



**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
SEPTEMBER 8, 2016, 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. R. Holder Trumbo, Jr.; Mr. Paul S. McCulla, County Administrator; Mr. Kevin J. Burke, County Attorney

A B S E N T None

CALL TO ORDER

Mr. Granger called the meeting to order at 11:05 A.M.

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

CLOSED SESSION

Mr. Granger moved to go into closed session pursuant to Virginia Code Section 2.2-3711(A)(7) to discuss pending litigation, and also pursuant to Section 2.2-3711(A)(3) to discuss long term leasing of hangars at the airport. Upon being seconded, the vote was unanimous, as follows:

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

Nays: None

Absent During Vote: None

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 8th day of September, 2016, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

A WORK SESSION TO UPDATE THE BOARD OF SUPERVISORS REGARDING THE PROPOSED NEW LIBRARY PROJECT WATERLOO STREET PROPERTY

Mr. Paul McCulla, County Administrator, introduced Mr. Mark A. Manetti, Associate Partner of BKV Group, who provided an update on the proposed layout of the Waterloo Street property as a proposed new Library location.

A WORK SESSION TO DISCUSS KEY ISSUES AND INPUT FROM THE COMMUNITY CONVERSATIONS PROCESS

Ms. Kimberley Fogle, Director and Department of Community Development, and Mr. Vladimir Gravidovic, principal at Renaissance Planning Group, briefed the Board of Supervisors on the community input received during the Community Conversations project. Two conversations have been held - the first on May 17, 2016, and the second on July 12, 2016. Staff has also received input through a dedicated website. A video of the presentation made at the second conversation can be found at: <https://www.youtube.com/watch?v=Sl6z5Wflji4>.

A WORK SESSION TO CONSIDER THREE DEBT-RELATED RESOLUTIONS ON CONSENT AGENDA FOR SEPTEMBER 8, 2016

Mr. Jon Munch, Director of Finance, Ms. Erin Kozanecki, Budget Director, and Mr. Chris Coulk, Esq. of Hunton & Williams, discussed three debt-related resolutions that will be presented for Board consideration pertaining to the following:

1. Restructure of the 2012 Solid Waste Revenue Bonds;
2. Refinance of a portion of the 2011 Lease Financing payments; and
3. Issuance of debt for Public Safety Radio System upgrades.

A WORK SESSION TO REVIEW CORRAL FARM TRANSFER PROJECT, PHASE 1

Mr. Michael Dorsey, Director of Environmental Services, reviewed Phase 1 of the Corral Farm solid waste Transfer Project. At the Board of Supervisors meeting on August 11, 2016, Joyce Engineering staff reviewed the transfer project and submitted bids. As a result, the project was divided into phases with the first phase consisting of grading, sediment basin construction and related work, being advertised for construction on August 16th. Mr. Dorsey reviewed the scope of work in the initial phase and the submitted construction bids for Board consideration of contract award.

A WORK SESSION TO DISCUSS THE QUADRENNIAL REAL PROPERTY GENERAL REASSESSMENT PROCESS

Ms. Catherine Heritage, Deputy County Administrator, was joined by Ms. Patty McSweeney, Reassessment Coordinator, and Mr. Michael Colavecchio, lead assessor and project supervisor from the firm of Wampler & Eanes, to discuss the steps involved in the real property general reassessment process. The quadrennial real property assessment occurs every four years and is currently scheduled to begin in January 2017.

FAUQUIER EXTENSION LEADERSHIP DINNER

Board members attended the annual Fauquier Extension Leadership Dinner meeting to receive an update on the activities of the local Virginia Tech Cooperative Extension Service education programs.

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

INVOCATION

Mr. Butler offered the Invocation.

PLEDGE OF ALLEGIANCE

Mr. Granger led the Pledge of Allegiance.

ADOPTION OF THE AGENDA

Mr. Gerhardt moved to adopt the agenda with the following changes. Mr. Butler seconded, and the vote was unanimous, as follows:

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

- Add new Consent Agenda Item #6(q): A Resolution to Authorize the County Administrator to Execute a Lease for the Marshall Business Incubator.
- Remove Regular Agenda Item #7 and add as new Consent Agenda Item #6(r): A Resolution to Amend the FY 2017 budget by \$295,736.
- Remove Public Hearing Item #4 (withdrawn at the request of the applicant): A Resolution To Consider SPEX-16-005184 - The Meadows At Kelly Farm - An Application To Amend A Previously Approved Category 29 Special Exception (SPEX-14-001333) To Waive The Public Street Requirement (PINs #7903-27-1455-000, #7903-36-7799-000 & #7903-46-0693-000), Cedar Run District.

CITIZEN'S TIME

No one spoke.

PROCLAMATIONS AND RECOGNITION

No presentations were made.

CONSENT AGENDA

Mr. Gerhardt moved to adopt the following Consent Agenda items. Mr. Butler seconded and, following discussion, the vote was unanimous, as follows:

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

Minutes of the Fauquier County Board of Supervisors

Approved as presented.

A Resolution to Adopt the Board of Supervisors' Legislative Proposals for the 2017 General Assembly

RESOLUTION

A RESOLUTION TO ADOPT THE BOARD OF SUPERVISORS' LEGISLATIVE PROPOSALS FOR THE 2017 GENERAL ASSEMBLY

WHEREAS, Fauquier County has a variety of issues and interests that 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 2017 VACo Legislative Program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the Board of Supervisors' 2017 Legislative Program be, and is hereby, adopted as follows:

LEGISLATIVE PRIORITIES

Revenue Impacts for Local Governments

- Fauquier County urges the General Assembly to authorize counties to enact a meal tax of up to 8% without referendum or special approval from the General Assembly. Six counties in Virginia already have exemptions from the referendum requirement. By granting this authority to the rest of the counties within the Commonwealth, the General Assembly will help counties to achieve revenue parity with their surrounding cities and to generate capital revenue to fund needed county and school projects.
- Fauquier County opposes the imposition of additional unfunded state mandates upon localities.
- Fauquier County urges the General Assembly to return to paying \$14 per day for all state responsible inmates for whom they are now paying \$12 per day.

Social Services/Comprehensive Services

- Fauquier County opposes any changes to CSA policy that would further shift costs from the State to localities.

Education Funding

- Fauquier County encourages recognition by the Commonwealth that its current policy of using full assessed value in the calculation of the Composite Index penalizes localities that employ land use valuation, and is inconsistent with its land preservation goals and policies.
- Fauquier County seeks continued and increased state funding to assist localities with school-related capital costs.

Land Use and Zoning Authority

- Fauquier County opposes any measure that would eliminate or reduce any local government zoning, land use or revenue authority.
- Fauquier County encourages the General Assembly to provide adequate authority for the Virginia Department of Health or localities to respond to, and find solutions for, failing Alternative On-Site Septic Systems—particularly in the case where the homeowners are low-income Virginians.
- Fauquier County supports legislation to prohibit public utilities from establishing transmission corridors over developed growth areas.
- Fauquier County supports legislation authorizing the regulation of Air B&B's at the local level, where their impact is most strongly felt.

Purchase of Development Rights and Conservation

- Fauquier County supports increased State funding for the purchase of conservation easements and other land conservation needs.

Libraries

- Fauquier County seeks an increase to the state aid formula for public libraries. Funding available for public libraries currently fall short of the amount needed to fully fund the formula as defined by the Code of Virginia. Funds are needed, as more and more Virginians turn to their public libraries to help bridge the gap between those with access to electronic resources and those without.

Chesapeake Bay Restoration

- Fauquier County encourages the Commonwealth to work closely and collaboratively with localities, the Rappahannock River Basin Commission and the Potomac Watershed Roundtable in their endeavors to restore water quality.

Transportation Priorities

- Fauquier County seeks support from the Virginia General Assembly to have the Commonwealth Transportation Board restore the \$1.069 million that was reduced from the preliminary engineering phase for the proposed interchange at Route and Business Route 15/17/29.

