ON SE01-CR-10, SMITH-MIDLAND CORPORATION, OWNER/APPLICANT

WHEREAS, Smith-Midland Corporation, owner/applicant, is seeking a time frame extension for six (6) months on a previously approved Special Exception, SE01-CR-10; and

WHEREAS, condition three (3) of SE01-CR-10 stated that within eighteen (18) months of approval date, the applicant shall remove the existing low water crossing and replace it with a bridge structure that spans Licking Run; and

WHEREAS, the applicant is in the process of actively satisfying condition three (3), but the original eighteen (18) month time frame has expired; and

WHEREAS, on September 25, 2003, the Fauquier County Planning Commission held a public hearing and recommended approval of the proposed Special Exception Extension; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That SPEX04-CR-005 be, and is hereby, approved subject to the following conditions:

1. Within six (6) months of the approval date of this extension, the applicant shall remove the existing "low water crossing" and replace it with a bridge structure that spans Licking Run. The span shall be built in accordance with all applicable Federal, State, and local regulations to specifications approved by the County Engineer.

2. The extension shall only be granted once, for a period of six (6) months.

CONSIDER A RESOLUTION AUTHORIZING ACCEPTANCE OF THE LOCAL ENFORCEMENT BLOCK GRANT

A public hearing was held to consider the proposed use of Local Law Enforcement Block Grant funds, which is to help fund overtime payments for traffic enforcement. Mr. Atherton waived a staff report. No one spoke. The public hearing was closed. Mr. Winkelmann moved to adopt the following resolution. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***None***
Abstention:	***None***

RESOLUTION

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF FY 2003 LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS

WHEREAS, Fauquier County has been awarded FY 2003 Local Law Enforcement Block Grant funds in the amount of $12,353; and

WHEREAS, a requirement of the grant is for the local recipient of the funds to provide a matching grant in the amount of $1,373; and

WHEREAS, on October 20, 2003, the Board of Supervisors held a public hearing to receive citizens' comments regarding the use of the block grant funds; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That the Sheriff's Office be, and is hereby, authorized to accept FY 2003 Local Law Enforcement Block Grant Funds on behalf of Fauquier County.

CONSIDER A UTILITY EASEMENT AT ENSORS SHOP ROAD PUBLIC SAFETY RADIO TOWER SITE

A public hearing was held to consider granting an easement to Northern Virginia Electric Cooperative (NOVEC) for utility service at the Ensors Shop Road Public Safety Radio System Tower Site. Mr. Atherton waived a staff report. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***None***
Abstention:	***None***

RESOLUTION

A RESOLUTION TO CONSIDER GRANTING AN EASEMENT TO NORTHERN VIRGINIA ELECTRIC COOPERATIVE (NOVEC) FOR ELECTRICAL SERVICE AT THE ENSORS SHOP ROAD PUBLIC SAFETY RADIO TOWER SITE

WHEREAS, Fauquier County requires electrical service at the Ensors Shop Tower Site; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That the County Administrator be, and is hereby, authorized to execute an easement at the Ensors Shop Road Public Safety Radio Tower Site to NOVEC for electrical service.

CONSIDER A UTILITY EASEMENT AT OLD EBENEEZER CHURCH ROAD FOR WARRENTON-FAUQUIER AIRPORT RUNWAY CONSTRUCTION

A public hearing was held to receive citizens' comments on granting an easement to Rappahannock Electric Cooperative (REC) for utility service at the Warrenton-Fauquier Airport. Mr. Atherton waived a staff report. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***
Absent During Vote:	***None***
Abstention:	***None***

RESOLUTION

A RESOLUTION TO CONSIDER GRANTING EASEMENTS TO RAPPAHANNOCK ELECTRIC COOPERATIVE (REC) AND VERIZON FOR UTILITY SERVICES AT THE WARRENTON-FAUQUIER AIRPORT

WHEREAS, Fauquier County requires the relocation of easements near Old Ebeneezer Church Road at the Warrenton-Fauquier Airport; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That the County Administrator be, and is hereby, authorized to execute easements near Old Ebeneezer Church Road for the Warrenton–Fauquier Airport to REC and Verizon for utility services.

A RESOLUTION TO AMEND THE FY 2003 ADOPTED BUDGET IN THE AMOUNT OF $763,864.73 AND THE FY 2004 ADOPTED BUDGET IN THE AMOUNT OF $904,337.79

A public hearing was held to consider amendments for various budget related issues totaling $1,668,202.52. Bryan Tippie, Budget Director, gave an overview of the proposed amendments. No one spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes:	***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays:	***None***

Absent During Vote: ***None***
Abstention: ***None***

RESOLUTION

A RESOLUTION TO AMEND THE FY 2003 ADOPTED BUDGET IN THE AMOUNT OF $763,864.73 AND THE FY 2004 ADOPTED BUDGET IN THE AMOUNT OF $904,337.79

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

WHEREAS, on March 25, 2002, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2003 Budget and on March 25, 2003, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2004 Budget; and

