

***A MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD
AUGUST 9, 2007 AT 11:00 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Harry F. Atherton, Chairman; Mr. Raymond E. Graham, Vice-Chairman;
Mr. William G. Downey; Mr. Richard W. Robison; Mr. Chester W. Stribling;
Mr. Paul S. McCulla, County Administrator; Mr. Kevin J. Burke, County
Attorney

A B S E N T None

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

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

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

**A WORK SESSION TO REVIEW KEY ELEMENTS OF SYNCHRO TRAFFIC IMPACT
ANALYSIS AND THE SPECIFIC ANALYSIS FOR THE CROSS CREEK PROJECT IN
NEW BALTIMORE**

Frederick P.D. Carr, Director of Community Development, introduced Joe Mehra of MCV Associates, a Transportation Consultant for land development application reviews with Traffic Impact Analysis requirements. Mr. Mehra provided an overview of the Synchro Traffic Impact Analysis software. David Cabbage, Marshall Barron and Chuck Proctor, representing the Virginia Department of Transportation, presented the results of the Synchro analysis performed specifically for the Cross Creek shopping center project in New Baltimore.

**A BRIEFING BY THE MAYOR OF THE TOWN OF WARRENTON ON THE STATUS
OF THE CENTEX PROPOSAL WITH THE TOWN OF WARRENTON AND THE
STATUS OF THE BIO-DIESEL PROJECT**

Mr. McCulla announced that the Mayor had cancelled this briefing. The Board of Supervisors generally discussed waste management and landfill issues related to the Town of Warrenton's proposed bio-diesel project.

**A WORK SESSION TO DISCUSS THE DEVELOPMENT AND IMPLEMENTATION
OF A PILOT AFFORDABLE HOUSING PROGRAM**

Anthony I. Hooper, Deputy County Administrator, updated the Board of Supervisors on the development and implementation of a pilot Affordable Housing Program for first-time home buyers, to be funded by a \$1,000,000 grant awarded by the Virginia Housing Development Authority (VHDA) in June 2007.

A WORK SESSION TO INFORM THE BOARD OF SUPERVISORS OF THE STEPS REQUIRED TO DEVELOP A COMMEMORATIVE LICENSE PLATE FOR FAUQUIER COUNTY'S 250TH ANNIVERSARY YEAR

Catherine M. Heritage, Assistant County Administrator, provided the Board of Supervisors with information related to the requirements of the Virginia Department of Motor Vehicles for requesting and developing a license plate to commemorate the 250th anniversary year of Fauquier County.

UPDATE REGARDING FINANCING OPTIONS FOR CAPITAL PROJECTS

Anthony I. Hooper, Deputy County Administrator, introduced Joe Mason and David Rose, financial advisors from Davenport & Company, LLC, and Chris Kulp, Esquire, to follow-up on a presentation made during a joint work session held July 12, 2007, between the Board of Supervisors and the Fauquier County School Board, and to answer questions related to Lease Revenue Bond Financing options, and to make recommendations regarding long-term financial policies.

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

INVOCATION

Mr. Stribling offered the invocation.

PLEDGE OF ALLEGIANCE

Members of Boy Scouts Troop 180 led the pledge of allegiance.

ADOPTION OF THE AGENDA

Mr. Graham moved to adopt the agenda as presented. Mr. Stribling seconded, and the vote for the motion was unanimous as follows:

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

CITIZENS' TIME

- Mr. T.E. Summers, Jr., Hume, introduced himself as a candidate for Sheriff in Fauquier County, discussed his background and qualifications, and expressed his political platform.

PROCLAMATIONS AND RECOGNITIONS

- Mr. Atherton and Mr. Hooper presented a Proclamation Honoring Laurie Strong for Her Service to the County.
- Mr. Graham presented a Proclamation Commending Brandon Dawson for Perfect School Attendance.

CONSENT AGENDA

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

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

Approval of the Minutes for the July 12, 2007 Regular Meeting and July 13, 2007 Adjourned Meeting of the Fauquier County Board of Supervisors

A Resolution to Appropriate \$38,793 for the Entrance to the County/School Garage

RESOLUTION

A RESOLUTION TO APPROPRIATE \$38,793 FOR THE ENTRANCE TO THE COUNTY / SCHOOL GARAGE

WHEREAS, the Warrenton Fire Company requested \$77,586 for costs related to expenses related to the County/School Garage entrance; and

WHEREAS, on July 12, 2007, the Board of Supervisors reviewed this request during a work session; and

WHEREAS, during the work session the Board of Supervisors agreed to fund half of the request for \$38,793; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 9th day of August 2007, That \$38,793 be, and is hereby, approved for transfer from the General Fund Contingency Reserve to the Fire and Rescue Fund for the Warrenton Fire Company.

A Resolution to Adopt the Board of Supervisors' Legislative Proposals for the 2008 General Assembly

RESOLUTION

A RESOLUTION TO ADOPT THE BOARD OF SUPERVISORS'
LEGISLATIVE PROPOSALS FOR THE 2008 GENERAL ASSEMBLY

WHEREAS, Fauquier County has a variety of issues and interests which require legislative action by the Virginia General Assembly; and

WHEREAS, the Virginia Association of Counties (VACo) has requested submission of such legislative proposals for consideration in the 2008 VACo Legislative Program; and

WHEREAS, from time to time the Board of Supervisors may revise its Legislative Program to include additional legislative priorities and issues; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That the Board of Supervisors' 2008 Legislative Program be, and is hereby, adopted as follows:

LEGISLATIVE PRIORITIES

- School Funding – Fauquier County supports discontinuing the penalty for conserving land under the Land Use Value Taxation Program in determining state support for school funding. Implementation of an adjustment to the distribution of school funds that recognizes the actual taxable value of land enrolled in the state's oldest land conservation program. Fauquier County supports the continued full funding of the State's share of the Standards of Quality, the full funding of any categorical educational mandate, including pay raises, and the full funding of the State's portion of the Standards of Learning relating to instructional technology. Fauquier County also supports increased funding for school construction.
- Local Government Zoning, Land Use and Revenue Authority – As a general policy position, Fauquier County opposes any measure that would eliminate or reduce any local government zoning, land use or revenue authority. Fauquier County opposes the continued imposition of unfunded state mandates upon local governments.
- Purchase of Development Rights and Conservation – Fauquier County supports increased State funding for the purchase of conservation easements and other land conservation needs.
- Affordable Housing – Fauquier County supports the Virginia Housing Coalition's proposal to establish a Virginia Housing Trust Fund, capitalized with an ongoing source of State funding.
- Water Resources Planning – Fauquier County supports a comprehensive, State-funded study of the Commonwealth's surface and groundwater resources.