- Fauquier County seeks support from the Virginia General Assembly to encourage the Virginia Department of Transportation to construct a traffic light at the intersection of Route 29 North and Mill Run Industrial Park.
- Fauquier County requests support from the Virginia General Assembly for the Virginia Department of Transportation to accept the entry road into the Warrenton-Fauquier Airport as a publically maintained road (as per Code of Virginia § 33.1-221--Airport Access Program)
- Fauquier County requests support for the County’s FY 2017-2023 Smart Scale funding request for Intersection Safety Improvements along Route 28 (a contributing corridor of statewide significance) and its intersection with Bastable Mill Road (Route 603) and Bristersburg Road (Route 616).

Broadband

- Fauquier County supports efforts to expand broadband capabilities in underserved and rural areas including protecting and enhancing local authority to deploy or partner with others, public or private, broadband in unserved and underserved areas.

A Resolution to Grant a Fee Waiver for VonCanon General Store

RESOLUTION

A RESOLUTION TO GRANT A FEE WAIVER TO VONCANON GENERAL STORE

WHEREAS, VonCanon General Store will be filing a Special Exception Application, a Site Plan Application, and Building Permit Applications, on property located on 7167 Lineweaver Road, Vint Hill (PIN 7915-74-7317-000); and

WHEREAS, VonCanon General Store recently purchased the merchandise from Vintage Hill, LLC and leased the building it occupied for three (3) years from Vint Hill Village; and

WHEREAS, VonCanon General Store intention is to continue the sale of vintage home furnishings and expand to a general store merchandise; and

WHEREAS, VonCanon General Store believed that the property and building had all of the appropriate approvals to continue the retail use, and was not aware that a Special Exception and certificate of occupancy were never obtained; and

WHEREAS, VonCanon General has requested that Board of Supervisors grant a waiver of all fees associated with the project to get the location properly zoned, permitted, and obtain a certificate of occupancy; and

WHEREAS, the Board of Supervisors has the ability to waive all application fees for the project; and

WHEREAS, the Board of Supervisors has determined that it is appropriate to grant the requested fee waiver; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the Board of Supervisors hereby grants a waiver of the allowable fees to VonCanon General Store for its project at 7167 Lineweaver Road, Vint Hill (PIN 7915-74-7317-000).

A Resolution Authorizing the County to Amend Contract 25-11KHC with Whitman, Requardt & Associates, LLP, for Land Planning and Engineering Services, Stafford Property Development Plan

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY TO AMEND CONTRACT 25-11KHC WITH WHITMAN, REQUARDT & ASSOCIATES, LLP, FOR LAND PLANNING AND ENGINEERING SERVICES, STAFFORD PROPERTY DEVELOPMENT PLAN

WHEREAS, on March 10, 2011, the Board of Supervisors approved award of Contract 25-11khc to Whitman, Requardt & Associates, LLP, for Land Planning Services, Phase I, Stafford Property Development Plan, valued at \$ 167,000; and

WHEREAS, the County's response to Whitman, Requardt & Associates, LLP's July 5, 2016, Memo of Findings resulted in the August 11, 2016, Whitman, Requardt & Associates, LLP, Proposal for Additional Phase I Planning Services for \$66,500, with County staff recommending an additional \$20,000 for contingencies relative to this work, resulting in a total contract increase of \$86,500; and

WHEREAS, Procurement Policy FDP-01, Section VI.14.1.a. "Modifications of the Contract" requires Board of Supervisors approval of contract modifications representing an increase of more than 25% or \$50,000, whichever is greater; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the Board does hereby authorize the execution of Contract Modification #1, in a total value of \$86,500, to Contract 25-11khc with Whitman, Requardt & Associates, LLP.

A Resolution to Approve Travel for Detective David Hamblin to Attend the Virginia Forensic Science Academy

RESOLUTION

A RESOLUTION TO APPROVE TRAVEL FOR SHERIFF'S OFFICE DETECTIVE DAVID HAMBLIN TO ATTEND THE VIRGINIA FORENSIC SCIENCE ACADEMY

WHEREAS, the Sheriff desires Detective David Hamblin to attend the 90th Session of the Virginia Forensic Science Academy for the benefit of the Sheriff's Office and the public safety of the citizens of Fauquier County; and

WHEREAS, the training is free but the associated lodging and per diem costs for nine weeks are \$5,220.02; and

WHEREAS, this amount requires approval of the Board of Supervisors under the current travel reimbursement policy; and

WHEREAS, the Sheriff stipulates that sufficient funding currently exists in the department's budget to cover these expenses; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the Board does hereby authorize the aforementioned travel by Detective David Hamblin in order to attend the Virginia Forensic Science Academy.

A Resolution to Consider Authorizing Award of a Contract for the Construction of Phase 1 of the Corral Farm Municipal Solid Waste Transfer Project

RESOLUTION

A RESOLUTION TO CONSIDER AUTHORIZING A CONTRACT FOR THE CONSTRUCTION OF PHASE 1 OF THE CORRAL FARM MUNICIPAL SOLID WASTE TRANSFER PROJECT

WHEREAS, on December 11, 2014, after a comprehensive planning and procurement process, a contract was awarded for offsite transportation and disposal of municipal solid waste; and

WHEREAS, on July 1, 2015, offsite transportation and disposal began through a temporary transfer operation approved by the Virginia Department of Environmental Quality; and

WHEREAS, on July 9, 2015, a contract was awarded for professional engineering services to design, permit, and construct certain facility and operational improvements necessary to provide a long-term transfer operation; and

WHEREAS, on June 16, 2016, project construction was advertised and two bids were submitted as of the closing date on July 27, 2016; and

WHEREAS, in response to bids exceeding available funds, the original procurement was closed on August 2, 2016, and the project was divided into four phases with the first phase consisting of grading, sediment basin construction and related work being advertised on August 16, 2016; and

WHEREAS, on the closing date of August 31, 2016, five bids were submitted offering to complete the specified scope of work with the lowest bid being withdrawn due to a math error, as allowed within the Virginia Public Procurement Act; and

WHEREAS, the project engineer has evaluated and confirmed that the revised low bid is fair and reasonable; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the Fauquier County Administrator be, and is hereby, authorized to execute the necessary contract with General Excavation, Inc., for \$415,000.00 and to complete all work related to Phase 1 of the transfer project construction.

A Resolution Authorizing the Acceptance of a Conservation Easement over the Property of Robert M. and Jill A. Monk

RESOLUTION

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A CONSERVATION EASEMENT OVER THE PROPERTY OF BUST HEAD LAND, LLC

WHEREAS, Robert M. and Jill A. Monk have proposed to donate a conservation easement over their property described as tax map parcel PIN 7011-28-2599-000 consisting of approximately 37.25 acres, hereinafter “the Property;” and

WHEREAS, the Board of Supervisors has determined that the proposed easement is appropriate, in the public interest, and furthers the goals and objectives of its Comprehensive Plan; and

WHEREAS, the Board of Supervisors has determined that the proposed easement will preserve important recreational, historical and scenic lands and scenic and natural resources in a manner consistent with the Comprehensive Plan; and

WHEREAS, the Board of Supervisors hereby designates the Property as open-space under the authority granted by Chapter 17 of Title 10.1 of the Code of Virginia, 1950, as amended, the “Open-Space Land Act;” now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the Board finds as follows:

1. The proposed easement preserves recreational, historical, and scenic open-space lands in the county pursuant to the goals and objectives stated in the county's Comprehensive Plan and thereby advances a public purpose of the county; and

2. The restrictions contained in the proposed easement will preserve and protect in perpetuity the open-space values of the Property and will limit the uses of the Property to those uses which are consistent with and which will not adversely affect the open-space values described in the easement; and

3. The proposed easement will provide a significant public benefit to the citizens of Fauquier County and the Commonwealth of Virginia; and, be it

RESOLVED FURTHER, That the County Administrator and the County Attorney be, and are hereby, authorized and directed to accept the donation of a conservation easement under those terms generally set forth in the proposed easement attached to the agenda request for this item, subject to such revisions as may be deemed appropriate to the County Administrator and County Attorney.

