



**BOARD OF SUPERVISORS OF FAUQUIER COUNTY
WARREN GREEN BUILDING
10 HOTEL STREET
WARRENTON, VIRGINIA 20186**

MINUTES

***A MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD
JUNE 14, 2018 AT 11:00 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel; Mr. Paul S. McCulla, County Administrator; Mr. Kevin J. Burke, County Attorney

A B S E N T Mr. R. Holder Trumbo, Jr.

CALL TO ORDER

Mr. Butler called the meeting to order at 11:00 A.M. and said that Mr. Trumbo will not be attending the meeting and Ms. McDaniel will be joining meeting later this evening for the regular session.

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

A WORK SESSION TO DISCUSS LEGISLATIVE MATTERS

Mr. Eldon James, the County's Legislative Liaison in Richmond, discussed the outcome of the previous legislative session and planning for the 2019 General Assembly.

CLOSED SESSION

Mr. Butler moved to go into a Closed Session pursuant to Section 2-2-3711(A)(1) to discuss personnel matters related to specific individuals, and pursuant to Section 2.2-3711(A)(3) of the Code of Virginia to discuss acquisition of real property related to the Mauroner property, the Mintbrook sports fields, and the Greenway. After being seconded, the motion carried by a vote of 4-0, as follows:

Ayes: Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger
Nays: None
Absent During Vote: Ms. Mary Leigh McDaniel; Mr. R. Holder Trumbo, Jr.
Abstention: None

Upon reconvening from closed session, the Board adopted the following Certification of Closed Meeting:

CERTIFICATION OF CLOSED MEETING

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

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

RESOLVED this 14th day of June 2018, That the Fauquier County Board of Supervisors certifies to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

A WORK SESSION TO DISCUSS THE COUNTY’S GENERAL HEALTH RANKING

Dr. Wade Kartchner, Director of the Fauquier County Health Department, discussed the state of Fauquier County’s general health ranking as reported by an independent agency that rates all counties nationwide on their current ranking for health and wellness.

A WORK SESSION TO REVIEW A SUBDIVISION ORDINANCE TEXT AMENDMENT TO REVISE AND REPLACE SECTION 18 RELATED TO HYDROGEOLOGICAL TESTING

Ms. Kimberley Fogle, Director of Community Development, introduced Mr. Jason Early, a senior hydrogeologist with Cardno environmental services consultants. Mr. Early presented an overview of hydrogeologic testing processes. Ms. Fogle discussed proposed changes to Section 18 of the Subdivision Ordinance, which contains requirements for hydrogeological testing for new subdivisions and development meeting a defined threshold. Groundwater is the primary source of water supply in the County. The impact of development activity on groundwater resources is a growing concern. Industry standards have changed considerably since the adoption of this testing requirement in 1991. A comprehensive review of Section 18 was undertaken, in consultation with a hydrogeological consultant, and a new ordinance is being proposed.

The Board of Supervisors reconvened in regular session at 6:30 P.M.

INVOCATION

Chaplain Tyrone Green led the Invocation.

PLEDGE OF ALLEGIANCE

Sheriff Bob Mosier led the Pledge of Allegiance.

ADOPTION OF THE AGENDA

Ms. McDaniel moved to adopt the agenda with the following change. Mr. Granger seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

<i>Ayes:</i>	<i>Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>Mr. R. Holder Trumbo, Jr.</i>
<i>Abstention:</i>	<i>None</i>

- Remove Consent Agenda Item #6(g): A Resolution to Initiate a Zoning Ordinance Text Amendment to Articles 3, 4, 5 and 15 to Update Existing Ordinances Related to Data Centers.

CITIZEN’S TIME

- Ms. Pat Hupp, Cedar Run District, said she continues to have problems with trucks dumping blacktop milling from Vint Hill onto a neighboring property, which is causing damaging flooding and destroying trees across her property, and she urged the County to provide more stringent oversight.
- Mr. Duane Long, Cedar Run District, said he regularly monitors trucks dumping asphalt and debris onto the neighboring sod farm, and he expressed concerns that the excavation work is encroaching into the fence line and continues to cause problems with silt and oily runoff.

PROCLAMATIONS AND RECOGNITIONS

- Mr. Gerhardt and Sheriff Mosier presented a Proclamation Honoring Chaplain Tyrone Green Upon His Contribution to the Community and with the Fauquier County Sheriff's Office.
- Mr. Granger presented to Mr. Peter Dunning, Ms. Lily Dunning Widman, and Ms. Amelia Stansell a Proclamation Honoring the Bluemont Concert Series.

CONSENT AGENDA

Ms. McDaniel moved to adopt the following Consent Agenda items. Mr. Gerhardt seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel

Nays: None

Absent During Vote: Mr. R. Holder Trumbo, Jr.

Abstention: None

Minutes of the Fauquier County Board of Supervisors

Approved as presented.

A Resolution Authorizing the County to Amend Contract #36-09khc for Marshall Main Streetscape Project Engineering Services

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY TO AMEND CONTRACT # 36-09khc FOR MARSHALL MAIN STREETSCAPE PROJECT ENGINEERING SERVICES

WHEREAS, in February 2018, the Board of Supervisors originally approved contract award to Carson Land Consultants, LLC, in March 2010, and approved through Modification #4; and

WHEREAS, changes to the project requirements have resulted in additional modifications to compensate the contracted engineering firm; and

WHEREAS, an increase in the contract amount for Carson Land Consultants, LLC, is necessary in order to carry out these changes to the project requirements; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the Fauquier County Administrator or his designee be, and is hereby, authorized to execute Contract Modification #5 for an additional \$59,395 with Carson Land Consultants, LLC, for the additional Civil and Environmental Design Tasks noted in said Modification.

A Resolution to Authorize Revisions to Human Resources Policy #2-H, Holidays

RESOLUTION

A RESOLUTION TO AUTHORIZE THE REVISION OF HUMAN RESOURCES
POLICY 2-H, HOLIDAYS

WHEREAS, the Fauquier County Board of Supervisors recognizes that employees should be permitted to observe specific work holidays and that certain employees should receive pay for these days; and

WHEREAS, the Fauquier County Government Human Resources Policies Manual is continually reviewed for necessary additions, revisions and deletions; and

WHEREAS, the recommended revision is contained in Policy 2-H, Holidays, dated June 14, 2018; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June, 2018, That the revision of Human Resources Policy 2-H Holidays, be, and is hereby, approved effective June, 14, 2018.

**HUMAN RESOURCES POLICY
Fauquier County, Virginia**

Policy Title: Holidays
Section No.: 2-H

Effective Date: 06/14/18
Supersedes Policy: 03/17/03

I. **PURPOSE**

It is the objective of the Board of Supervisors that employees be permitted to observe specific workdays as holidays, and that certain employees receive holiday pay for these days.

II. **SCOPE**

This policy applies to all permanent full-time and eligible permanent part-time employees.

III. **PROCEDURES**

A. Holidays

1. The general government shall observe the following paid holidays, as well as any other days designated as holidays by the Board of Supervisors, the Governor of the Commonwealth of Virginia or by the President of the United States. The County Administrator has the authority to vary the holidays from the Commonwealth of Virginia holiday schedule.

New Year's Day	January 1
Generals Robert E. Lee and Thomas "Stonewall" Jackson Day	Friday preceding the 3 rd Monday in January
Martin Luther King, Jr. Day	3 rd Monday in January
Presidents' Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Columbus Day	2 nd Monday in October
Veteran's Day	November 11
Thanksgiving Day	4 th Thursday in November
Thanksgiving Friday	The Friday after Thanksgiving
Winter Break	December 25

2. Full-time permanent general government employees shall be granted two (2) floating holidays (15 hours for 37.5 hour/week employees; 16 hours for 40 hour/week employees; 16.8 hours for 42 hour/week employees) per fiscal year in addition to the above holiday schedule. The two floating holidays are pro-rated for eligible part-time employees.

a. New full-time permanent employees who begin work with the general government between the months of July – December shall receive two floating holidays as referenced in section A.2. above.

b. New eligible part-time employees who begin work with the general government between the months of July – December shall receive floating holiday time based on the following pro-rated hourly schedule:

Regular Work Week	Normal Work Week	Floating Hours Given as of 1/1
30	37.5	12
22.5	37.5	9

Eligible part-time employees working schedules not reflected above shall receive pro-rated holidays based on the same formula represented above.

c. New full-time permanent employees who begin work with the general government between the months of January – June shall receive one floating holiday (7.5 hours for 37.5 hour/week employees; 8 hours for 40 hour/week employees; 8.4 hours for 42 hour/week employees).

d. New eligible part-time employees who begin work with the general government between the months of January – June shall receive one floating holiday based on the following pro-rated hourly schedule:

Regular Work Week	Normal Work Week	Floating Hours Given as of 1/1
30	37.5	6
22.5	37.5	4.5

Eligible part-time employees working schedules not reflected above shall receive pro-rated holidays based on the same formula represented above.

3. Floating holidays shall be coordinated through Department Heads/Constitutional Officers to insure that offices are adequately staffed and service to the public is not disrupted.
4. Floating holidays shall be used during the calendar year in which they are granted.

B. Holidays Falling On A Weekend Day

1. When a holiday falls on a Saturday, it shall be observed on the preceding Friday.
2. When a holiday falls on a Sunday, it shall be observed on the following Monday.

C. Holidays Falling On Mandatory Employee Work Days

1. Eligible employees who are required to work on a designated general government holiday shall earn an additional floating holiday.
2. Additional floating holidays shall be used during the fiscal year in which they are earned or within four (4) months after being earned, whichever is greater.
3. Additional floating holidays shall be coordinated through Department Heads/Constitutional Officers to insure that offices are adequately staffed and service to the public is not disrupted.
4. Employees who are scheduled to work on a holiday but are absent shall have the time deducted from their annual or sick leave balances or charged to leave without pay or other applicable leave.

D. Holiday Falling On Scheduled Employee Days Off

Whenever a designated holiday falls on an employee's scheduled day off, the employee shall be granted a compensatory day. (Applies to full-time employees only.)

E. Holidays During Paid Leave

A holiday falling within a period of paid leave shall not be counted as a work day in computing leave charged to any employee.

F. Holiday During Unpaid Leave

When a holiday falls within a period of leave without pay or the day immediately preceding or following such leave, the employee shall receive no pay for the holiday.

G. Holidays for Part - Time Permanent Employees

- 1. Part-time permanent employees who work a minimum of 20 hours per week, have been employed for at least one (1) year, and who are regularly scheduled for work on a holiday shall be compensated for the holiday at the normal length of their work day.
- 2. Part-time permanent employees who are not regularly scheduled to work on a holiday will not be compensated for the holiday.
- 3. Part-time permanent employees (including those employees who work less than 20 hours per week) who have completed ten (10) years of service and who are regularly scheduled for work on a holiday shall be compensated for the holiday at the normal length of their work day.

H. Holidays for Part - Time Temporary Employees

Part-time temporary employees are not eligible for holiday pay.

I. Appointment or Separation on Holiday

The appointment or separation of an employee shall not be effected on a holiday, except when the employee works that day.