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

WHEREAS, the Finance Committee has recommended FY 2003 budget adjustments of $763,864.73 and FY 2004 budget adjustments of $904,337.79 for the purposes set forth below; and

WHEREAS, on October 20, 2003, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of October 2003, That the FY 2003 Budget be, and is hereby, amended in the amount of $763,864.73 in appropriations, and the FY 2004 Budget be, and is hereby, amended in the amount of $720,458.25 in appropriations and $183,879.54 in transfers, totaling $1,668,202.52, as follows:

	FROM			TO	
Source	**Code**	**Amount**	**Department**	**Code**	**Amount**
FY 2003					
State and Local Funds	4-302-84620-8208 4-205-61100-6018-200-001-000 4-205-61100-6018-300-001-000	$462,140.73 $130,250 $171,474	School Division	4-206-61100-6020	$763,864.73
FY 2004					
Federal Funds	3-100-331000-0040	$1,640	Sheriff's Office	4-100-31230-8201	$1,640
Insurance Recovery	3-100-411000-0010	$8,950	Sheriff's Office	4-302-80301-8205	$8,950
Carryover – Fund Balance	3-100-419000-0010	$10,000	VPI Extension Office	4-100-83100-6004	$10,000
State Funds	3-205-242000-0050	$50,000	School Division	4-205-61223-1120-300-100 4-205-61223-2100-300-100 4-205-61223-2720-	$29,600 $2,279 $80

				300-100 4-205-61223-3160-300-100 4-205-61223-5540-300-100	 $17,500 $541
Federal Funds	3-205-332000-0031	$3,917	School Division	4-205-61122-6013-200-200	$3,917
Insurance Reimbursement	3-205-189910-0040	$11,915	School Division	4-205-64200-3160-900-000	$11,915
Donation	3-205-189903-0001	$3,500	School Division	4-205-62140-3320-900-000	$3,500
CIP	4-302-94620-8208	$317,901	School Division	4-206-61100-6020	$317,901
Carryover – Fund Balance	3-100-419000-0010	$1,879	Social Services	4-100-53190-3161	$1,879
Carryover – Fund Balance	3-100-419000-0010	$14,448	Human Resources	4-100-12600-6030 4-100-12600-6047 4-100-12600-6011	$3,010 $8,029 $385
			Budget Office	4-100-12840-6047	$3,024
Textbook – Fund Balance	3-206-419000-0010	$126,241.25	School Division	4-206-61100-6020	$126,241.25
Community Development Fees	3-100-133000-0043	117,904	Community Development	4-100-812000-1101 4-100-812000-2100 4-100-812000-2210 4-100-812000-2310 4-100-812000-2400 4-100-812000-6047 4-100-812000-6050	$81,792 $6,257 $7,443 $10,692 $720 $6,500 $4,500
Excess Fees	3-100-160100-0002	$22,163	Clerk of Circuit Court	4-100-21600-1101 4-100-21600-2100 4-100-21600-2210 4-100-21600-2310 4-100-21600-2400	$16,200 $1,272 $1,474 $3,074 $143
Contingency Reserve	4-100-091400-9999	$30,000	Information Technology	4-302-94107-6025-000-000-001	$30,000
Contingency Reserve – Transfer	4-100-091400-9999	$5,250	Adult Court Services	4-100-21720-5420 4-100-21720-5110	$2,250 $3,000
School Capital Accounts - Transfer	4-302-85602-8210 4-302-85603-8210 4-302-85603-8215 4-302-85605-8210 4-302-94602-8207 4-302-94605-8210 4-302-94615-8215 4-302-94620-8100 4-302-94650-8215	$5,057.54	School Division	4-302-85301-8215 4-302-94680-9301	$5,057.16 $.38
Contingency Reserve – Transfer	4-100-091400-9999	$10,641	Public Health	4-100-51100-5610	$10,641

Middle School Reserve - Transfer	4-302-91400-0205	$162,931	School Division	4-302-94630-8205	$162,931
TOTAL		$1,668,202.52			$1,668,202.52

FY 2004 CAPITAL IMPROVEMENTS PLAN REVISION – ROUTE 605 PARK

A public hearing was held to consider a proposed amendment to the FY 2004 Capital Improvements Plan, to include adding a park at the corner of Route 605 and Route 29, adjacent to Rick Hunt Ford. Mr. Atherton waived a staff report. Fred Hufnagel, Marshall District, spoke in favor of the park. No one else spoke. The public hearing was closed. Mr. Winkelmann moved to postpone action until the next regular Board meeting on November 17, 2003. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: ***Mr. Harry F. Atherton; Mr. Joe Winkelmann; Mr. Raymond E. Graham; Ms. Sharon Grove McCamy; Mr. Larry L. Weeks***
Nays: ***None***
Absent During Vote: ***None***
Abstention: ***None***

There being no further business, the meeting was adjourned.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on October 20, 2003.

A Copy Teste

G. Robert Lee
Clerk to the Board of Supervisors