A Resolution Directing the County Administrator to Schedule a Public Hearing to Authorize the Grant of an Easement over Property Owned by the County in Marshall

RESOLUTION

A RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR TO SCHEDULE A PUBLIC HEARING TO AUTHORIZE THE GRANT OF AN EASEMENT OVER COUNTY PROPERTY IN MARSHALL DISTRICT

WHEREAS, the developers of Washburn Place have requested that the Board of Supervisors grant an easement for a waterline for the purpose of completing the development of the Washburn Place townhouses in Marshall District; and

WHEREAS, the County must conduct a public hearing prior to granting an easement over the property that is to be crossed by the waterline; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this the 8th day of September 2016, That the Board of Supervisors hereby directs the County Administrator to schedule a public hearing to consider the grant of an easement over its property for the purpose of installing a waterline to Washburn Place in Marshall District.

A Resolution Authorizing the County to Execute a System Purchase Agreement Based on RFP 20-16sm with Harris Corporation for the Public Safety Radio System Upgrade Project

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY TO EXECUTE A CONTRACT
FOR THE PUBLIC SAFETY RADIO SYSTEM UPGRADE PROJECT

WHEREAS, as the existing 800MHz Public Safety Radio System requires a major upgrade to replace equipment no longer under support and, to comply with P25 standards, on October 9, 2014, the Board of Supervisors approved award of the Engineering & Consulting contract for this project; and

WHEREAS, on September 30, 2015, the Consultant, Federal Engineering, compiled requirements from Fauquier, Culpeper and Rappahannock County in a tri-county effort with Fauquier as lead, releasing RFP 20-16sm for a Public Safety Radio System Upgrade Project; and

WHEREAS, on January 19, 2016, three competing proposals were received and a tri-county evaluation team comprised of five voting/two advisory members from Fauquier, four voting/three advisory members from Culpeper, and two voting members from Rappahannock, with the guidance of the Consultant, Federal Engineering, evaluated, ranked, interviewed, re-ranked and negotiated with the top-ranked Proposer, concluding in a competitively negotiated contract for the project, with the resulting contract for \$7,600,000 total system upgrade, apportioned as 50% Fauquier, 40% Culpeper and 10% Rappahannock, represents a \$3,800,000 share of the Upgrade Project to Fauquier, in addition to, for Fauquier, an additional potential Subscriber (Terminal) unit value of \$3,417,563; and

WHEREAS, Section VI, I, Contract Award Approval, of Procurement Policy FDP-01 requires Board of Supervisors approval of contract award for contracts resulting from a formally issued Request for Proposal (RFP) that exceed \$100,000 in value; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the County Administrator be, and is hereby, authorized to execute a contract for the Public Safety Radio Upgrade Project in the amount of \$7,217,563 with Harris Corporation, Communications Systems Segment, contingent upon the approval, funding and execution of the contract by Culpeper and Rappahannock Counties.

A Resolution to Amend the Emergency Use Purchasing Card Program to Convert the Card Issued to and Held by the County Purchasing Agent, Finance Department to a General Use Purchasing Card

RESOLUTION

A RESOLUTION TO AMEND THE EMERGENCY USE PURCHASING CARD PROGRAM TO CONVERT THE CARD ISSUED TO AND HELD BY THE COUNTY PURCHASING AGENT, FINANCE DEPARTMENT TO A GENERAL USE PURCHASING CARD

WHEREAS, on December 12, 2013, the Fauquier County Board of Supervisors established and implemented a pilot purchasing card program; and

WHEREAS, the purchasing cards issued under the pilot program were authorized for emergency use only; and

WHEREAS, the Fauquier County Board of Supervisors has expressed their support for the expansion of the pilot purchasing card program through the establishment and subsequent hiring of a Purchasing Card Administrator; and

WHEREAS, in order to test certain aspects of the current purchasing card administration system and interfaces into the financial accounting system, a greater volume of purchasing card transactions are necessary; and

WHEREAS, the aforementioned testing, as well as policy and procedure development and other aspects of the program are necessary before issuing additional pilot program purchasing cards; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the purchasing card issued to and held by the County Purchasing Agent, Finance Department be converted to a general use purchasing card and is hereby authorized for general use; and, be it

RESOLVED FURTHER, That all other purchasing cards heretofore issued under the previously established purchasing card pilot program remain authorized for emergency use only.

A Resolution to Amend the Volunteer Fire & Rescue Financial Management Policy

RESOLUTION

A RESOLUTION TO AMEND THE VOLUNTEER FIRE & RESCUE FINANCIAL MANAGEMENT POLICY

WHEREAS, the citizens of the County of Fauquier are protected by a combined volunteer and career fire and emergency services system; and

WHEREAS, both the County, and the volunteer companies that operate the combined fire and emergency services system within the County, seek to serve the citizens by providing fire and rescue services in the most effective and efficient manner possible; and

WHEREAS, all parties involved in this endeavor share a common interest in protecting and using the assets allocated toward that purpose to accomplish the mission of providing the best fire and rescue services for our citizens; and

WHEREAS, a sound and comprehensive system of internal controls and financial practices are vital to ensuring that the interests and resources of the citizens are safeguarded; and

WHEREAS, the Fauquier County Board of Supervisors allocates a substantial amount of money to the volunteer companies each year from a tax levy on the citizens of the County; and

WHEREAS, the tax dollars allocated towards the fire and emergency services system should be, to the extent possible, protected from fraud, embezzlement and inappropriate use; and

WHEREAS, on January 9, 2015, the Fauquier County Board of Supervisors adopted a Volunteer Fire & Rescue Financial Management Policy (“the Policy”) that established certain required internal control practices and made the release of operating contributions from the County to volunteer companies contingent upon compliance with the Policy; and

WHEREAS, there have been presented to the Fauquier County Board of Supervisors, certain amendments to the Volunteer Fire & Rescue Financial Management Policy that are intended to provide the same level of internal controls and financial practices for the safeguarding of funds allocated to the volunteer companies, and that will also offer efficiencies and eliminate duplication of effort with respect to current audit and internal review practices required by the current policy; and

WHEREAS, the County Treasurer, Finance Department staff, and the President of the Volunteer Fire & Rescue Association have reviewed and approved the proposed amendments to the Volunteer Fire & Rescue Financial Management Policy and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the Volunteer Fire & Rescue Financial Management Policy be, and is hereby, amended per the version of the Policy attached to the agenda request for this resolution, to be effective January 1, 2017; and, be it

RESOLVED FURTHER, That the Fauquier County Board of Supervisors does hereby affirm the following interim changes to the Policy, effective immediately:

- All unfinished internal review engagements of volunteer companies by the Finance Department shall be suspended immediately;

- Volunteer companies shall provide an action plan that encompasses all findings identified as of September 8, 2016, from any completed engagement for which they have not yet responded; and
- Finance Department follow-up engagements of volunteer companies between September 9, 2016 and December 31, 2016, shall be confined to confirming the effective implementation of action plans related to internal control practices wherein external audit findings from the current year engagement are repeated findings from earlier engagements (prior year internal review engagements and/or the external ‘Agreed-Upon Procedures’ engagement).

A Resolution Authorizing the County to Amend an Existing Lease Financing with the Virginia Resources Authority to Provide for the Refinancing of a Portion of the Rental Payments due Thereunder and Authorizing the Execution of Certain Documents Prepared in Connection Therewith

COVERING CERTIFICATE FOR RESOLUTION

The undersigned Clerk of the Board of Supervisors (the “Board”) of the County of Fauquier, Virginia (the “County”), certifies as follows:

1. Attached hereto is a true, correct and complete copy of a resolution entitled “RESOLUTION AUTHORIZING THE COUNTY TO AMEND AN EXISTING LEASE FINANCING WITH THE VIRGINIA RESOURCES AUTHORITY TO PROVIDE FOR THE REFINANCING OF A PORTION OF THE RENTAL PAYMENTS DUE THEREUNDER, AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS PREPARED IN CONNECTION THEREWITH AND PROVIDING FOR THE REFINANCING OF CERTAIN OUTSTANDING RENTAL PAYMENTS” (the “Resolution”), as adopted at a regular meeting of the Board held on September 8, 2016, by the recorded affirmative roll-call vote of a majority of all members elected to the Board.