A Resolution to Authorize Revisions to Human Resources Policy #22, Pay Plan and Employee Compensation, and Human Resources Policy #23, Position Classification Plan

RESOLUTION

A RESOLUTION TO AUTHORIZE THE REVISION OF HUMAN RESOURCES POLICY 22, PAY PLAN AND EMPLOYEE COMPENSATION, AND HUMAN RESOURCES POLICY 23, POSITION CLASSIFICATION PLAN

WHEREAS, the Fauquier County Board of Supervisors recognizes the importance to pay employees in an equitable and competitive manner and to establish, maintain and administer a classification plan, and the importance of maintaining up-to-date human resources policies; and

WHEREAS, the Fauquier County Government Human Resources Policies Manual is continually reviewed for necessary additions, revisions and deletions; and

WHEREAS, recommended revision is contained in Policy 22, Pay Plan and Employee Compensation, and Policy 23, Position Classification Plan, dated June 14, 2018; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the revision of Human Resources Policy 22, Pay Plan and Employee Compensation, and Policy 23, Position Classification Plan, be, and are hereby, approved effective June, 14, 2018.

HUMAN RESOURCES POLICY
Fauquier County, Virginia

Policy Title: Pay Plan and Employee Compensation
Section No. : 22

Effective Date: 05/10/2018
Supersedes Policy: 07/21/03

I. **PURPOSE**

It is the objective of the Board of Supervisors to pay employees in an equitable and competitive manner.

II. **SCOPE**

This policy applies to all permanent full-time and permanent part-time employees.

III. **DEFINITIONS**

A. Demotion

Demotion is defined as the assignment of an employee from one position to another position in a lower salary grade.

B. On-Call Pay

On Call pay is defined as compensation for non-exempt employees who are regularly required to be available when needed to handle exceptional situations occurring outside of standard working hours.

C. Pay Grade

Pay grade is defined as the numerical designation of the pay range assigned to a class of positions.

D. Pay Plan

Pay Plan is defined as the official schedule of pay approved by the Board of Supervisors assigning a pay range to each class title, arranged schematically by classification grades.

E. Pay Range

Pay range is defined as the minimum, midpoint and maximum pay rates assigned to a class of positions as the compensation for that class.

F. Promotion

Promotion is defined as the assignment of an employee from one position to another position in a higher salary grade as a result of a competitive recruitment process.

G. Transfer

Transfer is defined as the assignment of an employee from one position to another in the same salary grade.

IV. **PROCEDURES**

A. Pay Plan

1. The Fauquier County Government Pay Plan (to include two pay scales) will be prepared with consideration to the duties and responsibilities of the various types of positions in the County. The prevailing pay rates in the public and private sector for comparable services will also be given consideration.
2. The Pay Plan for classified positions shall be separated by numerical pay grades. Each grade shall include a salary range that consists of a minimum, midpoint and maximum rate.
3. Temporary positions are not officially included in the Pay Plan; however, every effort will be made to closely match a temporary position to an existing classification and pay range.
4. The Pay Plan may be amended by the Board of Supervisors.

B. Starting Rate Of Pay (New Hires)

1. The normal entry level pay rate of a newly hired employee will be the minimum of the pay range.

2. In order to offer a starting rate of up to ten (10) percent of the minimum one to three years combination of education and experience is required.
3. In order to offer a starting rate of up to fifteen (15) percent of the minimum three to less than five years combination of education and experience is required.
4. When deemed necessary by the Department Head/Constitutional Officer, a starting pay rate of up to twenty (20) percent of the beginning of the pay range may be made if one or more of the following conditions are met:
 - a. the qualifications of the applicant exceed the minimum qualifications for the class to include five to seven years combination of education and experience;
 - b. the applicant is a former employee;
 - c. difficulty in recruitment indicates payment of a higher rate is required.
5. A starting pay rate higher than twenty (20) percent of the beginning of the range shall require review and approval of the County Administrator.
6. A starting pay rate below the minimum of the pay range may be paid during a training period when the newly hired employee is not fully qualified or when there is no other suitable, fully qualified applicant. This action shall require the review and approvals of the Human Resources Director and the County Administrator. Upon satisfactory completion of the prescribed training period, the employee's salary shall move to the minimum of the salary range.
7. A former employee may be non-competitively re-appointed to his/her former position at the discretion of the Department Head/Constitutional Officer within ten (10) working days following a resignation. Such appointment may be made to the maximum of the salary level the employee was receiving at the time of resignation.

C. Promotion

1. A qualified employee, promoted to a position in a higher grade, will receive an increase in pay rate between the minimum and midpoint of the new pay range. In special circumstances, the County Administrator may determine a different rate of pay for a promotion.
2. When an employee has been promoted and does not meet departmental work standards in the new position, he/she may be demoted prior to the

end of the probationary period, without prejudice, to his/her former position if vacant. His/her pay shall be restored to the rate in effect prior to the promotion. If his/her former position is not vacant, every effort will be made to place the employee in another position, for which he/she is qualified, in the same pay grade as the former position. When no appropriate vacancy exists, the employee shall be separated from employment and his/her name shall be placed on the re-employment list.

D. Transfer

When an employee moves from one position to another in the same pay grade, the employee will retain his/her current pay rate. In special circumstances, the County Administrator may determine a different rate of pay for a transfer.

E. Demotion

1. Voluntary Demotions And Involuntary Demotions Due To Disciplinary Or Performance-Related Actions

When a voluntary demotion or an involuntary demotion due to disciplinary or performance-related action occurs, an employee's pay rate may be reduced to a rate between the minimum and midpoint of the new range.

2. Involuntary Demotion Due To A Reduction In Force

An employee, who accepts a demotion under a Reduction in Force, will retain his/her current pay rate for not more than six (6) months. During the "grandfather" period, the employee shall be entitled to merit pay increments, or other general pay adjustments afforded to other employees. If the employee remains in the lower graded position at the end of six (6) months, he/she shall be demoted to the grade to which the new position is allocated, and his/her pay rate may be adjusted to a rate between the minimum and midpoint of the new range.

3. Special Circumstances Involving Demotions

In special circumstances, the County Administrator may determine a different rate of pay for any type of demotion.

F. Merit Pay Increases

1. An annual pay increase may be granted to a permanent employee if the employee's overall evaluation for job performance is at or above satisfactory level, and the employee has been employed at least six (6) months as of July 1 of the performance cycle year. Such pay increases

may be awarded on an annual basis in accordance with the Employee Performance Evaluation policy.

2. A newly hired employee who has less than six (6) months of service by July 1 (probationary employee) shall not be eligible to receive a merit increase in conjunction with the performance cycle. Such an employee may receive an increase equivalent to that associated with an overall performance rating of "Meets Standards". This increase shall be effective July 1 of the performance cycle year.
3. The accountability of all merit increases and the effective date of any such increases shall be at the direction of the Board of Supervisors, but normally occur July 1 of each year.

G. Cost Of Living Adjustments To Pay Plan

1. Cost of living adjustments to the pay plan may be made when changes to the consumer price index and other valid factors directly influencing the cost of living in the local and surrounding jurisdictions justify such adjustments.
2. Annually, on July 1 of each year, the County Administrator may direct an adjustment to the pay plan. Such adjustment shall be equivalent to one half (1/2) a percent less than the merit pay percentage increase associated with an overall performance rating of "Meets Standards". When pay rates are adjusted, newly hired permanent employees on probation may be eligible to receive a pay adjustment.

H. Pay Adjustments To Pay Plan

1. The Human Resources Department shall annually conduct comparability studies of pay rates of surrounding jurisdictions for selected County positions. The County Pay Plan may be adjusted based upon the results of these surveys and the approval of the County Administrator and/or the Board of Supervisors.
2. Employees whose current pay falls at or below the minimum rate of their new pay range will have their pay adjusted to the minimum rate of their new pay range. No other salary adjustments will be made.
3. Employees whose current salary rate is above the maximum rate of the pay range proposed for their grade level shall retain their current salary rate. Such pay retention will continue indefinitely until such employees' retained rate can be placed within the appropriate pay range for their position and grade level. As approved by the Human Resources Director,

pay retention may be terminated by any of the following:

- a. break in service of one workday or more
 - b. entitlement to a higher rate of pay
 - c. declining a reasonable offer of a position with a rate of pay at least equal to the retained pay rate
 - d. demotion for personal cause or at the employee's request.
4. Merit pay increase anniversary dates will not change by virtue of the pay adjustments resulting from the implementation of salary survey results.

I. Pay For Serving In Acting Capacity

1. When an employee is required by his/her Department Head/Constitutional Officer to work in the capacity of a vacant higher level supervisory position or a vacant highly technical position for a period exceeding thirty (30) days, such employee may be paid additionally for assuming those duties.
2. Requests for acting appointments and temporary pay adjustments shall be reviewed by the Human Resources Director and forwarded to the County Administrator for consideration of approval in advance of the action.
3. Temporary vacancies created by an incumbent using annual, compensatory or paid military leave are excluded from this policy.
4. Employees receiving acting pay may be granted an increase of up to a maximum of ten (10) percent of their current salary levels or the minimum of the new grade, whichever is greater. The level of the acting pay increase will be determined on a case by case basis with consideration to the acting employee's current pay rate, the pay range of the temporary position and the level of duties assumed.
5. Pay for serving in an acting capacity may not exceed six (6) months.
6. In special circumstances, the County Administrator may make exceptions to this policy.

J. "On Call" Pay

1. "On Call" will be considered to be a period of time when an employee is not required to remain at his/her workstation and is free to engage in his/her own pursuits, excluding lunch and designated break periods. This is subject only to the understanding that he/she leave word at his/her home and/or with the dispatcher where he/she may be reached and report promptly as outlined by the Department Head/Constitutional Officer.

2. An “On Call” employee shall be compensated for time worked portal- to - portal from the time the employee is called back. Compensation will be in the form of pay or compensatory time in accordance with Human Resources Policy.
3. “On Call” work schedules and pay provisions must be approved by the County Administrator. Upon approval, the Department Head/Constitutional Officer will forward the “on call” employee designation in writing to the Human Resources Director for inclusion in the employee’s personnel file.
4. The Fair Labor Standards Act covers “On Call” pay regulations. Any “On Call” work or pay practices that vary from above shall be referred to the Human Resources Director for proper Fair Labor Standards Act application.

K. Payroll Certification

1. No person shall be placed on the payroll of any department except pursuant to appropriate Human Resources Policy or upon written approval of the County Administrator.
2. The County Administrator may require the Human Resources Department to certify, each pay period or periodically, that each classified employee whose name appears on the payroll has been properly appointed or employed in accordance with the provisions of Human Resources Policy, position classification plan and pay plan. Human Resources will also certify that the person’s name appears on an official employee listing for the time in which such compensation is paid and at the designated pay rate.
3. The Human Resources Department is authorized to establish procedures to handle the placement and removal of employees on payroll, and to process requests for changes in pay rate. Whenever the Human Resources Director determines that a person is filling a classified position in violation of established Human Resources Policy, he/she shall immediately notify the County Administrator and Department Head/Constitutional Officer and take immediate, appropriate corrective action to resolve the matter.

HUMAN RESOURCES POLICY
Fauquier County, Virginia

Policy Title: Position Classification Plan
Section No.: 23

Effective Date: 05/10/2018
Supersedes Policy: 03/18/02

I. **PURPOSE**

It is the objective of the Board of Supervisors that the County establish, maintain and administer a plan that provides for the classification of positions.

II. **SCOPE**

This policy applies to all full-time permanent and part-time permanent positions and employees.

III. **DEFINITIONS**

A. Class

Class is defined as a group of job positions which are sufficiently alike in general duties and responsibilities to warrant the:

1. same descriptive title;
2. same level of education, experience, knowledge, skills, abilities and other qualifications that may be required of incumbents;
3. similar tests of fitness; and
4. same pay ranges.

B. Class Specification

Class specification is defined as a written description of a class consisting of a class title, definition of work, typical tasks, knowledge, skills, abilities and the minimum qualifications for the class.

C. Class Title

Class title is defined as the official title of a position.

D. Classification

Classification is defined as the grouping of positions according to responsibilities and duties performed; education, knowledge, experience and ability requirements; tests of fitness; and ranges of pay.