- Libraries – Fauquier County supports full funding of the state aid formula for public libraries, and increased funding for library technology.
- Transportation Priorities – Fauquier County supports State funding for the following top three transportation priorities:
 1. Relocation and reconstruction of Route 215 from Routes 15/29 to Vint Hill. Completion of design work for the ultimate interchange at Route 215 and Routes 15/29.
 2. Spot safety adjustments and intersection improvements (including turn lanes and signalization) in the corridor between Route 15/29 and the Prince William County border.
 3. Construction of the Opal Interchange at Routes 15/29/17.

A Resolution Establishing the Percentage Allocation of the Fixed Amount of State Personal Property Tax Relief for Qualifying Motor Vehicles for Tax Year 2007

RESOLUTION

A RESOLUTION ESTABLISHING THE PERCENTAGE ALLOCATION OF THE FIXED AMOUNT OF STATE PERSONAL PROPERTY TAX RELIEF ON QUALIFYING VEHICLES

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. Code §§ 58.1-3523 *et seq.* (“PPTRA”), was substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, hereinafter cited as the “2005 Appropriations Act”); and

WHEREAS, these legislative enactments require the County of Fauquier to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the Personal Property Tax Relief Act as revised; and

WHEREAS, these legislative enactments provide for the appropriation to the County of Fauquier of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax on such vehicles; now, therefore, be it.

RESOLVED, by the Fauquier County Board of Supervisors this 9th day of August 2007, That qualifying vehicles obtaining situs within the County of Fauquier during tax year 2007, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief;

- Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 61% tax relief;
- Personal use vehicles valued at \$20,001 or more shall only receive 61% tax relief on the first \$20,000 of value;
- All other vehicles which do not meet the definition of “qualifying” (business use vehicles, farm use vehicles, motor homes, etc.) will not be eligible for any form of tax relief under this program; and
- In accordance with Item 503.D.1, the entitlement to personal property tax relief for qualifying vehicles for tax year 2005 and all prior tax years expired on September 1, 2006. Supplemental assessments for tax years 2005 and prior that are made on or after September 1, 2006, unless determined to be of no fault of the taxpayer, shall be deemed ‘non-qualifying’ for purposes of state tax relief and the local share due from the taxpayer shall represent 100% of the tax assessable.

A Resolution to Abate Landfill Tipping Fees for the 2007 Fauquier County Fair

RESOLUTION

A RESOLUTION TO ABATE LANDFILL TIPPING FEES FOR THE 2007
FAUQUIER COUNTY FAIR

WHEREAS, the Fauquier County Fair Board is a non-profit organization; and

WHEREAS, the Fauquier County Fair Board has requested abatement of landfill tipping fees for waste associated with the 2007 County Fair in the amount of \$200.25, to minimize their expenses; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That the County Administrator be, and is hereby, directed to comply with the request of the Fauquier County Fair Board, and abate the landfill tipping fees for the 2007 County Fair; and, be it

RESOLVED FURTHER, That the General Fund shall reimburse the Environmental Services Fund in the amount of \$200.25 for these tipping fees.

A Resolution to Award a Contract to Provide Planning, Architectural and Engineering Services for the Fire Training Center and Sheriff’s Firing Range

RESOLUTION

A RESOLUTION TO AWARD A CONTRACT TO PROVIDED PLANNING,
ARCHITECTURAL AND ENGINEERING SERVICES FOR THE FIRE TRAINING CENTER
AND SHERIFF’S FIRING RANGE

WHEREAS, the Board of Supervisors has approved the concept of developing a Fire Training Center and Sheriff's Firing Range adjacent to the Coral Farms Landfill site; and

WHEREAS, it is necessary to plan and design this project and to seek approval for a Special Exception Permit; and

WHEREAS, the County has worked with Teng and Associates to prepare a preliminary plan for these facilities; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That the County Administrator be, and is hereby, authorized to enter into a contract with Teng and Associates in an amount not to exceed \$164,000 for this work.

A Resolution to Award a Bid for Repairs and Improvements at the Adult Detention Center

RESOLUTION

A RESOLUTION TO AWARD A BID FOR REPAIRS AND IMPROVEMENTS AT THE ADULT DETENTION CENTER

WHEREAS, there is a need to make repairs to the plumbing and heating facilities at the Adult Detention Center; and

WHEREAS, on August 7, 2007, bids for this work were requested and received; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th of August 2007, That the County Administrator be, and is hereby, authorized to enter into a contract with P.W. Stilwell in the amount of \$222,980 for repairs and improvements at the Adult Detention Center.

A Resolution for Addition and Discontinuance of Portions of Route 607 and Route 641 in the Cedar Run District

RESOLUTION

A RESOLUTION FOR ADDITION AND DISCONTINUANCE OF PORTIONS OF ROUTE 607 AND ROUTE 641 IN THE CEDAR RUN DISTRICT

WHEREAS, the Virginia Department of Transportation provided this Board with a sketch dated July 9, 2007, depicting the addition and discontinuance of certain segments of Route 607 and Route 641 within the State's Secondary System of State highways, which sketch is hereby incorporated herein by reference; and