2. Such meeting of the Board was held at the time and place established by the Board for such meeting.

3. The minutes of such meeting reflect the attendance of the members and their votes on the Resolution as follows:

Member	Attendance (Present/Absent)	Vote (Aye/Nay/Abstain)
Christopher T. Butler	Present	Aye
Richard R. Gerhardt	Present	Aye
Christopher N. Granger	Present	Aye
Mary Leigh McDaniel	Present	Aye
R. Holder Trumbo, Jr.	Present	Aye

4. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my signature and the seal of the Board of Supervisors of the County of Fauquier, Virginia, this 8th day of September 2016.

Clerk of the Board of Supervisors,
County of Fauquier, Virginia

(SEAL)

RESOLUTION

A RESOLUTION AUTHORIZING THE COUNTY TO AMEND AN EXISTING LEASE FINANCING WITH THE VIRGINIA RESOURCES AUTHORITY TO PROVIDE FOR THE REFINANCING OF A PORTION OF THE RENTAL PAYMENTS DUE THEREUNDER AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS PREPARED IN CONNECTION THEREWITH

WHEREAS, the County of Fauquier, Virginia (the “County”), has entered into a lease financing arrangement with the Virginia Resources Authority (“VRA”), under which the County leased the Alice Jane Childs Administrative Building, located at 320 Hospital Drive, Warrenton, Virginia (the “Property”), to VRA pursuant to the terms of a Prime Lease dated as of June 1, 2011, between the County and VRA (the “2011 Prime Lease”), and VRA leased the Property back to the County pursuant to the terms of a Local Lease Acquisition Agreement and Financing Lease dated as of April 15, 2011, between VRA and the County (the “2011 Financing Lease” and, together with the 2011 Prime Lease, the “2011 Leases”); and

WHEREAS, the County and VRA entered into (a) a First Amendment to Prime Lease dated as of April 10, 2015 (the “First Amendment to Prime Lease”), amending certain terms of the 2011 Prime Lease (as amended by the First Amendment to Prime Lease, the “2015 Prime Lease”), and (b) a First Amendment and Supplement to Local Lease Acquisition Agreement and Financing Lease dated as of April 10, 2015 (the “First Amendment to Financing Lease”), amending certain terms of the 2011 Financing Lease (as amended by the First Amendment to Financing Lease, the “2015 Financing Lease”), to provide for the refunding of a portion of the principal installments of the County’s \$5,170,000 Taxable Solid Waste System Revenue Bond, Series 2012 (the “2012 Bond”), in order to provide cash flow relief in the solid waste enterprise fund; and

WHEREAS, the Board of Supervisors of the County (the “Board”) adopted a resolution on September 8, 2016, approving a plan of restructuring and lease financing, pursuant to which the County will restructure the remaining principal installments of the 2012 Bond as a financing lease with VRA; and

WHEREAS, VRA has indicated its willingness to restructure the remaining principal installments of the 2012 Bond as a lease financing pursuant to the terms of (a) an amendment to the 2015 Prime Lease to be dated as of a date specified by VRA, between VRA and the County (referred to herein as the “Second Amendment to Prime Lease”), and (b) an amendment to the 2015 Financing Lease to be dated as of a date specified by VRA, between VRA and the County (referred to herein as the “Second Amendment to Financing Lease”); and

WHEREAS, the County administration has informed the Board that the County may be able to achieve debt service savings by refinancing all or a portion of the outstanding rental payments (the “2011 Rental Payments”) allocable to the Series 2011A VRA Bonds (as defined in the 2015 Financing Lease) as set forth on the rental payment schedule attached to the 2015 Financing Lease; and

WHEREAS, the Board desires to achieve economic savings by refinancing and defeasing all or a portion of the outstanding 2011 Rental Payments (such refinanced and defeased portions, the “Defeased 2011 Rental Payments”), subject to the terms and conditions herein, including a condition that such refinancing achieve a net present value debt service savings of not less than 3.0% of the principal amount refinanced (the “Targeted Savings”); and

WHEREAS, the County has applied to VRA to effect such refinancing, and VRA has indicated its willingness to undertake the same using the proceeds of one or more series of its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program) (collectively, the “VRA Bonds”), the provisions and details of which shall be reflected in (a) an amendment to the 2015 Prime Lease to be dated as of a date specified by VRA, between VRA and the County (referred to herein as the “Third Amendment to Prime Lease” and, together with the 2015 Prime Lease and any additional amendments thereto, the “Amended Prime Lease”), and (b) an amendment and supplement to the 2015 Financing Lease to be dated as of a date specified by VRA, between VRA and the County (referred to herein as the “Third Amendment to Financing Lease” and, together with the 2015 Financing Lease and any additional amendments thereto, the “Amended Financing Lease”), the forms of which will be substantially similar to the First Amendment to Prime Lease and the First Amendment to Financing Lease, respectively; and

WHEREAS, VRA has advised the County that VRA’s objective is to use proceeds of the VRA Bonds to make a loan to the County in an amount that in VRA’s judgment reflects the market value (the “Purchase Price Objective”) of entering into the Third Amendment to Financing Lease, taking into consideration such factors as the purchase price received by VRA for the VRA Bonds, the underwriters’ discount and other issuance costs of the VRA Bonds, and other market conditions relating to the sale of the VRA Bonds; and

WHEREAS, VRA has acknowledged that the aggregate total of principal components of rental payments allocable to the Third Amendment to Financing Lease (the “2016 Rental Payments”) and the “true” interest cost of the interest components of such 2016 Rental Payments may not exceed the respective amounts specified in this Resolution; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016,
That:

1. Essentiality of Project. The Board reconfirms that the Project (as defined in the 2015 Financing Lease) is essential to the efficient operation of the County and will continue to be so during the respective terms of the Amended Prime Lease and the Amended Financing Lease.

2. Authorization of Third Amendment to Prime Lease and Third Amendment to Financing Lease. The Chairman and Vice Chairman of the Board and the County Administrator, any of whom may act, are authorized to execute and deliver the Third Amendment to Prime Lease and the Third Amendment to Financing Lease in such forms that are consistent with the terms of this Resolution and approved by the officer executing such instruments. Such officer's execution and delivery to VRA of the Third Amendment to Prime Lease and the Third Amendment to Financing Lease shall constitute conclusive evidence of such officer's approval of the final forms of such instruments. All capitalized terms used but not otherwise defined herein shall have the same meanings as set forth in the Amended Financing Lease.

If requested by VRA, the Chairman and Vice Chairman of the Board and the County Administrator, any of whom may act, may combine into one document the terms of the Second Amendment to Financing Lease with the terms of the Third Amendment to Financing Lease and may combine into one document the terms of the Second Amendment to Prime Lease with the terms of the Third Amendment to Prime Lease. The provisions of this Resolution shall apply to such combined instruments as appropriate.