E. Pay Grade

Pay grade is defined as the numerical designation of the pay range assigned to a class of positions.

F. Position Classification Plan

Position Classification Plan is defined as Fauquier County's official/approved system of grouping positions into appropriate classes.

G. Reclassification

Reclassification is defined as a substantial change in a position's duties and responsibilities resulting in an increase or decrease in job content sufficient enough to cause a change in classification and pay grade.

H. Series

Series is defined as all job classes involving the same nature of work, but differing levels of difficulty and responsibility.

IV. **PROCEDURES**

A. Position Classification Plan

1. The Position Classification Plan shall be established, maintained and administered by the Human Resources Department in conjunction with a contracted consulting firm.
2. All permanent positions in the County shall be included in the Position Classification Plan.

B. Position Classification Plan – Components

1. Class Title

Official position class titles shall be used in all Human Resources and administrative processes. Department Heads/Constitutional Officers may assign "informal" titles to positions.

2. Class Specifications

- a. Class specifications shall be considered descriptive rather than restrictive and shall be used to indicate the kinds of positions that should be allocated to the respective classes. Class specifications shall not prescribe the duties or responsibilities of any position nor modify the authority of a Department Head/Constitutional Officer

or supervisor to assign duties and/or direct, control or evaluate the work of employees.

b. Class specifications shall contain the following information:

- a. position title;
- b. general definition of work;
- c. list of typical tasks;
- d. necessary knowledge, skills and abilities;
- e. education and experience requirements;
- f. special qualifications; and
- g. Americans with Disabilities Act data.

3. Pay Grade

Each job class shall be assigned a pay grade that is developed based on external market analysis and internal equity relating to the Position Pay Plan.

C. Classification Of New Positions

1. A Department Head/Constitutional Officer shall notify the Human Resources Director, or designee, via written request upon the need to establish a new position.
2. The Human Resources Director, or designee, shall review the request and forward to the County Administrator, or designee, if appropriate.
3. Upon approval by the County Administrator/designee, the Human Resource Director/designee shall initiate the appropriate documentation to begin the position classification process.
4. Once the Human Resources Director has developed a new position classification, the new position and grade may be established by the County Administrator \. In order for the position to become permanent, the Board of Supervisors must formally approve it. This action shall normally be concurrent with the adoption of the annual operating budget.

D. Reclassification Of Vacant Positions

On occasion a Department Head/Constitutional Officer may make significant changes in a vacant position during the fiscal year, which could not have been anticipated at the time the proposed budget was adopted. When this occurs, the Department Head/Constitutional Officer shall follow the same

procedure as outlined in section C. above in order to ensure that the position is appropriately classified prior to recruitment.

2. Only vacant positions may be reclassified outside of the annual budget process. If there is a request to reclassify a position outside of the annual budget process and the position reclassification results in a higher pay grade then that request must be presented to the Personnel Committee for approval. The County Administrator has approval when reclassifications result in a downgrade of the position.

E. Reclassification Of Filled Positions

1. Budget Considerations
 - a. Reclassifications should occur within the context of developing annual budgets. Prior to the annual budget process, each Department Head/Constitutional Officer shall internally review all positions to determine the extent of any changes in the past fiscal year and project changes during the current fiscal year.
 - b. In the event that a Department Head/Constitutional Officer believes that the duties and responsibilities of a position have changed or will change under the proposed budget sufficient to justify position reclassification, the reclassification should be reviewed within the budget process.
2. A Department Head/Constitutional Officer shall notify the Human Resources Director, or designee, via written request upon the need to reclassify a position.
3. The Human Resources Director, or designee, shall review the request and forward to the County Administrator, or designee, if appropriate.
4. Upon approval by the County Administrator/designee, the process outlined in sections C.3. and C.4. shall apply.
5. The Human Resources Director may, before effecting any reclassification change, require evidence that the position incumbent possesses the qualifications to perform the duties of the reclassified position.

F. Salary Adjustments As A Result Of Reclassification

An employee shall not receive more than one salary adjustment as a result of a position reclassification within a twelve-month period.

1. Upgrades

- a. An employee whose position is reclassified to a higher grade may receive a 2.5 percent increase in pay per grade, with a maximum of a 10 percent increase, or the beginning pay of the new salary range, whichever is greater.

Grade Increase	Salary Increase Percentage
1	2.5
2	5.0
3	7.5
4 or more	10.

- b. If the employee's salary is already competitive and within the salary range of the new pay grade a pay increase is not required.
- c. All positions reclassified by more than three (3) grades where the new grade is thirty-six (36) or above shall require external advertisement unless the County Administrator waives such advertisement.
- d. If an employee is separated from employment as a result of a recruitment process as described in section c. above, Reduction in Force (RIF) procedures and benefits shall apply.

2. Downgrades

- a. An employee whose position is reclassified to a lower grade shall retain his/her current rate of pay if it falls within the salary range of the new position.
- b. An employee whose position is reclassified to a lower grade and whose salary is above the range of the new position shall retain his/her current rate of pay for a period of not more than six (6) months. At the end of the six (6) month period, the employee's salary shall be adjusted to the maximum of the new position.

3. Transfers

An employee whose position is reclassified to a new position in the same pay grade shall retain his/her current rate of pay.

G. Annual and System-Wide Classification Reviews

1. On an annual basis, the Human Resources Director, in conjunction with the County Administrator, will review the classifications of one third of the county departments so that all positions are studied every three years.
2. Employees in job positions recommended for a significant shift in classification during this process shall not be required to compete for their jobs in a recruitment and selection process.

H. Appeal Of A Position Classification Or Reclassification

A Department Head/Constitutional Officer may appeal a position classification or reclassification, as recommended by the Human Resources Director. In order to appeal, the Department Head/Constitutional Officer shall contact the Human Resources Director and request an administrative review of the position classification by the County Administrator prior to submission to the Board of Supervisors.

A Resolution to Initiate an Update to Chapter 8 of the Fauquier County Comprehensive Plan Dealing with Rural Lands

RESOLUTION

A RESOLUTION TO INITIATE AN UPDATE TO CHAPTER 8 OF THE FAUQUIER COUNTY COMPREHENSIVE PLAN DEALING WITH RURAL LANDS

WHEREAS, a public planning process, *Community Conversations*, was held during 2017, setting the stage for an update to the Rural Lands Chapter, and providing community input to guide in the preparation of this Chapter update; and

WHEREAS, the Rural Lands Chapter of the Comprehensive Plan provides guidance to the County on implementing its goals for growth management, conservation, farmland preservation, and quality of life, while encouraging and balancing the economic needs of the rural areas; and

WHEREAS, the Rural Lands represent about 90% of the County's land area; and

WHEREAS, this Comprehensive Plan chapter has not been formally updated since its original drafting and adoption in the 1990s; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That an update to Chapter 8 of the Fauquier County Comprehensive Plan dealing with Rural Lands be, and is hereby, initiated.

A Resolution to Initiate an Amendment to the Addendum of Chapter 9 of the Fauquier County Comprehensive Plan Related to Commercial Wireless Facilities

RESOLUTION

A RESOLUTION TO INITIATE AN AMENDMENT TO THE ADDENDUM OF CHAPTER 9 OF THE FAUQUIER COUNTY COMPREHENSIVE PLAN RELATED TO WIRELESS TELECOMMUNICATIONS FACILITIES

WHEREAS, the Addendum to Chapter 9 of the Comprehensive Plan sets forth goals, policies and recommendations related to the current and future infrastructure needs of the County as it relates to wireless telecommunications facilities; and

WHEREAS, recent legislative changes to the *Code of Virginia* necessitates amendments to the County's process of evaluating wireless telecommunications facilities; and

WHEREAS, the County is updating its Telecommunications Ordinance and desires that it be aligned with the Comprehensive Plan; and

WHEREAS, in order to protect public health, safety and welfare, the Board of Supervisors wishes to consider an amendment to the policies and guidelines in the Addendum to Chapter 9 to further the overall goals of the Comprehensive Plan and ensure compliance with State Code; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That an amendment to Chapter 9 of the Fauquier County Comprehensive Plan be, and is hereby, initiated by the Board of Supervisors and referred to the Planning Commission for its review, comment and recommendation.

A Resolution for Street Acceptance of Salisbury Lane in the Miller Woods East Subdivision, Lee District

RESOLUTION

A RESOLUTION FOR STREET ACCEPTANCE OF SALISBURY LANE IN THE MILLER WOODS EAST SUBDIVISION, LEE DISTRICT

WHEREAS, Salisbury Lane, 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 this Board of Supervisors that this street meets the requirements established by the *Subdivision Street Requirements* of the Virginia Department of Transportation; and

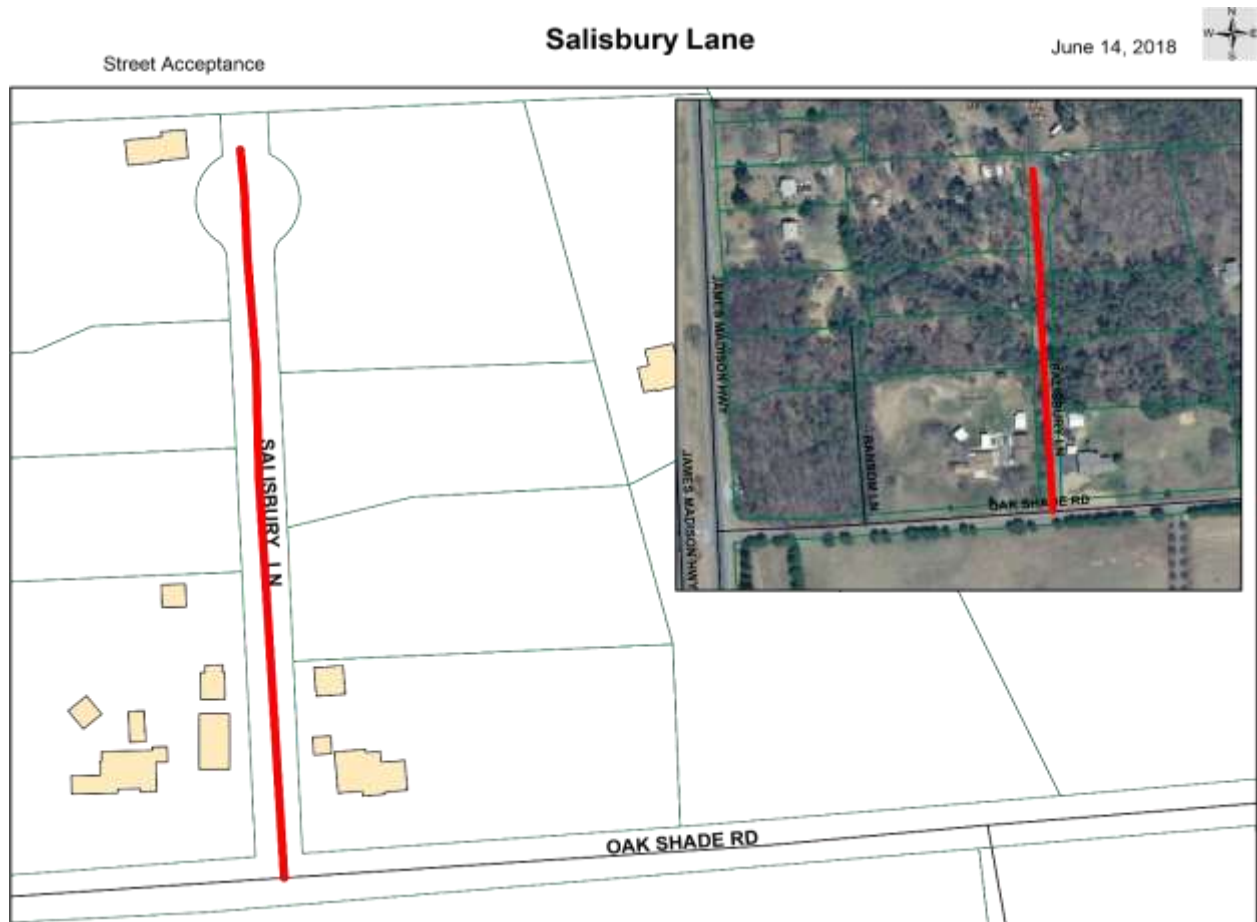
WHEREAS, the above street serves a genuine public need; and

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 14th day of June 2018, That the Virginia Department of Transportation be, and is hereby, requested to take the necessary action to add the above described street 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 Miller Woods East Subdivision with necessary easements for cuts, fills, and drainage, as recorded in Deed Book 115 Page 1104 approved May 25, 2016; 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 June 14, 2018

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 Teste

Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision Miller Woods East

Type Change to the Secondary System of State Highways: Addition

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

Reason for Change: New subdivision street

Pursuant to Code of Virginia Statute: §33.2-705

Street Name and/or Route Number

② Salisbury Lane, State Route Number 1088 Old

Route Number: 0

⌘ From: CL of Rt 661

To: 810 FT N to Cul-de-sac, a distance of: 0.15 miles.