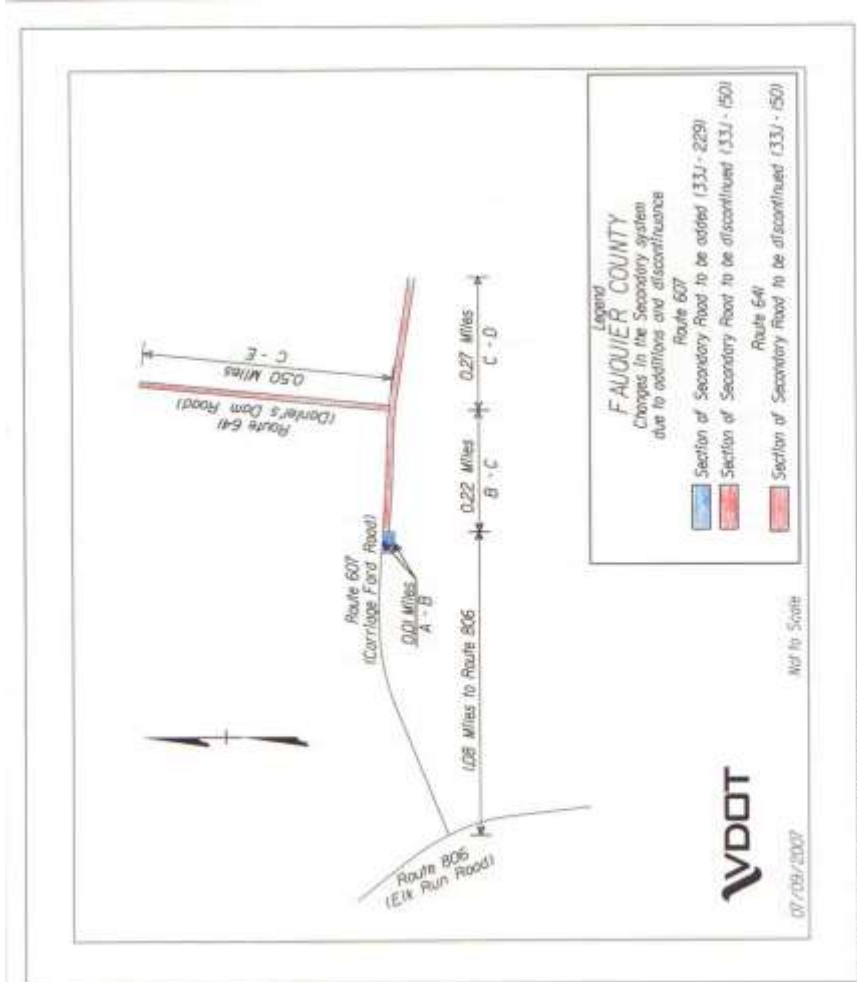
WHEREAS, Secondary Route 607 from 1.08 miles East of Route 806 to 1.57 miles East of Route 806, a distance of 0.49 miles, appears to no longer serve public convenience warranting its maintenance at public expense and should be discontinued as part of the Secondary System of State Highways; and

WHEREAS, Secondary Route 641 from Route 607 to 0.50 miles North of Route 607, a distance of 0.50 miles, appears to no longer serve public convenience warranting its maintenance at public expense and should be discontinued as part of the Secondary System of State Highways; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That this Board requests the Virginia Department of Transportation add portion of Route 607 to the Secondary System of State Highways identified by the sketch as Section A-B, pursuant to §33.1-229, Code of Virginia; and, be it

RESOLVED FURTHER, That the Virginia Department of Transportation is hereby requested to take the necessary action to discontinue aforesaid portion of Route 607 and Route 641 as part of the Secondary System of State Highway identified by the sketch as Sections B-C; C-D; and C-E, pursuant to §33.1-150, Code of Virginia, 1950, as amended; and, be it

RESOLVED FINALLY, That a certified copy of this Resolution shall be forwarded to the Residency Administrator of the Virginia Department of Transportation.



Blue Ridge South: Preliminary Plat PPLT07-LE-003, Lee District

No action was taken.

Greenwood Phase 1: Preliminary Plat PPLT06-LE-004, Lee District

No action was taken.

APPOINTMENTS

By unanimous consent, the following appointments were approved:

- Airport Committee – Lee District: Thomas Garnett, Sr. was appointed to fill an unexpired term ending December 31, 2007.

A RESOLUTION TO GRANT A THREE-YEAR EXTENSION OF A PREVIOUSLY APPROVED SPECIAL EXCEPTION (SPEX06-LE-024) FOR THE LUCKY HILL ROAD WATER TANK, LEE DISTRICT

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

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

RESOLUTION

A RESOLUTION TO GRANT A THREE-YEAR EXTENSION OF A PREVIOUSLY APPROVED SPECIAL EXCEPTION (SPEX06-LE-024) FOR THE LUCKY HILL ROAD WATER TANK

WHEREAS, the owners of the property identified by PINs 6887-46-2019-000 and 6887-46-8038-000 have requested Special Exception approval to allow for the construction of a water storage tank within the Remington Service District on a portion of each of the aforementioned parcels (Category 20, Public Utilities); and

WHEREAS, the requested Special Exception will allow the applicant to construct the aforementioned facility; and

WHEREAS, pursuant to the approved Zoning Ordinance Section 5-014, the applicant is now requesting a three (3) year extension from the Board of Supervisors; and

WHEREAS, on August 10, 2006, the Board of Supervisors approved the Special Exceptions with a series of development conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That the three (3) year extension for Special Exception SPEX06-LE-024, Monument Development-14, LC, and Fauquier Water & Sanitation Authority, owners; and Monument Development-14, LC, Fauquier Water & Sanitation Authority, and Remland, LLC, applicants, be, and is hereby, approved, subject to the original development conditions.

A RESOLUTION DIRECTING STAFF TO PROCEED WITH DEVELOPMENT AND IMPLEMENTATION OF A PILOT AFFORDABLE HOUSING PROGRAM

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

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

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

RESOLUTION

A RESOLUTION DIRECTING STAFF TO PROCEED WITH DEVELOPMENT AND IMPLEMENTATION OF A PILOT AFFORDABLE HOUSING PROGRAM

WHEREAS, the Fauquier County Board of Supervisors authorized staff to accept a grant application for Virginia Housing Development Authority's Sponsoring Partnerships And Revitalizing Communities (SPARC) funds for an affordable housing program; and

WHEREAS, staff has presented key criteria developed for participation in the pilot program to the Board of Supervisors for its information and review; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That staff is hereby directed to proceed with the development and implementation of the pilot affordable housing program; and, be it

RESOLVED FURTHER, That staff is hereby directed to draft an Ordinance to provide for the use of funds, other than State funds, to provide home-ownership grants and other assistance to local government employees working within Fauquier County, employees of the school board, and employees of constitutional officers, to purchase their primary residences in Fauquier County, and to advertise for a public hearing to receive comments on the draft Ordinance.