3. Terms of Lease Refinancing. The following plan of lease refinancing is approved. The County will use a portion of the proceeds of the VRA Bonds to refinance and defease the Defeased 2011 Rental Payments. Pursuant to the terms of the Amended Prime Lease, the County will lease the Property to VRA for the same term as set forth in the 2015 Prime Lease. Pursuant to the terms of the Amended Financing Lease, VRA will lease the Property back to the County for the same term as set forth in the 2015 Financing Lease. The schedule of rental payments coming due under the 2015 Financing Lease will be amended by the terms of the Third Amendment to Financing Lease to reflect the refinancing of the Defeased 2011 Rental Payments and the addition of the 2016 Rental Payments. The final pricing terms contained in the Third Amendment to Financing Lease shall be determined by VRA subject to VRA's Purchase Price Objective and market conditions described in the Recitals hereof; provided, however, that (a) the aggregate total of principal components of the 2016 Rental Payments shall not exceed \$3,800,000, (b) the interest components of the 2016 Rental Payments shall have a "true" interest cost not to exceed 4.0% (exclusive of "supplemental interest" as provided in the Amended Financing Lease), (c) the pricing terms shall achieve at least the Targeted Savings and (d) the principal components of the 2016 Rental Payments shall be subject to prepayment upon the terms set forth in the Amended Financing Lease. Subject to the preceding terms, the Board further authorizes the County Administrator to accept the final terms presented by VRA and accordingly to determine the aggregate total of principal and interest components of the 2016 Rental Payments including the dates and amounts, and the optional and extraordinary prepayment provisions, if any, of the 2016 Rental Payments, all in accordance with the provisions hereof.

As set forth in the Amended Financing Lease, the County agrees to pay such "supplemental interest" and other charges as provided therein, including such amounts as may be necessary to maintain or replenish the VRA Reserve.

4. Payment and Prepayment Provisions. The 2016 Rental Payments due under the Amended Financing Lease shall be payable in lawful money of the United States of America and otherwise comply with the terms set forth in the Amended Financing Lease. The County may, at its option, prepay the principal components of the 2016 Rental Payments upon the terms set forth in the Amended Financing Lease.

5. Subject to Appropriation. The undertaking by the County under the Amended Financing Lease to make rental payments thereunder (including the 2016 Rental Payments) shall be payable solely from funds to be appropriated by the Board from time to time for such purpose and shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit of the County beyond any fiscal year for which the Board has lawfully appropriated from time to time. Nothing in this Resolution or in the Amended Financing Lease shall be deemed to constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit or taxing power of the County.

6. Annual Budget. The Board believes that funds sufficient to make payment of all amounts payable under the Amended Financing Lease can be obtained. While recognizing that it is not empowered to make any binding commitment to make such payments beyond the current fiscal year, the Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future Boards do likewise during the term of the Amended Financing Lease. The Board directs the County's Director of Finance, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Amended Financing Lease an amount sufficient to pay all amounts coming due under such Amended Financing Lease during such fiscal year. As soon as practicable after the submission of the County's annual budget to the Board, the County Administrator is authorized and directed to deliver to VRA evidence that a request for an amount sufficient to make the payment of all amounts payable under the Amended Financing Lease has been made. Throughout the term of the Amended Financing Lease, the County Administrator shall deliver to VRA within 30 days after the adoption of the budget for each fiscal year, but not later than July 1, a certificate stating whether an amount equal to the 2016 Rental Payments and any other amounts due under such Amended Financing Lease that will be due during the next fiscal year has been appropriated by the Board in such budget. If at any time during the term of the Amended Financing Lease, the amount appropriated in the County's annual budget for the respective fiscal year is insufficient to pay when due the amounts payable under the Amended Financing Lease, the Board directs the Director of Finance, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the Board at the next scheduled meeting, or as promptly as practicable but in any event within 45 days, a request for a supplemental appropriation sufficient to cover the deficiency.

7. Arbitrage Covenants. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause interest on the VRA Bonds to be includable in gross income for federal income tax purposes or to become a specific item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations. Without limiting the generality of the foregoing, the County shall comply with any provision of the Tax Compliance Agreement (as hereinafter defined) that may require the County at any time to rebate

to the United States any part of the earnings derived from the investment of the gross proceeds of the funds received under the Amended Financing Lease, unless the County receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the VRA Bonds from being included in gross income for federal income tax purposes or from becoming a specific item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations. The County shall pay any such required rebate from legally available funds.

8. Tax Compliance Agreement. Such officers of the County as may be requested are authorized and directed to execute and deliver a nonarbitrage certificate and tax compliance agreement (the "Tax Compliance Agreement") in a form not inconsistent with this Resolution as may be approved by the officers of the County executing such document, whose approval shall be evidenced conclusively by the execution and delivery thereof.

9. Private Activity Covenants. The County covenants that it shall not permit the proceeds derived from the Amended Financing Lease or the facilities refinanced therewith to be used in any manner that would result in (a) 5% or more of such proceeds or facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Internal Revenue Code of 1986, as amended (the "Code"), (b) 5% or more of such proceeds or facilities being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the VRA Bonds from being included in gross income for federal income tax purposes or from becoming a specific item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, the County need not comply with such covenants to the extent provided in such opinion.

10. Refinancing and Defeasance of the Defeased 2011 Rental Payments. The County Administrator is authorized and directed to determine which portions of the 2011 Rental Payments, if any, shall constitute the Defeased 2011 Rental Payments and to take all proper steps to effect the refinancing and defeasance of such Defeased 2011 Rental Payments. The Chairman and Vice Chairman of the Board and the County Administrator, any of whom may act, are authorized to execute and deliver any notices, documents and certificates, as may be necessary to provide for such refinancing and defeasance.

11. Official Statement. The Board authorizes and consents to the inclusion of information with respect to the County contained in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both prepared in connection with the sale of the VRA Bonds.

12. SNAP Investment Authorization. The Board has heretofore received and reviewed the Information Statement describing the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") and the Contract Creating the State Non-Arbitrage Program Pool I (the "Contract"), and the Board has determined to authorize the County, if and as necessary, to use SNAP in connection with the investment of any proceeds of the Amended Financing Lease. The

Board acknowledges the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the Contract.

13. Other Actions. All other actions of officers of the County in conformity with the purposes and intent of this Resolution and in furtherance of the refinancing and defeasance of the Defeased 2011 Rental Payments are ratified, approved and confirmed. The officers of the County are authorized and directed to execute and deliver all certificates and other instruments and to take all actions considered necessary or desirable in connection with the execution and delivery of the Third Amendment to Prime Lease and the Third Amendment to Financing Lease and the refinancing and defeasance of the Defeased 2011 Rental Payments. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

14. Effective Date. This Resolution shall become effective immediately.

The undersigned Clerk of the Board of Supervisors of the County of Fauquier, Virginia, certifies that the foregoing constitutes a true and correct extract from the minutes of a regular meeting of the Board held on the 8th day of September 2016, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my signature and the seal of the County of Fauquier, Virginia, this 8th day of September 2016.

Clerk of the Board of Supervisors,
County of Fauquier, Virginia

(SEAL)

A Resolution Authorizing the Amendment of an Existing Lease Financing with the Virginia Resources Authority to Provide for the Restructuring of the County's Taxable Solid Waste System Revenue Bond, Series 2012, as a Lease Financing and Authorizing the Execution of Certain Documents Prepared in Connection Therewith

COVERING CERTIFICATE FOR RESOLUTION

The undersigned Clerk of the Board of Supervisors (the "Board") of the County of Fauquier, Virginia (the "County"), certifies as follows:

3. Attached hereto is a true, correct and complete copy of a resolution entitled "RESOLUTION AUTHORIZING THE AMENDMENT OF AN EXISTING LEASE FINANCING WITH THE VIRGINIA RESOURCES AUTHORITY TO PROVIDE FOR THE

RESTRUCTURING OF THE COUNTY’S TAXABLE SOLID WASTE SYSTEM REVENUE BOND, SERIES 2012, AS A LEASE FINANCING AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS PREPARED IN CONNECTION THEREWITH” (the “Resolution”), as adopted at a regular meeting of the Board held on September 8, 2016, by the recorded affirmative roll-call vote of a majority of all members elected to the Board.

4. Such meeting of the Board was held at the time and place established by the Board for such meeting.

3. The minutes of such meeting reflect the attendance of the members and their votes on the Resolution as follows:

Member	Attendance (Present/Absent)	Vote (Aye/Nay/Abstain)
Christopher T. Butler	Present	Aye
Richard R. Gerhardt	Present	Aye
Christopher N. Granger	Present	Aye
Mary Leigh McDaniel	Present	Aye
R. Holder Trumbo, Jr.	Present	Aye

4. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my signature and the seal of the Board of Supervisors of the County of Fauquier, Virginia, this 8th day of September, 2016.