Recordation Reference: Bk1515 Pg1104-1121

Right of Way width (feet) = 50ft

A Resolution to Approve Subdivision Ordinance Waiver WAIV-18-008788 - Blackwell Knolls - An Application to Waive the Requirements of Subdivision Ordinance Section 8-1(C) and (D) Related to the Installation of a Pedestrian Trail (PIN 6985-62-1780-000), Center District

RESOLUTION

A RESOLUTION TO APPROVE SUBDIVISION ORDINANCE WAIVER WAIV-18-008788, BLACKWELL KNOLLS – AN APPLICATION TO WAIVE THE REQUIREMENTS OF SUBDIVISION ORDINANCE SECTION 8-1 (C) AND (D) RELATED TO THE INSTALLATION OF A PEDESTRIAN TRAIL (PIN 6985-62-1780-000), CENTER DISTRICT

WHEREAS, the applicants, Robert M. Iten, IV and Laine W. Iten, have requested a Waiver of Subdivision Ordinance 8-1 Subsections C and D to waive the construction of a pedestrian trail as a part of a proposed subdivision located along Blackwell Road within the Warrenton Service District; and

WHEREAS, the Applicants propose to subdivide the 32.2754-acre parcel into six lots, ranging in size from 1.3440 acres to 24.8998 acres; and

WHEREAS, Section 8-1.C of the Subdivision Ordinance requires the construction of a four (4) foot wide pedestrian trail along all public streets qualifying as local collectors or major collectors in subdivisions having lot sizes between 25,000 square feet and two (2) acres; and

WHEREAS, Section 8-1.D of the Subdivision Ordinance requires the construction of pedestrian trails, or dedication of easements for future trails, as shown in the Comprehensive Plan; and

WHEREAS, Section 8-1 of the Subdivision Ordinance allows the requirement for constructing the trail to be waived; and

WHEREAS, on May 17, 2018, the Planning Commission held a public meeting and considered the waiver request; and

WHEREAS, the Planning Commission recommended approval of the waiver after determining that construction of the pedestrian trail as a part of the proposed subdivision is not in keeping with the character of the area, does not serve the public interest and that no pedestrian and vehicular traffic hazards will be created; and

WHEREAS, the Planning Commission determined that the need for a future pedestrian trail as shown in the Comprehensive Plan will be satisfied by the dedication of an easement at the time of subdivision of the property; and

WHEREAS, the Board of Supervisors affirms the determination of the Planning Commission that the application satisfies the standards of Subdivision Ordinance Section 8-1; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors 14th day of June 2018, That WAIV-18-008788 be, and is hereby, approved subject to the following conditions:

1. The waiver is granted only for the purpose(s), structure(s) and/or uses indicated in the waiver application (WAIV-18-008788) submitted by Robert M. Iten, IV & Laine W. Iten (Owners/Applicants), and shall be in conformance with the application materials, except as modified by these conditions.
2. A 20' public access easement for future trail construction and temporary construction easements shall be recorded as a part of the Final Plat of subdivision. The location of the public access trail easement and temporary construction easements shall be generally as shown on the exhibit entitled, "Trail Composite Exhibit, Blackwell Knolls Subdivision," dated April 16, 2018, submitted as part of this waiver request.

A Resolution to Initiate a Zoning Ordinance Text Amendment to Article 2 to Permit Minor Boundary Line Adjustments Between Non-Common Open Space Parcels and Adjacent Parcels

RESOLUTION

A RESOLUTION TO INITIATE A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 2 TO PERMIT MINOR BOUNDARY LINE ADJUSTMENTS BETWEEN NON-COMMON OPEN SPACE PARCELS AND ADJACENT PARCELS

WHEREAS, certain parcels in the Rural Agricultural (RA) and Rural Conservation (RC) districts are subject to recorded Non-Common Open Space easements as regulated by Section 2-406 of the Zoning Ordinance; and

WHEREAS, Section 2-308.1 of the Zoning Ordinance permits minor boundary line adjustments between Non-Common Open Space residue parcels and parcels created through the Cluster subdivision process; and

WHEREAS, the Zoning Ordinance does not allow minor adjustments of acreage between Non-Common Open Space parcels and adjacent parcels that were not created through the Cluster subdivision process; and

WHEREAS, staff has been made aware of the need to correct existing non-conformities and technical issues such as drainfields, wells and access ways, that could be addressed by minor boundary line adjustments between Non-Common Open Space parcels and adjacent parcels; and

WHEREAS, the intent of the proposed text amendment would not be to allow for the further division of parcels through gaining sufficient frontage width or lot area for subdivision purposes; and

WHEREAS, the initiation of this text amendment would allow staff to begin working on revising the Zoning Ordinance to allow minor boundary line adjustments between Non-Common Open Space parcels and adjacent parcels; and

WHEREAS, the County has determined that the public necessity, convenience, general welfare and good zoning practice warrant this amendment; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the County hereby initiates consideration of the text amendment to Article 2 of the Zoning Ordinance.

A Resolution to Amend the FY 2018 Adopted Budget by \$395,000 to Accept a \$90,000 PATH Foundation Grant for the Broadband Capital Improvement Program Project and \$305,000 Donation for a Playground at the Upperville Park

RESOLUTION

A RESOLUTION TO AMEND THE FY 2018 ADOPTED BUDGET BY \$395,000

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 28, 2017, the Board of Supervisors adopted the Fauquier County FY 2018 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, the County has received a grant from the Path Foundation in the amount of \$90,000 towards the County's Capital Improvement Program (CIP) Broadband project to incentivize telecommunications tower construction in three locations; and

WHEREAS, the County has received two donations totaling \$305,000 towards the design and construction of a playground and related recreational equipment at the Upperville Park; therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the FY 2018 Budget be, and is hereby amended in the amount of \$395,000, as indicated on the attached summary; and, be it

RESOLVED, that the County Administrator be, and is hereby, authorized to sign documents related to the acceptance of funds on behalf of Fauquier County.

Requesting Department	Description	Amount	Category		Action/Explanation
			From	To	
Consent Agenda					
FY 2018					
Office of Management and Budget	Broadband CIP project	\$90,000	Foundation Grant	Capital Improvement Fund	Appropriates and accepts \$90,000 from the Path Foundation to incentivize telecommunications tower construction in three, County locations. This grant allows for \$30,000 per tower over the one-year grant period.
Parks and Recreation	Upperville Park playground construction	\$305,000	Donations	Capital Improvement Fund	Appropriates and accepts \$305,000 in donations to design and construction a playground at the Upperville Park. All associated costs of the design and construction will be funded by the donations. Operational costs associated with the playground are within Parks and Recreation's existing budget.

COMMITTEE APPOINTMENTS

The following appointments were made by unanimous consent:

- Economic Development Authority – Center District: Mr. Kevin Kelly was reappointed for a four-year term that ends July 10, 2022.
- Library Board – Marshall District: Ms. Elizabeth Henrickson was reappointed for a four-year term that ends June 30, 2022.

SUPERVISORS' TIME

- Mr. Granger congratulated and recognized the 20 new Fire and Rescue recruits that recently graduated from the academy and have helped to staff a number of fire stations. Mr. Granger congratulated the 2018 graduating class of high school students from all five of the County's public and private high schools, including his own daughter Madelyn. Mr. Granger said that the new Student Resource Officer and School Security Officer program was featured during a recent NBC news broadcast, adding that the County has a high level of commitment to the safety and security of its students. Mr. Granger expressed his appreciation to staff for applying for a Department of Criminal Justice Services grant that helped to fund the new school security positions. Mr. Granger said that today marks the 243rd birthday of the United States Army, "*Hooyah!*"

- Ms. McDaniel wished everyone a very safe and happy Fourth of July celebration and, “*Go Caps!*”
- Mr. Gerhardt said the County takes dumping very seriously and is doing everything it possibly can at this point to correct the situation described by speakers during Citizens’ Time. Mr. Gerhardt said the Board of Supervisors is looking to tweak some of the current ordinances to further deal with the dumping issue, which he said has not going unnoticed. Mr. Gerhardt announced that those intending to attend the annual Fourth of July celebration at Great Meadow should be prepared for a new ticket process this year with bar coded tickets that can be purchased online, and this is very different from the past.
- Mr. Butler announced that on June 23, 2018, the Sumerduck Ruritan Club is having a Country Breakfast starting 7:30 A.M. and he urged citizens to come enjoy a good breakfast. Mr. Butler announced that on June 26, 2018, the Fauquier Enterprise Center is hosting a free small business event covering several topics and that more information is available either on their website or Facebook page. Mr. Butler announced that on July 7, 2018, the Remington Lions Club is having a fundraiser yard sale and vendor event. Mr. Butler announced that on July 8, 2018, from 1:00 P.M. until 3:00 P.M. the public Library will hold a Family Day at the Library at the Bealeton branch, and this summer they will host “Books on the Bus” event.

ANNOUNCEMENTS

- Mr. McCulla announced that on Saturday, June 23, 2018, from 9:00 A.M. until 4:00 P.M. the Fauquier County Airport will be holding the annual Women Can Fly event, which is an opportunity for complimentary flights for all women and girls who register, and everyone is invited to come out and see the changes being made at the Airport and participate in that event.
- Mr. McCulla announced that on July 11– 14, 2018, the Fauquier County Fair will take place at the fairgrounds and he encouraged everyone to come out and support the Fauquier County Fair.
- Mr. McCulla announced that the Board of Supervisors will meet for its next regular meeting at 6:30 P.M. on Thursday, July 12, 2018, in the Warren Green Building first floor meeting room, located at 10 Hotel Street in Warrenton, Virginia.

A RESOLUTION TO APPROVE SPECIAL EXCEPTION SPEX-18-008974, NORTHPOINT TRAINING - AN APPLICATION FOR TWO CATEGORY 5 SPECIAL EXCEPTIONS TO ALLOW FOR AN INDOOR AND OUTDOOR TECHNICAL SCHOOL (PIN 7836-75-1585-000 AND 7836-64-6175-000), CEDAR RUN DISTRICT

A public hearing was held to consider an application seeking two Category 5 Special Exceptions to operate an Indoor/Outdoor Technical School, specializing in first response medical training and firearms training of law enforcement personnel. The property is located at 13001 Sillamon Road, Goldvein. On May 17, 2018, the Planning Commission unanimously recommended approval of the application. Mr. Ben Holt, Planner for the Department of Community Development, summarized the application.