A RESOLUTION TO AUTHORIZE A REQUEST TO AMEND SE03-CR-23, SPECIAL EXCEPTION TO ALLOW THE CONSTRUCTION AND OPERATION OF A WASTEWATER TREATMENT AND DISPOSAL SYSTEM, FAUQUIER COUNTY OWNER AND APPLICANT

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

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

RESOLUTION

A RESOLUTION TO AUTHORIZE A REQUEST TO AMEND SE03-CR-23, SPECIAL EXCEPTION TO ALLOW THE CONSTRUCTION AND OPERATION OF A WASTEWATER TREATMENT AND DISPOSAL SYSTEM, FAUQUIER COUNTY OWNER AND APPLICANT

WHEREAS, Fauquier County has now had some experience with the Airport Sewer system; and

WHEREAS, engineering consultants have advised the County that a discharge permit as envisioned in the Special Exception permit is not a realistic option to expand service; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That the staff is hereby authorized to prepare an application to amend SE03-CR-23.

SUPERVISORS' TIME

- Mr. Downey offered accolades to Brandon Dawson for achieving a perfect attendance record throughout his academic years. He stated that many businesses, including his own, seek to employ students who possess such personal drive and dedication.
- Mr. Graham stated he had recently attended a fundraising function for the Boys & Girls Club, and he encouraged citizens to contact Mr. Buddy Curtis if they wish to contribute to that organization. Mr. Graham noted that drought conditions have worsened. He asked citizens to voluntarily conserve their water resources, and requested that farmers be kept in everyone's thoughts and prayers. Mr. Graham stated that schools will be re-opening at the end of this month, and he asked citizens to drive cautiously during the school season.

- Mr. Robison announced that the County plans to design a special license plate to commemorate the 250th anniversary of the Fauquier County. He asked citizens to support the commemorative program by making a commitment to reserve their own copy of this special license plate when it becomes available for ordering.
- Mr. Stribling commended those members of Boy Scouts Troop 180 present this evening for being so reverent and obedient during these proceedings, and stated he appreciates the fine example they are setting for their community. Mr. Stribling spoke in support of landfill conservation efforts and urged citizens to continue to recycle at work, school and home. Mr. Stribling stated that he and other Board members are committed to finding mass transit options, and are continuing to seek solutions to the growing traffic congestion on County roadways.

ANNOUNCEMENTS

- Mr. McCulla announced that members of the Board of Supervisors will attend a Transportation Summit on Friday, August 17, 2007, at 11:00 A.M. at the Regional Commission office, located at 420 Southridge Parkway, Suite 106, Culpeper, Virginia, regarding the feasibility of the formation of a Regional Transportation District/Authority for District 9.
- Mr. McCulla announced that the Board of Supervisors' will reconvene for its next regular meeting on September 13, 2007, at 6:30 P.M., noting a venue change to the Warrenton Community Center, located at 430 East Shirley Avenue in Warrenton, Virginia.

A RESOLUTION TO AMEND THE FY 2007 ADOPTED BUDGET IN THE AMOUNT OF \$701,909 AND TO AMEND THE FY 2008 ADOPTED BUDGET IN THE AMOUNT OF \$215,775

A public hearing was held to consider various budget related issues in the amount of \$728,960 in appropriations and (\$27,051) in de-appropriation for FY 2007, and \$215,775 in appropriations for FY 2008. Bryan Tippie, Budget Director, summarized the proposed budget amendments. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Mr. Downey seconded and, following discussion, the vote for the motion was unanimous as follows:

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

RESOLUTION

A RESOLUTION TO AMEND THE FY 2007 ADOPTED BUDGET
IN THE AMOUNT OF \$701,909 AND TO AMEND THE FY 2008 ADOPTED BUDGET IN THE
AMOUNT OF \$215,775

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

WHEREAS, on March 30, 2006, the Board of Supervisors adopted the Fauquier County FY 2007 Budget and, on March 29, 2007, adopted the Fauquier County FY 2008 Budget; and

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

WHEREAS, at its meeting on July 12, 2007, the Finance Committee recommended for FY 2007 budget adjustments of \$701,909 and for FY 2008 budget adjustments of \$215,775 for the purposes set forth below; and

WHEREAS, on August 9, 2007, a public hearing was held; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That the FY 2007 Budget be, and is hereby, amended in the amount of \$701,909 and the FY 2008 Budget amended in the amount of \$215,775 as follows:

Source	FROM Code	Amount	Department	TO Code	Amount
<u>FY 2007</u>					
Auction Proceeds	3-100-152100-0002	\$4,205	Sheriff's Office	4-100-031200-6009	\$34
				4-100-031200-3600	\$95
				4-302-031200-8107	\$4,076
Federal Funds	3-100-331000-0171	\$8,229	Sheriff's Office	4-100-031200-6011	\$8,229
Federal Funds	3-100-331000-0056	\$32,381	Sheriff's Office	4-100-031200-1201	\$20,918
				4-100-031200-6010	\$5,873
				4-100-031200-8201	\$5,590
State Funds	3-100-244005-0015	\$2,625	Sheriff's Office	4-100-031200-6031	\$2,625
Insurance Reimbursement	3-100-411000-0010	\$3,580	Sheriff's Office	4-100-031200-3311	\$3,580
State Funds	3-100-241000-0052	\$6,082	Social Services	4-100-053140-5641	\$6,082
Local Revenue	3-100-122000-0004	\$671,858	Joint Communications	4-100-93100-9220	\$671,858
Textbook Fund	4-206-061100-6020-999	(\$27,051)	School Division	3-206-419000-0010	(\$27,051)
<u>FY 2008</u>					
State Funds	3-504-244740-0020	\$2,275	Airport Enterprise Fund	4-504-81722-3600	\$2,275
State Funds	3-240-249000-0010	\$213,500	Conservation Easement Service District (PDR)	4-240-081800-6099	\$213,500
TOTAL		\$917,684			\$917,684

COMPREHENSIVE PLAN AMENDMENT

A public hearing was held to consider adoption of *The Fauquier County Connections Plan* by reference in the Fauquier County Comprehensive Plan, Chapter 9: Public Facilities and Utilities, and Chapter 10: Transportation. Kristen Slawter, a Planner with Community Development, summarized the proposed Comprehensive Plan Amendment. No one else spoke. Mr. Graham moved to postpone action on this matter and to continue the public hearing until the next regular meeting on September 13, 2007. Mr. Downey seconded and, following discussion, the vote for the motion was unanimous as follows:

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

PROPOSED TEXT AMENDMENTS TO ZONING ORDINANCE SECTIONS 3-300 AND/OR 5-2100

A public hearing was held to consider a Zoning Ordinance Text Amendment to Sections 3-300 and/or 5-2100 to allow certain incidental uses at airports. Frederick P.D. Carr, Director of Community Development, summarized the proposed text amendments. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following Ordinance. Mr. Stribling seconded and, following discussion, the vote for the motion was unanimous as follows:

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

ORDINANCE

AN ORDINANCE TO APPROVE A ZONING ORDINANCE TEXT AMENDMENT TO SECTION 3-300 AND/OR SECTION 5-2100 TO ALLOW CERTAIN INCIDENTAL USES AT AIRPORTS

WHEREAS, on June 7, 2007, the Board of Supervisors initiated this text amendment; and

WHEREAS, on July 26, 2007, the Planning Commission held a public hearing on the proposed text amendment and forwarded the proposed text amendment to the Board of Supervisors recommending approval; and

WHEREAS, on August 9, 2007, the Fauquier County Board of Supervisors held a public hearing on this amendment; and

WHEREAS, adoption of the attached amendment to Sections 3-300 and 5-2100 supports good zoning practices, convenience, and the general welfare; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 9th day of August 2007, That Sections 3-300 and 5-2100 be, and are hereby, amended as follows:

See Page III-4 for Key																	
SITE PLAN	RC	RA	RR -2	V	R- 1	R - 2	R - 3	R - 4	T H	G A	M D P	C- 1	C- 2	C- 3	C V	I-1	I-2
3-321 TRANSPORTATION (CATEGORY 21)																	
1. Airports, landing strips and heliports (including flight instructions)	X	SE	SE	SE		SE										SE	SE
2. Helistops	X	SP	SP	SP		SP							SP	SP		SP	SP
3. Motor freight terminal	X												SP			SP	P
4. Truck Stop	X												SP			SP	SP
5. Bus/rail terminal	X											SP	SP	SP	SP	SP	
<u>6. Incidental Uses in Conjunction with a Transportation Use</u>	<u>X</u>	<u>A</u>	<u>A</u>									<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>

5-2102 Standards for Incidental Category 21 Uses

An airport and/or runways may be utilized for uses that are minor in area and extent and not normally associated with an airport, when the following standards are met:

- 1) The proposed use shall be transportation related.
- 2) The proposed use shall utilize existing facilities at the airport.
- 3) The proposed use shall be clearly incidental relative to the primary airport use, utilizing substantially less area, with activities occurring less frequently, and with lesser impact in terms of traffic, noise, utilities and other land use impacts.
- 4) Uses shall be limited to hard-surface runways only.

REZONING REZN07-CT-008 AND SPECIAL PERMIT SPPT07-CT-031 – RODGERS FAMILY LIMITED PARTNERSHIP, OWNER, AND FAUQUIER COUNTY BOARD OF SUPERVISORS, APPLICANT – RODGERS FAMILY LIMITED PARTNERSHIP AT MORIAH FARM

A public hearing was held to consider an application to rezone approximately 55.56 acres from Rural Agricultural (RA) to Industrial-1 (I-1) and Industrial-2 (I-2). The application is being filed along with a Category 17 Special Permit for an existing contractor’s office, shop, and material storage yard. The property is located at the intersection of Meetze Road (Route 643) and Old Auburn Road (Route 670), in Center District, more particularly described as PIN 6993-

07-7710-000. Frederick P.D. Carr, Director of Community Development, summarized the application. No one else spoke. The public hearing was closed. Mr. Robison moved to adopt the following resolution and ordinance. Mr. Graham seconded and, following discussion, the vote for the motion was unanimous as follows:

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

RESOLUTION

A RESOLUTION TO APPROVE SPPT07-CT-031: A CATEGORY 17 SPECIAL PERMIT TO ALLOW FOR AN EXISTING CONTRACTOR'S OFFICE, SHOP AND MATERIAL STORAGE YARD

WHEREAS, Rodgers Family Limited Partnership, Owner, and the Fauquier County Board of Supervisors, Applicant, are seeking Category 17 Special Permit to allow for an existing Contractor's Office, Shop and Material Storage Yard; and

WHEREAS, on June 28, 2007, the Fauquier County Planning Commission held a public hearing on the proposed Special Permit; and

WHEREAS, on July 26, 2007, the Fauquier County Planning Commission recommended approval of the application, subject to conditions submitted with the application; and

WHEREAS, on August 9, 2007, the Fauquier County Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, on August 9, 2007, the Fauquier County Board of Supervisors concurred with the Planning Commission and determined that the application satisfies the standards of Zoning Ordinance Articles 5-006 and 5-1700; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That SPPT07-CT-031 be, and is hereby, approved, subject to the following conditions:

1. The use must be in general conformance with the Special Permit Plat (Sheet 5) dated May 17, 2007.
2. The contractor storage operation shall be limited to the shop building and shared use of the office building (with farm operation).
3. All repair work shall be performed within the existing shop building.
4. Outdoor storage shall be limited to equipment and vehicles only, with the area for storage clearly identified on the site plan and screening provided if storage is visible from the

street or park property. No more than 20 pieces of equipment shall be stored on-site with no more than 8 highway vehicles parked on-site.

5. The existing trees areas abutting the county park parcel must be located within a tree preservation easement within one year of approval of the Special Permit application to ensure their existence and maintain the existing buffer.
6. All signs must meet Zoning Ordinance requirements and receive proper permits. Any unpermitted signs shall be removed.
7. Building permits shall be secured for the shop and office building within one year of approval of this special permit.
8. Site plan approval is required for the portion of the site occupied by the existing use within one year of approval of this special use permit.