Clerk of the Board of Supervisors,
County of Fauquier, Virginia

(SEAL)

RESOLUTION

A RESOLUTION AUTHORIZING THE AMENDMENT OF AN EXISTING LEASE FINANCING WITH THE VIRGINIA RESOURCES AUTHORITY TO PROVIDE FOR THE RESTRUCTURING OF THE COUNTY’S TAXABLE SOLID WASTE SYSTEM REVENUE BOND, SERIES 2012, AS A LEASE FINANCING AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS PREPARED IN CONNECTION THEREWITH

WHEREAS, the County of Fauquier, Virginia (the “County”), has entered into a lease financing arrangement with the Virginia Resources Authority (“VRA”), under which the County leased the Alice Jane Childs Administrative Building, located at 320 Hospital Drive, Warrenton, Virginia (the “Property”), to VRA pursuant to the terms of a Prime Lease dated as of June 1, 2011,

between the County and VRA (the “2011 Prime Lease”), and VRA leased the Property back to the County pursuant to the terms of a Local Lease Acquisition Agreement and Financing Lease dated as of April 15, 2011, between VRA and the County (the “2011 Financing Lease”); and

WHEREAS, pursuant to a Local Bond Sale and Financing Agreement dated as of April 30, 2012 (the “2012 Financing Agreement”), between the County and VRA, the County issued and sold its \$5,170,000 Taxable Solid Waste System Revenue Bond, Series 2012 (the “2012 Bond”), to VRA and used the proceeds to finance certain capital improvements related to the County’s solid waste system (as described and defined in the 2012 Financing Agreement, the “Project”); and

WHEREAS, pursuant to a First Amendment to Local Bond Sale and Financing Agreement dated as of February 15, 2015, between the County and VRA, the parties agreed to certain amendments to the Project Budget (as defined in the 2012 Financing Agreement) and the description of the Project; and

WHEREAS, the County and VRA entered into (a) a First Amendment to Prime Lease dated as of April 10, 2015 (the “First Amendment to Prime Lease”), amending certain terms of the 2011 Prime Lease (as amended by the First Amendment to Prime Lease, the “2015 Prime Lease”), and (b) a First Amendment and Supplement to Local Lease Acquisition Agreement and Financing Lease dated as of April 10, 2015 (the “First Amendment to Financing Lease”), amending certain terms of the 2011 Financing Lease (as amended by the First Amendment to Financing Lease, the “2015 Financing Lease”), to refund a portion of the principal installments of the 2012 Bond coming due on October 1 in the years 2015 through 2021 (such refunded principal portion, the “2012 Refunded Installments”) in order to provide cash flow relief in the solid waste enterprise fund; and

WHEREAS, the Board of Supervisors of the County (the “Board”) now desires to restructure the remaining outstanding principal installments of the 2012 Bond as a lease financing with VRA to effect a change of the security for the payment of principal and interest due on such obligation from a pledge of revenues of the System (as defined in the 2012 Financing Agreement) to a moral obligation pledge of the County and a security interest in the Property; and

WHEREAS, the Board desires to pursue the restructuring of the 2012 Bond as a lease financing through amendments to the 2015 Prime Lease and the 2015 Financing Lease; and

WHEREAS, VRA has indicated its willingness to restructure the remaining outstanding principal installments of the 2012 Bond as a lease financing, as described in the two preceding recitals, pursuant to the terms of (a) a Second Amendment to Prime Lease to be dated as of a date specified by VRA, between VRA and the County (the “Second Amendment to Prime Lease” and, together with the 2015 Prime Lease, the “Amended Prime Lease”), and (b) a Second Amendment and Supplement to Local Lease Acquisition Agreement and Financing Lease to be dated as of a date specified by VRA, between VRA and the County (the “Second Amendment to Financing Lease” and, together with the 2015 Financing Lease, the “Amended Financing Lease”), the forms of which will be substantially similar to the First Amendment to Prime Lease and the First Amendment to Financing Lease, respectively; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016,
That:

1. Essentiality of Project. The Board reconfirms that the Project is essential to the efficient operation of the County and will continue to be so during the respective terms of the Amended Prime Lease and the Amended Financing Lease.

2. Authorization of Second Amendment to Prime Lease and Second Amendment to Financing Lease. The Chairman and Vice Chairman of the Board and the County Administrator, any of whom may act, are authorized to execute and deliver the Second Amendment to Prime Lease and the Second Amendment to Financing Lease in forms that are consistent with terms of this Resolution and approved by the officer executing such instruments. Such officer's execution and delivery to VRA of the Second Amendment to Prime Lease and the Second Amendment to Financing Lease shall constitute conclusive evidence of such officer's approval of the final forms of such instruments. All capitalized terms used but not defined herein shall have the same meanings as set forth in the Amended Financing Lease.

3. Terms of Restructuring and Lease Financing. The following plan of restructuring and lease financing is approved. The County will restructure its obligations under the 2012 Bond as a lease financing with VRA. Pursuant to the terms of the Amended Prime Lease, the County will lease the Property to VRA for the same term as set forth in the 2015 Prime Lease. Pursuant to the terms of the Amended Financing Lease, VRA will lease the Property back to the County for the same term as set forth in the 2015 Financing Lease. The schedule of rental payments coming due under the 2015 Financing Lease will be amended by the terms of the Second Amendment to Financing Lease to include the amounts scheduled to be paid as debt service on the outstanding portion of the 2012 Bond (such portion of the rental payments, the "2012 Rental Payments") and bearing interest at the same annual rates applicable to the 2012 Bond.

As set forth in the Amended Financing Lease, the County agrees to pay such "supplemental interest" and other charges as provided therein, including such amounts as may be necessary to maintain or replenish the VRA Reserve.

4. Payment and Prepayment Provisions. The 2012 Rental Payments due under the Amended Financing Lease shall be payable in lawful money of the United States of America and otherwise comply with the terms set forth in the Amended Financing Lease. The County may, at its option, prepay the principal components of the 2012 Rental Payments upon the terms set forth in the Amended Financing Lease. Once the landfill cell financed by the 2012 Bond reaches its capacity, the County will be required to prepay the 2012 Rental Payments, all in accordance with the terms to be set out in the Second Amendment to Financing Lease.

5. Subject to Appropriation. The undertaking by the County under the Amended Financing Lease to make the 2012 Rental Payments shall be payable solely from funds to be appropriated by the Board from time to time for such purpose and shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit of the County beyond any fiscal year for which the Board has lawfully appropriated from time to time. Nothing in this Resolution or in the Amended Financing Lease shall be deemed to

constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit or taxing power of the County.

6. Annual Budget. The Board believes that funds sufficient to make payment of all amounts payable under the Amended Financing Lease can be obtained. While recognizing that it is not empowered to make any binding commitment to make such payments beyond the current fiscal year, the Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future Boards do likewise during the term of the Amended Financing Lease. The Board directs the County's Director of Finance, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Amended Financing Lease an amount sufficient to pay all amounts coming due under such Amended Financing Lease during such fiscal year. As soon as practicable after the submission of the County's annual budget to the Board, the County Administrator is authorized and directed to deliver to VRA evidence that a request for an amount sufficient to make the payment of all amounts payable under the Amended Financing Lease has been made. Throughout the term of the Amended Financing Lease, the County Administrator shall deliver to VRA within 30 days after the adoption of the budget for each fiscal year, but not later than July 1, a certificate stating whether an amount equal to the 2012 Rental Payments and any other amounts due under such Amended Financing Lease that will be due during the next fiscal year has been appropriated by the Board in such budget. If at any time during the term of the Amended Financing Lease, the amount appropriated in the County's annual budget for the respective fiscal year is insufficient to pay when due the amounts payable under the Amended Financing Lease, the Board directs the Director of Finance, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the Board at the next scheduled meeting, or as promptly as practicable but in any event within 45 days, a request for a supplemental appropriation sufficient to cover the deficiency.