- Ms. Jacki Majewski, Cedar Run District, spoke in opposition to the application.
- Ms. Tina Butler, Cedar Run District, spoke in support of the application.
- Mr. Dylan Butler, Cedar Run District, spoke in support of the application.
- Ms. Lauren Dibble, Cedar Run District, spoke in support of the application.
- Mr. Scott McDermott, Cedar Run District, spoke in support of the application.
- Ms. Sandra Treggett, Cedar Run District, spoke in opposition to the application and asked that action be postponed.
- Mr. John Brown, Cedar Run District, applicant, requested favorable consideration of the application.

No one else spoke. The public hearing was closed. Mr. Gerhardt moved to adopt the following Resolution. Mr. Granger seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: ***Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel***
Nays: ***None***
Absent During Vote: ***Mr. R. Holder Trumbo, Jr.***
Abstention: ***None***

RESOLUTION

A RESOLUTION TO APPROVE SPEX-18-008974, NORTHPOINT TRAINING – AN APPLICATION FOR TWO CATEGORY 5 SPECIAL EXCEPTIONS TO ALLOW AN INDOOR AND OUTDOOR TECHNICAL SCHOOL (PIN 7836-75-1585-000 AND PIN 7836-64-6175-000), CEDAR RUN DISTRICT

WHEREAS, John K. and Kristin L. Brown (Owners) and NorthPoint Response Group (Applicant), are seeking approval of two Category 5 Special Exceptions for an Indoor and Outdoor Technical School located at 13001 Sillamon Road, PIN 7836-75-1585-000 and PIN 7836-64-6175-000; and

WHEREAS, on May 16, 2018, the Fauquier County Planning Commission conducted an official site visit and toured the property; and

WHEREAS, on May 17, 2018, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception and recommended that the application be approved; and

WHEREAS, on June 14, 2018, the Fauquier County Board of Supervisors held a public hearing and considered written and oral testimony; and

WHEREAS, the Board of Supervisors finds that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage; and

WHEREAS, the Board of Supervisors finds that the application satisfies the standards of Zoning Ordinance Sections 5-006, 5-501, 5-502, 5-504 and 5-505; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That SPEX-18-008974 be, and hereby is, approved subject to the following conditions:

1. The Special Exception is granted for PIN 7836-75-1585-000 and 7836-64-6175-000 and runs with the land as indicated in the application and shall not be transferable to other land.
2. The Special Exception is granted for the purpose(s), structure(s) and/or uses indicated on the NorthPoint Training Special Exception Exhibit, as approved with this application, as qualified by these development conditions.
3. Training areas shall be limited to those areas as generally shown on the Special Exhibit. These areas shall be clearly designated on the Site Plan.
4. A maximum of two (2) training events per month shall be held at the property; furthermore, there shall be no more than one (1) training event per week. Training events shall include all events, regular or large scale, whether medical or firearms related.

5. Training events shall be limited to a single day between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday only.
6. A maximum of twenty-four (24) persons shall be present for regular training events. Large scale training events, with a maximum attendance of fifty (50) persons, shall be permitted no more than three (3) times per year.
7. A maximum of twenty (20) vehicles shall be permitted on the property.
8. All training events shall require the presence of a licensed physician.
9. Firearms training and/or use of the shooting range areas shall be accessory to the medical training and shall be permitted at a maximum frequency of once per month. All firearms training shall require the supervision of a certified Range Safety Officer.
10. Use of the shooting range areas shall be limited to a maximum of two (2) hours for regular training events and a maximum of four (4) hours for large scale training events. Furthermore, use of the shooting range areas shall only occur between the hours of 10:00 a.m. and 4:00 p.m.
11. A metal backstop shall be required for all shooting range use.
12. The existing vegetative buffer along the streams and 100-year floodplain adjacent to shooting range areas shall be preserved and maintained by the Applicant.
13. A maximum of twelve (12) trainees shall be permitted to use shooting range areas at a given time.
14. All firearms shall utilize noise suppressors, and be further limited to only 5.56 mm, 9 mm and/or .22 caliber frangible, non-lead ammunition.
15. Firearms shall only be used in non-automatic mode.
16. Explosions, including the use of explosive targets (tannerite or similar), shall not be permitted in conjunction with the training events.
17. Sound generated by the use shall not exceed sixty-five (65) A-weighted decibels (dBA) at the property line when measured in accordance with the procedure described in the Fauquier County Code of Ordinances, Chapter 13.5.
18. The parking area shall be limited to the area shown on the Special Exception Plat. The parking area shall be maintained in a vegetated state to prevent erosion and degradation of surface water quality. If the turf does not withstand the traffic pressure or rutting and erosion occur, the Applicant shall install turf-protecting geotextile grids or other low impact methods for surfacing the parking area. Alternatively, if the Applicant chooses to

use a gravel or asphalt parking area, a stormwater management plan that addresses run-off from the parking lot shall be required.

19. Portable toilets, meeting Health Department standards and receiving temporary privy applications approved by the local Health Department shall be provided as necessary for training events. These facilities shall not be placed on the property more than twenty-four (24) hours before a scheduled event, and shall be removed from the property no later than twenty-four (24) hours after the scheduled end of the event. Once permanent restroom facilities are installed, portable toilets shall only be permitted for large scale events.
20. The Applicant shall obtain all necessary permits from the Fauquier County Health Department/Virginia Department of Health for the well and drainfield prior to utilizing the permanent facilities.
21. Prior to commencement of the use, the Applicant shall obtain all necessary building and zoning permits.
22. The Applicant shall satisfy all applicable Virginia Department of Transportation (VDOT) requirements associated with the low volume commercial entrance.
23. No traffic, parking or event area shall be located in an area utilized for septic facilities or drainfield. The location of the existing drainfield and related facilities shall be shown on the Site Plan.
24. All structures utilized for training events shall be a minimum of one hundred (100) feet from the property line.
25. All use areas shall be substantially screened from view from all neighboring properties. The screening shall be designed and installed to appear natural.
26. A Site Plan shall be required for the use.
27. This Special Exception shall be issued for a period of one (1) year.

A RESOLUTION TO APPROVE SPECIAL EXCEPTION SPEX-18-009171, GOLDVEIN TOWER - AN APPLICATION FOR A CATEGORY 20 SPECIAL EXCEPTION TO CONSTRUCT A 195 FOOT MONOPOLE TOWER AND ASSOCIATED EQUIPMENT COMPOUND (PIN 7824-06-9456-000), LEE DISTRICT

A public hearing was held to consider an application seeking approval of a Category 20 Special Exception to permit the construction of a 195 foot monopole tower and associated compound. The facility is to provide service for Verizon Wireless and Omnipoint and could accommodate up to three additional collocations. The property is located at 3590 Rivenoak Lane, Goldvein. On May 17, 2018, the Planning Commission voted unanimously to recommend approval of the application with conditions, subject to final recommendations made by the

County's telecommunications consultant. Ms. Wendy Wheatcraft, Senior Planner for the Department of Community Development, summarized the application.

- Mr. Donald Gibson, Cedar Run District, spoke in support of the application.
- Ms. Carol Ngoh, Lee District, spoke in opposition to the application.
- Ms. Pat Hupp, Cedar Run District, spoke in support of the application.
- Mr. James Tolbert, Lee District, adjoining property owner, said he has no objection to the tower as long as it remains in the power line easement.
- Mr. Tim Ryan, Lee District, suggested the tower be placed closer to route 17, and asked if proceeds to the county be used to help maintain Monroe Park or in some other way to reduce taxes.
- Mr. Cody Perry, Lee District, spoke in opposition to the application.
- Ms. Kerrie Liesener, Lee District, spoke in support of the application.
- Mr. John Woodburn, Lee District, property owner, said the area is underserved and spoke in support of the application.
- Ms. Barb Pivec, representing the Applicants, requested favorable consideration of the application.
- Mr. Matt Butcher, engineer, summarized the design specifications of the tower and spoke in support of the application.
- Mr. Charles Thomas, technical consultant, summarized the technological capabilities of the design and spoke in support of the application.

No one else spoke. The public hearing was closed. Mr. Butler moved to adopt the following Resolution. Mr. Gerhardt seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

<i>Ayes:</i>	<i>Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>Mr. R. Holder Trumbo, Jr.</i>
<i>Abstention:</i>	<i>None</i>

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION SPEX-18-008826, GOLDVEIN TOWER – AN APPLICATION FOR A CATEGORY 20 SPECIAL EXCEPTION TO CONSTRUCT A ONE HUNDRED NINETY-FIVE (195) FOOT MONOPOLE TELECOMMUNICATIONS TOWER WITH ASSOCIATED EQUIPMENT COMPOUND (PIN 7824-06-9456-000), LEE DISTRICT

WHEREAS, the applicants, Calvert Crossland & Verizon Wireless, have requested a Category 20 Special Exception to permit the installation of a 195 foot monopole telecommunications tower and associated equipment compound; and

WHEREAS, the Board of Supervisors finds that the natural growth around the property perimeter provides sufficient screening of the equipment compound from adjacent properties; and

WHEREAS, on May 17, 2018, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception and recommended approval of the application; and

WHEREAS, on June 14, 2018, the Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, the Board of Supervisors has determined that the application satisfies the standards of Zoning Ordinance Sections 5-006 and 11-100; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That SPEX-18-008826 be, and is hereby approved, subject to the following conditions:

1. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat “Calvert Crossland Goldvein” dated April 17, 2018, and received in the Planning Office on April 20, 2018, as approved with this application and as modified by the associated conditions below.
2. The applicant shall utilize break-point technology so that the tower design fail point is at least 40 feet above the base. The applicants shall provide a certification of the fall zone by a registered professional engineer.
3. The installation of one security light, no more than one hundred (100) watts or equivalent, is permitted within the compound per wireless provider. The applicants shall be required to provide the details of the light fixture and a photometric plan with the Site Plan application, along with an explanation of how the light meets the requirement of Article 9 of the Zoning Ordinance, Performance Standards for glare.
4. Any equipment shelter or canopied pad to be constructed within the compound shall not contain more than five hundred (500) square feet of total gross floor area per telecommunications provider and shall not exceed twelve (12) feet in height.

5. The applicant shall install an eight (8) foot high board-on-board fence around the compound.
6. All feedlines shall be installed within the monopole and all access ports shall be sealed to prevent wildlife intrusion.
7. Should the antenna platforms be lowered in the future to reduce coverage, any unused upper portion of the monopole shall be removed to reduce its visual impact.

AN ORDINANCE EXEMPTING CERTAIN REAL PROPERTY OWNED BY VKM HOLDINGS, LLC, AND USED EXCLUSIVELY BY THE BOYS AND GIRLS CLUB FROM TAXATION FOR A PERIOD OF THREE YEARS

A public hearing was held to consider an ordinance exempting certain real property owned by VKM Holdings, LLC, from taxation for a period of three years. The Boys and Girls Club conveyed its property to a Limited Liability Corporation, VKM Holdings, in order to improve its balance sheet and increase its eligibility for grants. Thereafter, the club entered into a lease with the LLC, which was established primarily to repay the outstanding debt of the club. The club remains responsible for the payment of the taxes on the property, and has requested that it and its landlord be declared tax exempt for so long as the property remains in the use of the club and the club remains responsible for the tax payment. The proposed Ordinance grants the exemption for a period of three years as authorized by Section 58.1-3605 of the Code of Virginia. Mr. Kevin Burke, County Attorney, summarized the application. Mr. Burke added that he understood from previous discussions during agenda review that the Board most likely intends to deny the Ordinance, but will provide for a donation of the taxes to the Boys and Girls Club in order to avoid setting a precedent with respect to privately owned properties.