; and

ORDINANCE

AN ORDINANCE TO APPROVE REZN07-CT-008: TO REZONE APPROXIMATELY 55.56 ACRES FROM RURAL AGRICULTURAL (RA) TO INDUSTRIAL-1 (I-1) AND INDUSTRIAL-2 (I-2)

WHEREAS, Rodgers Family Limited Partnership, Owner, and the Fauquier County Board of Supervisors, Applicant, are seeking a rezoning of approximately 55.56 acres (44.3652 and 11.20) from Rural Agricultural (RA) to Industrial-1 (I-1) and Industrial-2 (I-2) respectively; and

WHEREAS, this property known as PIN #6993-07-7710 and consists of 60.03 acres and 4.48 acres are not subject to this rezoning and shall remain Agricultural (RA); and

WHEREAS, the applicant seeks rezoning approval in order to allow for industrial development of this parcel; and

WHEREAS, the parcel is within the Warrenton Service District; and

WHEREAS, on June 28, 2007, the Fauquier County Planning Commission held a public hearing on the proposed rezoning; and

WHEREAS, on July 26, 2007, the Fauquier County Planning Commission recommended approval of the application, subject to the proffers submitted with the application; and

WHEREAS, on August 9, 2007, the Fauquier County Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, on August 9, 2007, the Fauquier County Board of Supervisors concurred with the Planning Commission; and

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

ORDAINED by the Fauquier County Board of Supervisors this 9th day of August 2007, That rezoning request REZN07-CT-008, Rodgers Family Limited Partnership, to change the zoning map designation of approximately 55.56 acres (44.3652 and 11.20 respectively) from Rural Agricultural (RA) to Industrial-1 (I-1) and Industrial-2 (I-2) be, and is hereby, approved, subject to the Rezoning/Special Permit Plan prepared by PHR&A dated May 17, 2007, and the Proffer Statement dated August 8, 2007.

SPECIAL EXCEPTION AMENDMENT SEAM07-SC-003 – WAKEFIELD SCHOOL, INC. OWNER AND APPLICANT – WAKEFIELD SCHOOL

A public hearing was held to consider an application to obtain a Category 5 Special Exception Amendment to increase the Wakefield School area by ± 12.46 acres. The property is located on the southeast side of Old Tavern Road (Route 245), in Scott District, more particularly identified as PIN 6989-85-8341-000. Melissa Dargis, Assistant Chief of Planning for Community Development, summarized the application. Paul Bernard, representing Bury & Partners Engineering, spoke on behalf of the applicant to request favorable consideration of the application. No one else spoke. The public hearing was closed. Mr. Downey moved to adopt the following resolution. Mr. Graham seconded and, following discussion, the vote for the motion was unanimous as follows:

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

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION AMENDMENT
SEAM07-SC-003, WAKEFIELD SCHOOL, SCOTT DISTRICT

WHEREAS, the Wakefield School, Inc., owner and applicant, is seeking Special Exception Amendment approval to increase the school site by ±12 acres, construct an additional 74,500 square feet of building space, and increase student capacity from 500 to 600 students; and

WHEREAS, on January 25, 2007 and June 28, 2007, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception and unanimously recommended approval of the application, subject to conditions; and

WHEREAS, on August 9, 2007, 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 Articles 5-006 and 5-504 and; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That SEAM07-SC-003 be, and is hereby, approved, subject to the following conditions:

1. This Special Exception is granted for and runs with the land indicated in this application, PIN# 6989-85-8341-000, and is not transferable to other land.
2. The Special Exception shall grant the following uses at the site:
 - a. Preschool/Day Care Center/Nursery School - allowed in accordance with Zoning Ordinance Sections 3-305.1, 5-006, 5-501, and 5-503.
 - b. Primary School - allowed in accordance with Zoning Ordinance Sections 3-305.2, 5-006, 5-501, 5-502, and 5-504.
 - c. Secondary/Advanced School - allowed in accordance with Zoning Ordinance Sections 3-305.3, 5-006, 5-501, 5-502, and 5-504.
3. This Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception Plat, "Wakefield School Special Exception Amendment Plat", dated March 21, 2007, and received in the Planning Office on April 23, 2007, as approved with this application, as qualified by these development conditions.
4. This Special Exception shall grant approval of the addition of ±12 acres to the Wakefield School site, as shown on the Special Exception Plat titled "Wakefield School Special Exception Amendment" received in the Planning Office on April 23, 2007, and prepared by Bury + Partners.
5. This Special Exception shall grant approval of an additional 75,000 square feet of buildings, new roads and parking areas, and new athletic and recreational facilities, in general conformance with the aforementioned Special Exception Plat.
6. A new Site Plan shall be required per Zoning Ordinance Sections 3-305.1, 3-305.2, 3-305.3, 12-201 and 12-501 for the uses because a new parcel (±12 acres) is being added to the overall site area and new physical changes to the property are proposed that will require 10,000 square feet or more of land disturbance.
7. Maximum student enrollment per school year shall be six-hundred (600) students with seventy (70) faculty members.
8. Hours of school operation shall be limited from 7:00 a.m. to 5:00 p.m., Monday through Friday. However, the multipurpose facility is not subject to these hours of operation and it may be used seven (7) days per week.

9. Wakefield shall have the option to provide before and after school care for children attending its school. The hours of operation shall start prior to regular school start time and continue after school, including sports and extracurricular activities, until 6:00 p.m.
10. Except as herein provided, all exterior lighting shall be less than three (3) feet high, downlit, shielded and less than 2.5 foot candles measured at the edge of the area being so lighted, and shall be limited to providing safe access from on-site facilities to parking areas and along pedestrian walkways. Notwithstanding anything contained in the previous sentence, there shall be no lighting of athletic fields or courts and two (2) entrance sign lights shall be permitted, which light shall be down shielded and 50 watts or less as specified in Condition #12. Notwithstanding anything to the contrary within this paragraph, pole lights in parking areas shall not exceed twelve (12) feet in height and will be downlit, shielded so that the light source is not visible from outside the property and parking areas shall be lit at less than 2.5 foot-candles. Lights shall be on a timer to be turned off at 10:00 P.M. unless specific after hour activities require later use on an exception basis.
11. Except as herein provided, there shall be no outdoor sound amplification of whatever means. Notwithstanding anything contained in the previous sentence, the following events may include amplification of sound: graduation ceremonies, parent's day and founder's day ceremonies. Any sound amplification allowed under this condition shall not exceed one-half of the noise performance standards contained in Article 9 of the Fauquier County Zoning Ordinance when measured at the property line.
12. Except as herein provided, use of the property shall be limited to a non-residential preschool/primary/secondary educational facility serving grades pre-kindergarten through 12. All organized athletic, cultural and social events shall include participants from the educational institution located on the property. On-site fund raising activities involving the general public shall be limited to six (6) per year. Notwithstanding anything to the contrary contained in this condition, six (6) community, social and cultural activities not primarily involving school participants shall be allowed on-site per year, provided, however, that any zoning approvals necessary for such activity shall be obtained prior to the activity.
13. Applicant shall provide a pedestrian connection between the school and the Town of The Plains.
14. Applicant shall take all steps necessary to request that the Virginia Department of Transportation move the 35 mile an hour speed limit from its present location to a point past the entrance location to the property in the direction of U.S. Rout 66. In the event VDOT denies the request to move the speed limit signs, applicant shall install school zone signs as are acceptable to VDOT.
15. Notwithstanding the provisions contained in Condition 3, on-site residential facilities shall be allowed for the headmaster and the caretaker.