7. Arbitrage Covenants. The County reaffirms its prior covenant shall not to take or omit to take any action the taking or omission of which will cause interest on the related VRA Bonds (as defined in the Amended Financing Lease) to be includable in gross income for federal income tax purposes or to become a specific item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations. Without limiting the generality of the foregoing, the County shall comply with any provision of the Tax Compliance Agreement (as hereinafter defined) that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the funds received under the Amended Financing Lease, unless the County receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the related VRA Bonds from being included in gross income for federal income tax purposes or from becoming a specific item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations. The County shall pay any such required rebate from legally available funds.

8. Tax Compliance Agreement. Such officers of the County as may be requested by VRA are authorized and directed to execute and deliver a nonarbitrage certificate and tax compliance agreement (the "Tax Compliance Agreement") in a form not inconsistent with this Resolution as may be approved by the officers of the County executing such document, whose approval shall be evidenced conclusively by the execution and delivery thereof.

9. Private Activity Covenants. The County reaffirms its prior covenants not to permit the proceeds derived from the Amended Financing Lease or the facilities financed or refinanced therewith to be used in any manner that would result in (a) 5% or more of such proceeds or facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Internal Revenue Code of 1986, as amended (the “Code”), (b) 5% or more of such proceeds or facilities being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the VRA Bonds from being included in gross income for federal income tax purposes or from becoming a specific item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, the County need not comply with such covenants to the extent provided in such opinion.

10. Other Actions. All other actions of officers of the County in conformity with the purposes and intent of this Resolution and in furtherance of the restructuring of the 2012 Bond as a lease financing are ratified, approved and confirmed. The officers of the County are authorized and directed to execute and deliver all certificates and other instruments and to take all actions considered necessary or desirable in connection with the execution and delivery of the Second Amendment to Prime Lease and the Second Amendment to Financing Lease and the restructuring of the 2012 Bond. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

11. Effective Date. This Resolution shall become effective immediately.

The undersigned Clerk of the Board of Supervisors of the County of Fauquier, Virginia, certifies that the foregoing constitutes a true and correct extract from the minutes of a regular meeting of the Board held on the 8th day of September, 2016, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my signature and the seal of the County of Fauquier, Virginia, this 8th day of September, 2016.

Clerk of the Board of Supervisors,
County of Fauquier, Virginia

(SEAL)

A Resolution Approving a Plan of Lease / Purchase Financing of an Emergency Communications System and Related Equipment in the Maximum Principal Amount of \$8,700,000

COVERING CERTIFICATE FOR RESOLUTION

The undersigned Clerk of the Board of Supervisors (the “Board”) of the County of Fauquier, Virginia (the “County”), certifies as follows:

5. Attached hereto is a true, correct and complete copy of a resolution entitled “RESOLUTION APPROVING A PLAN OF LEASE/PURCHASE FINANCING OF AN EMERGENCY COMMUNICATIONS SYSTEM AND RELATED EQUIPMENT IN THE MAXIMUM PRINCIPAL AMOUNT OF \$8,700,000” (the “Resolution”), as adopted at a regular meeting of the Board held on September 8, 2016, by the recorded affirmative roll-call vote of a majority of all members elected to the Board.

6. Such meeting of the Board was held at the time and place established by the Board for such meeting.

3. The minutes of such meeting reflect the attendance of the members and their votes on the Resolution as follows:

Member	Attendance (Present/Absent)	Vote (Aye/Nay/Abstain)
Christopher T. Butler	Present	Aye
Richard R. Gerhardt	Present	Aye
Christopher N. Granger	Present	Aye
Mary Leigh McDaniel	Present	Aye
R. Holder Trumbo, Jr.	Present	Aye

4. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

WITNESS my signature and the seal of the Board of Supervisors of the County of Fauquier, Virginia, this 8th day of September, 2016.

Clerk of the Board of Supervisors,
County of Fauquier, Virginia

(SEAL)

RESOLUTION

A RESOLUTION APPROVING A PLAN OF LEASE/PURCHASE FINANCING OF AN EMERGENCY COMMUNICATIONS SYSTEM AND RELATED EQUIPMENT IN THE MAXIMUM PRINCIPAL AMOUNT OF \$8,700,000

WHEREAS, the Board of Supervisors (the "County Board") of the County of Fauquier, Virginia (the "County"), desires to provide for a plan of lease/purchase financing of the County's share of a new emergency communications system and related equipment (collectively, the "Equipment") in the maximum principal amount of \$8,700,000; and

WHEREAS, the County's administration, in collaboration with Davenport & Company LLC, the County's financial advisor (the "Financial Advisor"), has solicited proposals from commercial banks, financial institutions and leasing entities (each, a "Bank") to provide for the County to undertake a lease/purchase financing of the Equipment; and

WHEREAS, the County has also applied to the Virginia Resources Authority ("VRA") to finance the Equipment pursuant to a lease/purchase arrangement, and, subject to final credit approval, VRA has indicated its willingness to undertake the same using a portion of the proceeds from one or more series of its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program) (collectively, the "VRA Bonds"); and

WHEREAS, the County Board desires to authorize the County Administrator to review the financing options presented by the Banks and VRA, and, subject to the parameters set forth in this Resolution, to determine which option offers the most favorable leasing terms to the County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That:

1. The County Board hereby authorizes the County Administrator, in consultation with the Financial Advisor, to review the financing options presented by the Banks and VRA and to select the financing lessor (such selected lessor, the "Lessor") that offers the most favorable leasing terms to the County, subject to the parameters set forth in Section 2 below. The County Board further authorizes proceeds of such financing to be used to pay (a) the cost of acquiring the Equipment and (b) the issuance and other costs associated with the financing.

2. The County Board authorizes the County Administrator, in consultation with the Financial Advisor and the County Attorney, to negotiate the terms of a lease/purchase financing arrangement with the Lessor and to execute and deliver a lease agreement or other form of financing lease (such lease agreement or financing lease, the "Lease Agreement") reflecting such terms as the County Administrator shall determine to be in the best interests of the County; provided, however, that: (a) the aggregate amount of principal components of basic rent (the "Basic Rent") payable under the Lease Agreement shall not exceed \$8,700,000, (b) the Lease Agreement shall terminate not later than December 31, 2030, and (c) the interest components of Basic Rent payable on the initial draw under the Lease Agreement shall bear interest at an annual rate not to exceed 5.00% (exclusive of any interest penalties and any supplemental interest due under the Lease Agreement). The County Board further authorizes the County Administrator to (x)

determine the payment dates and installment amounts of Basic Rent (constituting both principal and interest components) due under the Lease Agreement, (y) determine the optional and extraordinary prepayment provisions, if any, of the Basic Rent payments and (z) structure the purchase of the Equipment pursuant to one or more schedules, supplements or amendments to the Lease Agreement in accordance with the terms of such Lease Agreement.

The County Board acknowledges that supplemental interest and other charges may become due under the Lease Agreement, including such amounts as may be necessary to maintain or replenish any VRA reserve fund should the County Administrator select VRA as the Lessor.

3. The undertaking by the County to make payments under the Lease Agreement shall be payable solely from funds to be appropriated from time to time by the County Board for such purpose and shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit or the taxing power of the County beyond any fiscal year for which the County has appropriated funds for such purpose. Nothing in this Resolution or the Lease Agreement shall be deemed to constitute a debt of the County within the meaning of any constitutional or statutory limitation or a pledge of the faith and credit or taxing power of the County.

4. The County Board hereby determines that the acquisition and continuing use of the Equipment and the financing of the same through the Lease Agreement are necessary and proper to the efficient operation of the County and will continue to be necessary and proper through the final payment date under the Lease Agreement.