- Ms. Lynne Richman Bell, Executive Director the Boys and Girls Club, expressed her appreciation to the Board of Supervisors for entertaining this matter. Ms. Bell said she thinks the proposed option is very reasonable and thanked the Board members for their commitment to solution-mindedness.

No one else spoke. The public hearing was closed. Mr. Granger made a motion to deny the request for tax exemption, with the caveat that the biennial tax assessment for this building is paid via donation within 30 days of the tax being due and, furthermore, that it only continue while the Boys and Girls Club is occupying the structure. Ms. McDaniel seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

<i>Ayes:</i>	<i>Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>Mr. R. Holder Trumbo, Jr.</i>
<i>Abstention:</i>	<i>None</i>

A RESOLUTION AUTHORIZING THE CONVEYANCE OF REAL PROPERTY IN LAKE WHIPPOORWILL

A public hearing was held to consider a Resolution authorizing the conveyance of real property in Lake Whippoorwill. An owner of property adjacent to unused right-of-way of 1.17 acres, which was intended to connect Whippoorwill Drive to Route 29, has requested that the County convey the property for the assessed value. The assessment of the property is \$14,000. In the event the Board agrees to convey the property, the proposed resolution authorizes the conveyance. Mr. Kevin Burke, County Attorney, summarized the application.

No one else spoke. The public hearing was closed. Mr. Butler moved to adopt the following Resolution. Ms. McDaniel seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: *Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel*
Nays: *None*
Absent During Vote: *Mr. R. Holder Trumbo, Jr.*
Abstention: *None*

ORDINANCE

A RESOLUTION AUTHORIZING THE CONVEYANCE OF REAL PROPERTY IN LAKE WHIPPOORWILL

WHEREAS, the County owns a portion of unused right of way consisting of approximately 1.17 acres at Lake Whippoorwill which was intended to connect Whippoorwill Drive to Route 29; and

WHEREAS, an owner of an adjoining property identified as PIN #6995-33-4474 has requested that the County sell the property to him for its assessed value; and

WHEREAS, prior to conveying such property the County must conduct a public hearing; and

WHEREAS, the County has conducted a public hearing and determined that the sale of the property for its assessed value is appropriate and in the best interest of the public; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the County Administrator and the County Attorney be, and are hereby, authorized to convey to Nicholas Polvi a parcel of approximately 1.17 acres of unused right of way in Lake Whippoorwill for the assessed value of the property, subject to the condition that the parcel shall be joined with PIN #6995-33-4474 and subject to a covenant precluding its conveyance thereafter as a separate parcel.

A RESOLUTION AUTHORIZING THE LEASING OF POTENTIAL TOWER AND ANTENNA SITES TO MILESTONE DEVELOPMENT, INC.

A public hearing was held to consider an agreement that authorizes Milestone Development, Inc., to develop tower sites on County property. The lease of the proposed sites requires public hearing, and the proposed resolution also schedules the public hearing. Mr. Kevin Burke, County Attorney, summarized the agreement.

No one else spoke. The public hearing was closed. Mr. Gerhardt moved to adopt the following Resolution. Mr. Butler seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel
Nays: None
Absent During Vote: Mr. R. Holder Trumbo, Jr.
Abstention: None

RESOLUTION

A RESOLUTION AUTHORIZING THE LEASING OF POTENTIAL TOWER AND ANTENNA SITES TO MILESTONE DEVELOPMENT, INC.

WHEREAS, Fauquier County desires to lease its sites to cellular and broadband providers in order to improve the access to such service; and

WHEREAS, Milestone Development, Inc., has agreed to market the County's sites to providers and construct towers and other facilities on County property, and to provide a portion of the revenue earned from such leases to the County and the County has determined that it is appropriate to enter into a master marketing agreement with Milestone for such services; and

WHEREAS, Milestone Development, Inc., previously entered into a procurement process with the City of Manassas and executed a contract with Manassas which permits other jurisdictions to ride the Manassas procurement; and

WHEREAS, Milestone Development, Inc., is currently providing similar services to the Fauquier County School Division; and

WHEREAS, the County must conduct a public hearing prior to entering into leases on individual properties identified on the Master Marketing Agreement; and

WHEREAS, the Board has conducted a public hearing and determined that it is appropriate to enter into leases of the individual properties identified in the marketing agreement, subject to final approval of the individual leases and subject to Milestone satisfying applicable zoning requirements for such leases; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the County Administrator be, and is hereby, authorized to negotiate leases of sites identified in the marketing agreement, subject to any zoning requirements applicable thereto and final approval by the Board of such leases.

A SUBDIVISION ORDINANCE TEXT AMENDMENT TO REVISE AND REPLACE SECTION 18 RELATED TO HYDROGEOLOGICAL TESTING

A public hearing was held to consider amending Section 18 of the Subdivision Ordinance, which contains requirements for hydrogeological testing for new subdivisions and development meeting a defined threshold. Groundwater is the primary source of water supply in the County. The impact of development activity on groundwater resources is a growing concern. Industry standards have changed considerably since the adoption of this testing requirement in 1991. A comprehensive review of Section 18 was undertaken, in consultation with a hydrogeological consultant, and a new ordinance is being proposed. The Planning Commission held work sessions and public hearings on January 18, 2018, and March 15, 2018, and unanimously recommended approval of the amendment. Ms. Kimberley Fogle, Director of the Department of Community Development, summarized the application.

Ms. Fogle said staff is still awaiting final review from the Water and Sanitation Authority and she asked that the Board of Supervisors table action on the proposed Subdivision Ordinance Text Amendment until July, and consider adoption of an interim Ordinance that adds an exemption to the existing subdivision requirements for family transfers, administrative and large lot subdivisions.

No one else spoke. Ms. McDaniel moved to adopt the following interim Ordinance, and to continue the public hearing for 30 days to further consider comprehensive amendments to Section 18 of the Subdivision Ordinance. Mr. Butler seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel
Nays: None
Absent During Vote: Mr. R. Holder Trumbo, Jr.
Abstention: None

ORDINANCE

AN ORDINANCE TO AMEND SECTION 18 OF THE SUBDIVISION ORDINANCE
RELATED TO HYDROGEOLOGICAL TESTING

WHEREAS, the Board of Supervisors is considering comprehensive amendments to the hydrogeological testing requirements in the subdivision ordinance; and

WHEREAS, the Planning Commission held public hearings on the proposed changes on January 18, 2018, and March 15, 2018, and has recommended approval of the amendments; and

WHEREAS, the Board of Supervisors held public hearings on April 14, 2018, and June 14, 2018, and wishes to continue its evaluation of the technical aspects of the testing requirements; and

WHEREAS, the ordinance specifically exempts family transfer, administrative and large lot divisions from the testing requirements; and

WHEREAS, the Board of Supervisors wishes to adopt the provision in the ordinance dealing with these specific exemptions, while continuing with its evaluation of the remaining ordinance provisions; and

WHEREAS, adoption of the specific exemptions for family transfer, administrative and large lot divisions supports the orderly subdivision of land and its development, and promotes the public health, safety, convenience, comfort, prosperity and general welfare; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the sentence *“Family transfer, administrative and large lot subdivisions are exempt from the requirements of this section.”* be added to the currently-adopted Section 18 of the Subdivision Ordinance and is hereby enacted until such time as the comprehensive revisions to Chapter 18 are adopted.

A RESOLUTION TO APPROVE SPEX-18-008826, CALEB RECTOR HOUSE - AN APPLICATION TO AMEND A PREVIOUSLY APPROVED CATEGORY 7 SPECIAL EXCEPTION TO REVISE CONDITIONS (PIN 6073-98-4998-000), SCOTT DISTRICT

A public hearing was held to consider an application is seeking an amendment to a previously approved Special Exception to allow office use on the second floor of the Caleb Rector House. The property is located at 1461 Atoka Road, Marshall. On May 17, 2018, the Planning Commission voted unanimously to recommend approval of the application. Ms. Wendy Wheatcraft, Senior Planner for the Department of Community Development, summarized the application.

- Ms. Jennifer Moore, Scott District, Applicant, requested favorable consideration of the application.

No one else spoke. The public hearing was closed. Ms. McDaniel moved to adopt the following Resolution. Mr. Granger seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: *Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel*
Nays: *None*
Absent During Vote: *Mr. R. Holder Trumbo, Jr.*
Abstention: *None*

RESOLUTION

A RESOLUTION TO APPROVE SPEX-18-008826, CALEB RECTOR HOUSE – AN APPLICATION TO AMEND A PREVIOUSLY APPROVED CATEGORY 7 SPECIAL EXCEPTION TO REVISE CONDITIONS (PIN 6073-98-4998-000), SCOTT DISTRICT

WHEREAS, the applicant, The Mosby Heritage Area Association, has requested an amendment to conditions of a previously approved Category 7 Special Exception to allow office use on the second floor of the Caleb Rector House; and

WHEREAS, on May 17, 2018, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception Amendment request and unanimously recommended approval of the application; and

WHEREAS, on June 14, 2018, the Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, the Board of Supervisors has determined that the application is consistent with the Comprehensive Plan and satisfies the standards of Zoning Ordinance Sections 5-006 and 5-700; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That SPEX-18-008826 be, and is hereby, approved, subject to the following conditions:

1. The Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated, and shall be in general conformance with the application materials, except as modified by these conditions.
2. An approved Site Plan shall be required.
3. The adaptive re-use is approved for office use. An apartment may be on the second floor.
4. Regular office hours shall be limited to Mondays through Fridays from 8:30 a.m. to 5:00 p.m.
5. No proposed alteration to the structure containing the adaptive uses shall materially alter the exterior appearance of the structure from its historical appearance.

6. Any addition or new freestanding floor space associated with the adaptive uses shall require an amendment to this Special Exception.
7. No goods or items associated with the adaptive use shall be displayed or stored outdoors.
8. All activities permitted hereunder, and the structure or structures in which they are conducted, shall be subject to all applicable building code regulations, as well as applicable regulations promulgated by the Virginia Departments of Health and Transportation. This shall be demonstrated prior to release of the Site Plan.
9. All signs, permanent and temporary, shall require applicable permits from the Zoning Office.

A RESOLUTION TO APPROVE AN AMENDMENT TO CHAPTER 9 OF THE FAUQUIER COUNTY COMPREHENSIVE PLAN RELATED TO PUBLIC FACILITIES AND UTILITIES

A public hearing was held to consider several proposed amendments to Chapter 9 of the Comprehensive Plan to reinforce protection of the public investment by decreasing the risk of flood hazards to publicly constructed facilities. Minor updates to Chapter 9 were also done to coordinate with the Vision Chapter, broadband activity and recent proffer legislation. The Planning Commission held public hearings on April 19, 2018, and May 17, 2018, and unanimously recommended approval. Ms. Kimberley Fogle, Director of the Department of Community Development, summarized the proposed amendments.

No one else spoke. The public hearing was closed. Mr. Granger moved to adopt the following Resolution. Mr. Gerhardt seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel

Nays: None

Absent During Vote: Mr. R. Holder Trumbo, Jr.