16. Applicant shall provide, at the time of site plan submission, a soils report meeting the standards contained in Section 9-5(C) of the Fauquier County Subdivision Ordinance. Such report shall be subject to the review and approval of the Fauquier County Soil Scientist, which approval shall be prior to the issuance of any building or grading permit. The applicant may request waivers or modification of specific Section 9-5 (C) requirements in accordance with the waiver/modification provisions of Section 9-5 of the Subdivision Ordinance prior to preparing the soils report.
17. All outdoor recreation areas shall be fully fenced.
18. All off-street parking, loading areas and recreational facilities shall be screened to mitigate impacts and to enhance overall appearance of the facility. Installation of screening materials shall be completed, or bonded for completion, prior to issuance of a zoning permit.
19. Only one (1) sign, similar in design to the school logo, shall be permitted. The sign shall be double-sided and no more than ten (10) sq. ft. in size and thirty-six (36) inches in diameter. The sign shall be a relief representation of the logo, circular, and mounted on a freestanding work post placed perpendicular to the highway. The sign may be lighted on each side by a bulb a maximum of fifty (50) watts from dusk to dawn. Proposed colors of the sign are gray and deep red.
20. The access road shall be buffered and screened from the Wiley property. Plans for the buffering and screening shall be submitted for Planning Commission review and approval as part of the first site plan application.
21. For outdoor recreation, the number of children that may use the space at any one time is based on the size of the fenced area and the child's school year as follows: preschool shall have 100 square feet of space per child using the recreational area at any one time; kindergarten through grade 3 shall have 200 square feet of space per child using the recreational area at any one time; and grade 4 through 12 shall have 430 square feet per child using the recreational area at any one time.
22. The applicant shall comply with all VDOT frontage improvements on Route 245.
23. The applicant shall comply with all VDOT entrance requirements or improvements.
24. The new entrance shall be clearly designated as a point of ingress/egress. It shall be adequately marked through a combination of signage and pavement markings.
25. The applicant shall provide dedication of land on its parcel for a future traffic circle on Route 245 as shown on Exhibit A titled "Wakefield School Entrance Exhibit, Option 2" dated June 21, 2007 and prepared by Bury + Partners.
26. The school may phase its building expansion.
27. The proposed buildings shall be in keeping with the materials of the other facilities on campus. Two-story building heights shall be kept as low as possible.

28. The applicant shall provide evidence that the water system will meet fire protection requirements for the completed project.
29. The applicant shall provide a Geotechnical Report with the Site Plan for structures and SWM ponds.
30. SWM/BMP facilities shall be provided with each phase of construction.
31. The applicant shall provide a Jurisdictional Delineation (JD) verified by the Corps of Engineers with the first submission of Final Site Plan and evidence of permit, if applicable.

SPECIAL EXCEPTION SPEX07-CR-016 – VINT HILL ECONOMIC DEVELOPMENT AUTHORITY, OWNER, AND CORNERSTONE CHRISTIAN ACADEMY AND CORNERSTONE CHRISTIAN MINISTRIES, APPLICANTS

A public hearing was held to consider an application to obtain a Category 5 Special Exception to allow for a private Christian School. The property is located at 7142 Lineweaver Road within Vint Hill Station, in Cedar Run District, more particularly described as PIN 7915-86-1930-000. Melissa Dargis, Assistant Chief of Planning for Community Development, summarized the application. Scott McMichael, Scott District, spoke on behalf of the Cornerstone Christian Academy to request favorable consideration of the application. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following resolution. Mr. Downey seconded and, following discussion, the vote for the motion was unanimous as follows:

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

RESOLUTION

A RESOLUTION TO APPROVE CORNERSTONE CHRISTIAN ACADEMY SPEX07-CR-016, A CATEGORY 5 SPECIAL EXCEPTION TO REQUEST APPROVAL TO OPERATE A PRIVATE CHRISTIAN SCHOOL, CEDAR RUN DISTRICT

WHEREAS, the Vint Hill Economic Development Authority, Owner, and the Cornerstone Christian Academy and Cornerstone Christian Ministries, Applicants, are seeking Special Exception approval to operate a private Christian school in a leased building at Vint Hill; and

WHEREAS, on July 26, 2007, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception and unanimously recommended approval of the

application, subject to conditions; and

WHEREAS, on August 9, 2007, 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 Articles 5-006 and 5-504; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 9th day of August 2007, That SPEX07-CR-016 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 approved with this application, as qualified by these development conditions.
2. The Special Exception shall grant the following uses at the site:
 - a. Primary School - allowed in accordance with Zoning Ordinance Sections 3-305.2, 5-006, 5-501, 5-502, and 5-504.
 - b. Secondary/Advanced School - allowed in accordance with Zoning Ordinance Sections 3-305.3, 5-006, 5-501, 5-502, and 5-504.
3. This Special Exception approval grants the Cornerstone Christian Academy a five (5) year permit.
4. No new structures shall be constructed.
5. Maximum student enrollment per school year shall be two-hundred (200) students with twenty-five (25) faculty members.
6. Hours of school operation shall be limited from 8:30 a.m. to 3:30 p.m., Monday through Friday.
7. Evening high school or adult classes shall be allowed and may be scheduled from 4:00 p.m. to 8:00 p.m. Monday through Thursday.
8. Cornerstone Christian Academy shall have the option to provide before and after school care for children attending its school. The hours of operation shall start prior to regular school start time and continue after school, including sports and extracurricular activities, until 6:30 p.m.
9. All outdoor recreation areas shall be fully fenced.
10. For outdoor recreation, the number of children that may use the space at any one time is based on the size of the fenced area and the child's school year as follows: kindergarten through grade 3 shall have 200 square feet of space per child using the recreational area

at any one time; and grades 4 through 12 shall have 430 square feet per child using the recreational area at any one time.

11. Children shall be escorted by teachers and utilize sidewalks to access the outdoor recreation area or other athletic fields.
12. The new entrance shall be clearly designated as a point of ingress/egress. It shall be adequately marked through a combination of signage and pavement markings.
13. An adult or teacher shall monitor regular drop-off (7:30 to 9:00 a.m.) and pick-up (3:15 to 6:30) times at the school entrance.
14. Cornerstone Christian Academy shall be allowed to utilize the ADA approved rear entrance to the annex building until the front entrance is reconfigured for school use. Should the warehouse space that shares the rear entrance be leased and occupied during this time, the school use shall cease until the regular entrance is constructed and approved.
15. The Cornerstone Christian Academy shall obtain an appropriate lease agreement with Vint Hill Economic Development Authority for use of the facility.
16. Children will be escorted by an adult at all times, including but not limited to the playground and restroom. Cornerstone Christian Academy shall use specific procedures and guidelines for adults to follow when accompanying students. A copy of these procedures shall be submitted to the County for the project file.
17. The school shall provide evidence of appropriate insurance (full liability policy) when signing the lease.
18. Cornerstone Christian Academy shall have an emergency policy that includes emergency forms to be signed by parents and/or legal guardians that provide details regarding emergency care. A copy of this document shall be submitted to the County for the project file.
19. Cornerstone Christian Academy shall have a written emergency plan in case of accident, fire, snow, or other unforeseen occurrence. This includes an emergency call plan, posted evacuation maps, written procedures, and practice drills as mandated by state and county codes. A copy of this document shall be submitted to the County for the project file.
20. No food preparation or lunch service shall be offered. Students shall bring packed lunches.

AMENDMENT TO SECTION 13-51 OF THE FAUQUIER COUNTY CODE

A public hearing was held to consider a proposed amendment to Section 13-51 of the Code of Fauquier County to add additional exceptions to the requirement to pay a local license registration fee. Catherine M. Heritage, Assistant County Administrator, summarized the proposed amendment. No one else spoke. The public hearing was closed. Mr. Graham moved to adopt the following Ordinance. Mr. Robison seconded and, following discussion, the vote for the motion was unanimous as follows:

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

ORDINANCE

AN ORDINANCE AMENDING SECTION 13-51 OF THE CODE OF FAUQUIER COUNTY TO PROVIDE CERTAIN ADDITIONAL EXCEPTIONS TO THE REQUIREMENT TO PAY A LOCAL LICENSE REGISTRATION FEE

WHEREAS, the Board of Supervisors of Fauquier County adopted an Ordinance pursuant to Title 46.2 of the Code of Virginia, 1950, as amended, for the administration of County vehicle license fees under Chapter 13, Article IV, Sections 13-51 et.seq.; and

WHEREAS, as of July 1, 2007, the General Assembly amended Title 46.2, Section 46.2-752 (A) of the Code of Virginia, 1950, authorizing counties to permit an exception from the local license registration fee on no more than one vehicle owned or leased by Deputy Sheriffs, Virginia State Police Officers, Municipal Police Officers, salaried Firefighters and salaried Emergency Medical Technicians; and

WHEREAS, the Board of Supervisors wishes to grant this exception to residents of the County who also work in Fauquier County; and

WHEREAS, it has been determined that certain stated paragraphs in the existing Section 13-51 are redundant and should be deleted as they are covered by existing State law; and

WHEREAS, the local governing body may adopt a local Ordinance to accommodate the enabling legislation; and

WHEREAS, after due notice and public hearing, the Board of Supervisors has determined that these changes are for the benefit of the citizens of Fauquier County; now, therefore, be it

ORDAINED by the Board of Supervisors of Fauquier County this 9th day of August 2007, That effective January 1, 2008, Chapter 13, Article IV, Section 13-51 of the Fauquier County Code be, and is hereby, amended as follows:

ARTICLE IV. COUNTY VEHICLE LICENSE REGISTRATION FEE

Sec. 13-51. License registration fee required; exceptions.

The county hereby levies and assesses a license registration fee on every motor vehicle, including, but not limited to, automobiles and trucks having a situs pursuant to § 58.1-3511, Code of

Virginia, except:

~~(1) Vehicles used by a dealer or manufacturer for sales purposes;~~

~~(2) Vehicles are used as common carriers of persons or property operated between cities or towns in this state, and not in intra-city transportation, or between cities or towns on the one hand and points and places outside the cities and towns on the other and not in intra-city transportation.~~

⊖ (1) Vehicles used by an active member of volunteer fire and rescue companies of the county or an active member of the sheriff's auxiliary deputy program, provided, however, that active members of any volunteer fire and rescue companies shall provide to the treasurer at the time of declaration of personal property a written certification by the chief of the volunteer company that said applicant is an active member, and is a member whose name appears in the book of "Volunteer Fire Fighters" kept by the clerk of the circuit court, and provided further that any auxiliary deputy shall provide a certificate from the sheriff stating that the auxiliary deputy is an active volunteer in the sheriff's auxiliary deputy program. However, the exception shall apply to no more than one (1) vehicle.

⊖ (2) Vehicles owned or leased by a person who is sixty-five (65) years of age or older shall be entitled to a fifty (50) percent reduction in the license registration fee assessed on that vehicle, provided that no such discount shall be available for more than one (1) vehicle owned or leased by the same person.

⊖ (3) Vehicles owned by former members of volunteer rescue squads and former members of volunteer fire departments having at least ten (10) years of service in the county. However, the exception shall apply to no more than one (1) vehicle.

(4) Vehicles owned or leased by deputy sheriffs, municipal police officers, officers of the Virginia State Police, salaried firefighters and salaried emergency medical technicians provided such applicant is a resident of and employed in Fauquier County and further, such applicant shall annually provide to the treasurer at the time of declaration of personal property a written certification by the chief executive officer of their respective agency that said applicant is employed in Fauquier County. However, the exception shall apply to no more than one (1) vehicle.

With no further business, the meeting was adjourned at 7:36 P.M.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on August 9, 2007.

Paul S. McCulla
Clerk to the Board of Supervisors