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE AN AMENDMENT TO CHAPTER 9 OF THE FAUQUIER COUNTY COMPREHENSIVE PLAN RELATED TO PUBLIC FACILITIES AND UTILITIES

WHEREAS, Chapter 9 of the Comprehensive Plan sets forth goals, policies and recommendations related to the current and future infrastructure needs of the County; and

WHEREAS, the overall goals of the Comprehensive Plan related to public facilities include the economical and efficient use of public funds and safeguarding the environment with water and air quality and natural resource management; and

WHEREAS, the Planning Commission held public hearings on April 18, 2018 and May 17, 2018; and

WHEREAS, the Board of Supervisors held a public hearing on June 14, 2018; and

WHEREAS, in order to protect public health, safety and welfare, the Board of Supervisors wishes to adopt amendments to the policies and guidelines in Chapter 9 to further the overall goals of the Comprehensive Plan; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 14th day of June 2018, That amendments to Chapter 9 of the Fauquier County Comprehensive Plan are hereby approved and adopted.

AN ORDINANCE TO APPROVE THE 14TH ADDITION TO THE UPPERVILLE AGRICULTURAL AND FORESTAL DISTRICT #AGFO-17-008394 - SMITH ATOKA, LLC, PROPERTY (PIN 6073-88-4395-000), SCOTT DISTRICT

A public hearing was held to consider approval of the 14th Addition to the Upperville Agricultural and Forestal District. Each year, under the procedures established by the Code of Virginia, the Fauquier County Board of Supervisors considers whether to add parcels to any existing Agricultural and Forestal District. Landowners have until February 1st to file applications to join a district. The Board of Supervisors considers all such applications. The Fauquier County Agricultural and Forestal District Advisory Committee, as well as the Fauquier County Planning Commission, are charged under the Code of Virginia with providing advice to the Board relative to these decisions. The property is located at the intersection of Atoka Road and Rectors Lane, Marshall. On March 27, 2018, the Agricultural and Forestal District Advisory Committee unanimously recommended approval of this addition. On May 17, 2018, the Planning Commission unanimously recommended approval of this addition. Mr. Ben Holt, Planner for the Department of Community Development, summarized the application.

No one else spoke. The public hearing was closed. Mr. Butler moved to adopt the following Ordinance. Ms. McDaniel seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

<i>Ayes:</i>	<i>Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel</i>
<i>Nays:</i>	<i>None</i>
<i>Absent During Vote:</i>	<i>Mr. R. Holder Trumbo, Jr.</i>
<i>Abstention:</i>	<i>None</i>

ORDINANCE

AN ORDINANCE TO APPROVE THE 14th ADDITION TO THE UPPERVILLE AGRICULTURAL AND FORESTAL DISTRICT AGFO-17-008394 – SMITH ATOKA, LLC, PROPERTY (PIN 6073-88-4395-000), SCOTT DISTRICT

WHEREAS, Section 15.2-4310, *Code of Virginia* (1950), as amended, allows additional parcels of land to be added to an existing District following the process described for the creation of a new District; and

WHEREAS, all requirements of Section 15.2-4310, *Code of Virginia* (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the 14th Addition to the Upperville Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to the public interest.
- 2) That this 14th Addition to the Upperville Agricultural and Forestal District is hereby added this 14th day of June 2018, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, of the *Code of Virginia*, (1950), as amended, until the expiration of the District on June 30, 2019.
- 3) That this 14th Addition to the Upperville Agricultural and Forestal District shall consist of the following parcel(s):

PIN	OWNERS	ACREAGE
6073-88-4395-000	Smith Atoka, LLC	40.82
	Total:	40.82

;and, be it

ORDAINED FURTHER, That the following conditions and restrictions shall apply, to wit:

- 1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312 of the *Code of Virginia* (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. For properties in the Agricultural and Forestal District, uses listed in Zoning Ordinance

Sections 3-301 through 3-317 and Sections 3-319 through 3-332 that require a Special Permit shall instead require a Special Exception. Agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family shall be allowed as permitted under the Zoning Ordinance. No Special Exception permit shall be in conflict with the purposes for which the district was created.

- b. Only the following divisions of land are allowed within an Agricultural and Forestal District:
 - i. Family transfers.
 - ii. Large Lot divisions.
 - c. Boundary Line Adjustments are allowed between other Agricultural and Forestal Districts. If a boundary line adjustment occurs between different Districts, the area boundary line adjusted would not be allowed to withdraw from the District any sooner than the first opportunity under the District created.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Article 4 of Section 58.1-3229 *et seq.* of Chapter 32 of Title 58.1 of the *Code of Virginia*.
 3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the *Code of Virginia*.
 4. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4311 of the *Code of Virginia*.
 5. If a parcel is divided or boundary line adjusted to less than 5 acres, the parcel shall be removed from the District.
 6. If any parcel is boundary adjusted or divided such that a newly created parcel contains less than 25 acres, then the parcel containing less than 25 acres shall be removed from the District. An exception to this rule shall be where such property is part of a working farm that is comprised of a contiguous collection of parcels under the same ownership; in such a case, any parcel containing less than 25 acres that is *sold* shall be removed from the District. Furthermore, if the contiguous collection of parcels under the same ownership is decreased to less than 25 acres, then all of the parcels in that collection shall be removed from the District.

AN ORDINANCE TO APPROVE THE 23RD ADDITION TO THE MIDDLEBURG / MARSHALL AGRICULTURAL AND FORESTAL DISTRICT AGFO-17-008493 - BROWER PROPERTY (PIN 6070-52-6016-000), SCOTT DISTRICT

A public hearing was held to consider the 23rd Addition to the Middleburg/Marshall Agricultural and Forestal District. Each year, under the procedures established by the Code of Virginia, the Fauquier County Board of Supervisors considers whether to add parcels to any existing Agricultural and Forestal District. Landowners have until February 1st to file applications to join a district. The Board of Supervisors considers all such applications. The Fauquier County Agricultural and Forestal District Advisory Committee, as well as the Fauquier County Planning Commission, are charged under the Code of Virginia with providing advice to the Board relative to these decisions. The property is located at 7435 Stoney Hill Lane, The Plains. On March 27, 2018, the Agricultural and Forestal District Advisory Committee unanimously recommended approval of this addition. On May 17, 2018, the Planning Commission unanimously recommended approval of this addition. Mr. Ben Holt, Planner for the Department of Community Development, summarized the application.

No one else spoke. The public hearing was closed. Mr. Butler moved to adopt the following Ordinance. Ms. McDaniel seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: *Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel*
Nays: *None*
Absent During Vote: *Mr. R. Holder Trumbo, Jr.*
Abstention: *None*

ORDINANCE

AN ORDINANCE TO APPROVE THE 23rd ADDITION TO THE MIDDLEBURG / MARSHALL AGRICULTURAL AND FORESTAL DISTRICT AGFO-17-008493 – BROWER PROPERTY (PIN 6070-52-6016-000), SCOTT DISTRICT

WHEREAS, Section 15.2-4310, *Code of Virginia* (1950), as amended, allows additional parcels of land to be added to an existing District following the process described for the creation of a new District; and

WHEREAS, all requirements of Section 15.2-4310, *Code of Virginia* (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the 23rd Addition to the Middleburg/Marshall Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe

water supplies and other aesthetic purposes and is, therefore, valuable to the public interest.

- 2) That this 23rd Addition to the Middleburg/Marshall Agricultural and Forestal District is hereby added this 14th day of June 2018, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, of the *Code of Virginia*, (1950), as amended, until the expiration of the District on June 30, 2022.
- 3) That this 23rd Addition to the Middleburg/Marshall Agricultural and Forestal District shall consist of the following parcel(s):

PIN	OWNERS	ACREAGE
6070-52-6016-000	Bethany P. & John V. Brower	40.9234
	Total:	40.9234

; and, be it

ORDAINED FURTHER, That the following conditions and restrictions shall apply, to wit:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312 of the *Code of Virginia* (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. For properties in the Agricultural and Forestal District, uses listed in Zoning Ordinance Sections 3-301 through 3-317 and Sections 3-319 through 3-332 that require a Special Permit shall instead require a Special Exception. Agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family shall be allowed as permitted under the Zoning Ordinance. No Special Exception permit shall be in conflict with the purposes for which the district was created.
 - b. Only the following divisions of land are allowed within an Agricultural and Forestal District:
 - i. Family transfers.
 - ii. Large Lot divisions.
 - c. Boundary Line Adjustments are allowed between other Agricultural and Forestal Districts. If a boundary line adjustment occurs between different Districts, the area boundary line adjusted would not be allowed to withdraw from the District any sooner than the first opportunity under the District created.

2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Article 4 of Section 58.1-3229 *et seq.* of Chapter 32 of Title 58.1 of the *Code of Virginia*.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the *Code of Virginia*.
4. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4311 of the *Code of Virginia*.
5. If a parcel is divided or boundary line adjusted to less than 5 acres, the parcel shall be removed from the District.
6. If any parcel is boundary adjusted or divided such that a newly created parcel contains less than 25 acres, then the parcel containing less than 25 acres shall be removed from the District. An exception to this rule shall be where such property is part of a working farm that is comprised of a contiguous collection of parcels under the same ownership; in such a case, any parcel containing less than 25 acres that is *sold* shall be removed from the District. Furthermore, if the contiguous collection of parcels under the same ownership is decreased to less than 25 acres, then all of the parcels in that collection shall be removed from the District.

AN ORDINANCE TO APPROVE THE 21ST ADDITION TO THE MARSHALL / WARRENTON AGRICULTURAL AND FORESTAL DISTRICT AGFO-18-008648 - BROWN-KILE PROPERTY (PIN 6955-42-9365-000), MARSHALL DISTRICT

A public hearing was held to consider the 21st Addition to the Marshall/Warrenton Agricultural and Forestal District. Each year, under the procedures established by the Code of Virginia, the Fauquier County Board of Supervisors considers whether to add parcels to any existing Agricultural and Forestal District. Landowners have until February 1st to file applications to join a district. The Board of Supervisors considers all such applications. The Fauquier County Agricultural and Forestal District Advisory Committee, as well as the Fauquier County Planning Commission, are charged under the Code of Virginia with providing advice to the Board relative to these decisions. The property is located at 7330 Dudie Road, Marshall. On March 27, 2018, the Agricultural and Forestal District Advisory Committee unanimously recommended approval of this addition. On May 17, 2018, the Planning Commission unanimously recommended approval of this addition. Mr. Ben Holt, Planner for the Department of Community Development, summarized the application.

No one else spoke. The public hearing was closed. Mr. Butler moved to adopt the following Ordinance. Ms. McDaniel seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: *Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel*
Nays: *None*
Absent During Vote: *Mr. R. Holder Trumbo, Jr.*
Abstention: *None*

ORDINANCE

AN ORDINANCE TO APPROVE THE 21st ADDITION TO THE MARSHALL / WARRENTON AGRICULTURAL AND FORESTAL DISTRICT AGFO-18-008648 – BROWN-KILE PROPERTY (PIN 6955-42-9365-000), MARSHALL DISTRICT

WHEREAS, Section 15.2-4310, *Code of Virginia* (1950), as amended, allows additional parcels of land to be added to an existing District following the process described for the creation of a new District; and

WHEREAS, all requirements of Section 15.2-4310, *Code of Virginia* (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the 21st Addition to the Marshall/Warrenton Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to the public interest.
- 2) That this 21st Addition to the Marshall/Warrenton Agricultural and Forestal District is hereby added this 14th day of June 2018, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, of the *Code of Virginia*, (1950), as amended, until the expiration of the District on June 30, 2020.
- 3) That this 21st Addition to the Marshall/Warrenton Agricultural and Forestal District shall consist of the following parcel(s):

PIN	OWNERS	ACREAGE
6955-42-9365-000	Lisa S. Brown & Mark A. Kile	79.1828
	Total:	79.1828

; and, be it

ORDAINED FURTHER, That the following conditions and restrictions shall apply,

to wit:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312 of the *Code of Virginia* (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. For properties in the Agricultural and Forestal District, uses listed in Zoning Ordinance Sections 3-301 through 3-317 and Sections 3-319 through 3-332 that require a Special Permit shall instead require a Special Exception. Agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family shall be allowed as permitted under the Zoning Ordinance. No Special Exception permit shall be in conflict with the purposes for which the district was created.
 - b. Only the following divisions of land are allowed within an Agricultural and Forestal District:
 - i. Family transfers.
 - ii. Large Lot divisions.
 - c. Boundary Line Adjustments are allowed between other Agricultural and Forestal Districts. If a boundary line adjustment occurs between different Districts, the area boundary line adjusted would not be allowed to withdraw from the District any sooner than the first opportunity under the District created.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Article 4 of Section 58.1-3229 *et seq.* of Chapter 32 of Title 58.1 of the *Code of Virginia*.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the *Code of Virginia*.
4. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4311 of the *Code of Virginia*.
5. If a parcel is divided or boundary line adjusted to less than 5 acres, the parcel shall be removed from the District.
6. If any parcel is boundary adjusted or divided such that a newly created parcel contains less than 25 acres, then the parcel containing less than 25 acres shall be removed from the District. An exception to this rule shall be where such property is part of a working farm that is comprised of a contiguous collection of parcels under the same ownership; in such a case, any parcel containing less than 25 acres that is *sold* shall be removed from the

District. Furthermore, if the contiguous collection of parcels under the same ownership is decreased to less than 25 acres, then all of the parcels in that collection shall be removed from the District.

AN ORDINANCE TO APPROVE THE 13TH ADDITION TO SPRINGS VALLEY AGRICULTURAL AND FORESTAL DISTRICT AGFO-18-008649 - LEWIS PROPERTY (PIN 6953-83-1239-000 AND 6953-73-3444-000), MARSHALL DISTRICT

A public hearing was held to consider the 13th Addition to Springs Valley Agricultural and Forestal District. Each year, under the procedures established by the Code of Virginia, the Fauquier County Board of Supervisors considers whether to add parcels to any existing Agricultural and Forestal District. Landowners have until February 1st to file applications to join a district. The Board of Supervisors considers all such applications. The Fauquier County Agricultural and Forestal District Advisory Committee, as well as the Fauquier County Planning Commission, are charged under the Code of Virginia with providing advice to the Board relative to these decisions. The property is located at 9255 Harts Mill Road, Warrenton. On March 27, 2018, the Agricultural and Forestal District Advisory Committee unanimously recommended approval of this addition. On May 17, 2018, the Planning Commission unanimously recommended approval of this addition. Mr. Ben Holt, Planner for the Department of Community Development, summarized the application.

No one else spoke. The public hearing was closed. Mr. Butler moved to adopt the following Ordinance. Ms. McDaniel seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: **Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel**
Nays: **None**
Absent During Vote: **Mr. R. Holder Trumbo, Jr.**
Abstention: **None**

ORDINANCE

AN ORDINANCE TO APPROVE THE 13th ADDITION TO THE SPRINGS VALLEY AGRICULTURAL AND FORESTAL DISTRICT AGFO-18-008649 – LEWIS PROPERTY (PIN 6953-83-1239-000 and 6953-73-3444-000), MARSHALL DISTRICT

WHEREAS, Section 15.2-4310, *Code of Virginia* (1950), as amended, allows additional parcels of land to be added to an existing District following the process described for the creation of a new District; and

WHEREAS, all requirements of Section 15.2-4310, *Code of Virginia* (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of June 2018,

That the 13th Addition to the Springs Valley Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to the public interest.
- 2) That this 13th Addition to the Springs Valley Agricultural and Forestal District is hereby added this 14th day of June 2018, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, of the *Code of Virginia*, (1950), as amended, until the expiration of the District on June 30, 2019.
- 3) That this 13th Addition to the Springs Valley Agricultural and Forestal District shall consist of the following parcel(s):

PIN	OWNERS	ACREAGE
6953-83-1239-000	Steven M. & Susan W. Lewis	20
6953-73-3444-000	Steven M. & Susan W. Lewis	20
	Total:	40.00

;and, be it

ORDAINED FURTHER, That the following conditions and restrictions shall apply, to wit:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312 of the *Code of Virginia* (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. For properties in the Agricultural and Forestal District, uses listed in Zoning Ordinance Sections 3-301 through 3-317 and Sections 3-319 through 3-332 that require a Special Permit shall instead require a Special Exception. Agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family shall be allowed as permitted under the Zoning Ordinance. No Special Exception permit shall be in conflict with the purposes for which the district was created.
 - b. Only the following divisions of land are allowed within an Agricultural and Forestal District:
 - i. Family transfers.
 - ii. Large Lot divisions.

- c. Boundary Line Adjustments are allowed between other Agricultural and Forestal Districts. If a boundary line adjustment occurs between different Districts, the area boundary line adjusted would not be allowed to withdraw from the District any sooner than the first opportunity under the District created.
2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Article 4 of Section 58.1-3229 *et seq.* of Chapter 32 of Title 58.1 of the *Code of Virginia*.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the *Code of Virginia*.
4. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4311 of the *Code of Virginia*.
5. If a parcel is divided or boundary line adjusted to less than 5 acres, the parcel shall be removed from the District.
6. If any parcel is boundary adjusted or divided such that a newly created parcel contains less than 25 acres, then the parcel containing less than 25 acres shall be removed from the District. An exception to this rule shall be where such property is part of a working farm that is comprised of a contiguous collection of parcels under the same ownership; in such a case, any parcel containing less than 25 acres that is *sold* shall be removed from the District. Furthermore, if the contiguous collection of parcels under the same ownership is decreased to less than 25 acres, then all of the parcels in that collection shall be removed from the District.

AN ORDINANCE TO APPROVE THE 22ND ADDITION TO THE SOUTHERN FAUQUIER AGRICULTURAL AND FORESTAL DISTRICT AGFO-18-008675 - KANE MANOR FARM, LLC, PROPERTY (PIN 6991-31-2826-000, 6990-09-9692-000, 6990-38-2675-000, 6990-38-7197-000, 6980-88-2718-000, 6980-99-2377-000, 6990-19-5232-000, 6991-21-9662-000 AND 6990-37-4369-000), CEDAR RUN DISTRICT

A public hearing was held to consider the 22nd Addition to the Southern Fauquier Agricultural and Forestal District. Each year, under the procedures established by the Code of Virginia, the Fauquier County Board of Supervisors considers whether to add parcels to any existing Agricultural and Forestal District. Landowners have until February 1st to file applications to join a district. The Board of Supervisors considers all such applications. The Fauquier County Agricultural and Forestal District Advisory Committee, as well as the Fauquier County Planning Commission, are charged under the Code of Virginia with providing advice to the Board relative to these decisions. The property is located in the vicinity of Green Road and Balls Mill Road, Midland. On March 27, 2018, the Agricultural and Forestal District Advisory Committee unanimously recommended approval of this addition. On May 17, 2018, the Planning Commission

unanimously recommended approval of this addition. Mr. Ben Holt, Planner for the Department of Community Development, summarized the application.

No one else spoke. The public hearing was closed. Mr. Butler moved to adopt the following Ordinance. Ms. McDaniel seconded and, following discussion, the motion carried by a vote of 4-0, as follows:

Ayes: *Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel*
Nays: *None*
Absent During Vote: *Mr. R. Holder Trumbo, Jr.*
Abstention: *None*

ORDINANCE

AN ORDINANCE TO APPROVE THE 22nd ADDITION TO THE SOUTHERN FAUQUIER AGRICULTURAL AND FORESTAL DISTRICT AGFO-18-008675 – KANE MANOR FARM, LLC, PROPERTY (PINs #6991-31-2826-000, #6990-09-9692-000, #6990-38-2675-000, #6990-38-7197-000, #6980-88-2718-000, #6980-99-2377-000, #6990-19-5232-000, #6991-21-9662-000, AND #6990-37-4369-000), CEDAR RUN DISTRICT

WHEREAS, Section 15.2-4310, *Code of Virginia* (1950), as amended, allows additional parcels of land to be added to an existing District following the process described for the creation of a new District; and

WHEREAS, all requirements of Section 15.2-4310, *Code of Virginia* (1950), as amended, have been met; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of June 2018, That the 22nd Addition to the Southern Fauquier Agricultural and Forestal District be, and is hereby, adopted as follows:

- 1) That this addition is land which requires conservation and protection for the production of food and other agricultural and forestal products and, as such, is a valuable natural and ecological resource providing open space and clean air and adequate safe water supplies and other aesthetic purposes and is, therefore, valuable to the public interest.
- 2) That this 22nd Addition to the Southern Fauquier Agricultural and Forestal District is hereby added this 14th day of June 2018, in accordance with the provisions of Title 15.2, Chapter 43, Section 15.2-4310, of the *Code of Virginia*, (1950), as amended, until the expiration of the District on June 30, 2022.
- 3) That this 22nd Addition to the Southern Fauquier Agricultural and Forestal District shall consist of the following parcel(s):

PIN	OWNERS	ACREAGE
6991-31-2826-000	Kane Manor Farm, LLC	22.58
6990-09-9692-000	Kane Manor Farm, LLC	18
6990-38-2675-000	Kane Manor Farm, LLC	11.49
6990-38-7197-000	Kane Manor Farm, LLC	11.49
6980-88-2718-000	Kane Manor Farm, LLC	10.5727
6980-99-2377-000	Kane Manor Farm, LLC	10.316
6990-19-5232-000	Kane Manor Farm, LLC	10.1914
6991-21-9662-000	Kane Manor Farm, LLC	5.0329
6990-37-4369-000	Kane Manor Farm, LLC	5
	Total:	104.673

; and, be it

ORDAINED FURTHER, That the following conditions and restrictions shall apply, to wit:

1. That pursuant to Title 15.2, Chapter 43, Section 15.2-4312 of the *Code of Virginia* (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. For properties in the Agricultural and Forestal District, uses listed in Zoning Ordinance Sections 3-301 through 3-317 and Sections 3-319 through 3-332 that require a Special Permit shall instead require a Special Exception. Agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family shall be allowed as permitted under the Zoning Ordinance. No Special Exception permit shall be in conflict with the purposes for which the district was created.
 - b. Only the following divisions of land are allowed within an Agricultural and Forestal District:
 - i. Family transfers.
 - ii. Large Lot divisions.
 - c. Boundary Line Adjustments are allowed between other Agricultural and Forestal Districts. If a boundary line adjustment occurs between different Districts, the area boundary line adjusted would not be allowed to withdraw from the District any sooner than the first opportunity under the District created.

2. That these parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Article 4 of Section 58.1-3229 *et seq.* of Chapter 32 of Title 58.1 of the *Code of Virginia*.
3. That the owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the *Code of Virginia*.
4. That lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4311 of the *Code of Virginia*.
5. If a parcel is divided or boundary line adjusted to less than 5 acres, the parcel shall be removed from the District.
6. If any parcel is boundary adjusted or divided such that a newly created parcel contains less than 25 acres, then the parcel containing less than 25 acres shall be removed from the District. An exception to this rule shall be where such property is part of a working farm that is comprised of a contiguous collection of parcels under the same ownership; in such a case, any parcel containing less than 25 acres that is *sold* shall be removed from the District. Furthermore, if the contiguous collection of parcels under the same ownership is decreased to less than 25 acres, then all of the parcels in that collection shall be removed from the District.

With no further business, the meeting was adjourned at 8:13 P.M.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on June 14, 2018.

Paul S. McCulla, County Administrator
Clerk to the Board of Supervisors