5. The County Board believes that funds sufficient to make payment of all amounts payable under the Lease Agreement can be obtained. While recognizing that it is not empowered to make any binding commitment to make such payments beyond the current fiscal year, the County Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future boards do likewise during the term of the Lease Agreement. The County Board directs the County Administrator, or such other officer as may be charged with the responsibility for preparing the County's annual budget, to include in the budget for each fiscal year during the term of the Lease Agreement an amount sufficient to make all Basic Rent and other payments due under the Lease Agreement during such fiscal year. Throughout the term of the Lease Agreement, the County Administrator is authorized and directed to deliver to the Lessor a certificate stating whether an amount equal to the estimated amounts payable under the Lease Agreement during such fiscal year has been budgeted and appropriated by the County Board. If at any time during the term of the Lease Agreement the amount appropriated in the County's annual budget in a particular fiscal year is insufficient to pay when due the amounts payable under the Lease Agreement, the County Board directs the Director of Finance, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the County Board at the next scheduled meeting, or as promptly as practicable but in any event within 45 days, a request for a supplemental appropriation sufficient to cover the deficit.

6. The County covenants that it will not take or omit to take any action the taking or omission of which (a) if a Bank is selected as the Lessor, will (i) cause the Lease Agreement together with any schedules, supplements or amendments thereto, to be an "arbitrage bond" within

the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, and regulations issued pursuant thereto (collectively, the “Code”), or (ii) otherwise cause the interest components of Basic Rent to be includable in the gross income of the registered owners thereof under existing law, or (b) if VRA is selected as Lessor, will cause (i) the VRA Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code or (ii) otherwise cause interest on the VRA Bonds to be includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law, the Lease Agreement or any non-arbitrage certificate and tax compliance agreement that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds under the Lease Agreement, unless the County receives an opinion of a nationally recognized bond counsel firm that such compliance is not required to prevent (x) the interest components of Basic Rent, if a Bank is selected as the Lessor, or (y) the interest on the VRA Bonds, if VRA is selected as the Lessor, from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. The County shall pay any such required rebate from its legally available funds.

7. The County covenants that during the term of the Lease Agreement it shall not permit the proceeds of the Lease Agreement or the Equipment to be used in any manner that would result in (a) 5% or more of such proceeds or the Equipment being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, or (b) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of a nationally recognized bond counsel firm that any such covenants need not be complied with to prevent (x) the interest components of Basic Rent, if a Bank is selected as the Lessor, or (y) the interest on the VRA Bonds, if VRA is selected as the Lessor, from being includable in the gross income for federal income tax purposes of the registered owners thereof or from becoming a specific item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, the County need not comply with such covenants to the extent provided in such opinion.

8. The County Administrator is hereby authorized to designate the Lease Agreement (or one or more Schedules thereunder) as a “qualified tax-exempt obligation” for the purpose of Section 265(b)(3) of the Code if the County Administrator determines that it is in the best interests of the County to do so and that the County can satisfy the requirements of Section 265(b)(3) for the applicable calendar year.

9. The County intends that the adoption of this resolution confirms the “official intent” (within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Code) of the County to advance its own funds to pay expenditures related to the Equipment prior to entering into the Lease Agreement and subsequently to receive reimbursement for such expenditures from proceeds of the Lease Agreement.

10. All other actions of the County in conformity with the purposes and intent of this Resolution and in furtherance of entering into the Lease Agreement are approved and confirmed.

11. All resolutions or parts of resolutions in conflict herewith are repealed.

12. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Fauquier, Virginia, certifies that the foregoing constitutes a true and correct extract from the minutes of a regular meeting of the Board held on the 8th day of September, 2016, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my signature and the seal of the County of Fauquier, Virginia, this 8th day of September 2016.

Clerk of the Board of Supervisors,
County of Fauquier, Virginia

(SEAL)

A Resolution Awarding the Design Contract to Timmons Group for the Warrenton Branch Greenway Extension

RESOLUTION

A RESOLUTION AWARDING THE DESIGN CONTRACT TO TIMMONS GROUP FOR
THE WARRENTON BRANCH GREENWAY EXTENSION

WHEREAS, Fauquier County was awarded a TEA (Transportation Equity Act) grant to design and construct the first phase of the Warrenton Branch Greenway extension; and

WHEREAS, since the award, property for the project has been acquired; and

WHEREAS, on July 20, 2015, the Fauquier County Procurement Division issued Request for Proposal RFP #07-16smc for costs associated with extending the Warrenton Branch Greenway; and

WHEREAS, on August 20, 2015, six (6) proposals were received in response to the Request for Proposal; and

WHEREAS, after all proposals were evaluated and ranked; discussion and negotiation of fees commenced with Firm #1 involving several conversations, a negotiation meeting, and two sets of fees reviewed, concluding in ceasing negotiations with Firm #1 due to cost factors and moving on to Firm #2, Timmons Group; and

WHEREAS, as a result of the selection and negotiation process used for Request for Proposal the Parks and Recreation Board is recommending the design contract, up to \$110,000, be awarded to the Timmons Group; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the Board of Supervisors does hereby authorize the award of Contract 07-16smc to extend the Warrenton Branch Greenway to Timmons Group in the amount of up to \$110,000 contingent upon final negotiations and the approval of the Virginia Department of Transportation.

A Resolution to Authorize a Full-Time Permanent Deputy Sheriff Position Within the Fauquier County Sheriff's Office to Serve as Security for the Circuit Court

RESOLUTION

A RESOLUTION TO AUTHORIZE A FULL-TIME PERMANENT DEPUTY SHERIFF POSITION WITHIN THE FAUQUIER COUNTY SHERIFF'S OFFICE TO SERVE AS SECURITY FOR THE CIRCUIT COURT

WHEREAS, the Fauquier County Sheriff's Office is requesting to establish a full-time permanent position to augment the security staffing at the Circuit Court; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the Board hereby authorizes the establishment of a full-time deputy sheriff position to serve as security for the Circuit Court, effective September 1, 2016.

A Resolution to Authorize the County Administrator to Execute a Lease for the Marshall Business Incubator

RESOLUTION

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE FOR THE MARSHALL BUSINESS INCUBATOR

WHEREAS, the Department of Economic Development previously obtained approval for the Board of Supervisors to establish a business incubator in Marshall; and

WHEREAS, the Department has negotiated an 18-month lease from Samuel Rodgers; and

WHEREAS, the Board has determined that it is appropriate to enter into the proposed lease; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the County Administrator be, and is hereby, authorized to execute the aforementioned lease subject to any modifications as are acceptable to the County Administrator and County Attorney.

A Resolution to Amend the FY 2017 Budget by \$295,736

RESOLUTION

A RESOLUTION TO AMEND THE FY 2017 ADOPTED BUDGET BY \$295,736

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 April 5, 2016, the Board of Supervisors adopted the Fauquier County FY 2017 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, staff received various budget requests for FY 2017, including appropriations of \$45,166 to the General Fund, appropriations of \$250,570 to the Capital Improvement Fund, a transfer of \$361,936 within the Capital Improvement Fund, and a transfer of \$72,618 from the Contingency Reserve, with information related to the individual adjustments as set forth in the following budget action summary; and

WHEREAS, this request includes the acceptance and appropriation of \$250,570 in State grant funding for preliminary engineering costs in support of the Salem Avenue Revenue Share project; and

WHEREAS, this request includes the acceptance and appropriation of \$45,166 in Federal grant funding for year two of the U.S. Department of Housing and Urban Development Continuum of Care program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2017, That the FY 2017 Budget be, and is hereby, amended in the amount of \$295,736, and as indicated on the attached summary; and, be it

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

September 8, 2016 Budget Action Summary

COMMITTEE APPOINTMENTS

By unanimous consent, the following committee appointments were made:

- Parks & Recreation Board - Lee District: Mr. Donald Johnson was reappointed for a four-year term that ends September 30, 2020.

- Broadband Advisory Committee: Mr. Louis McDonald was appointed to represent the School Board's Technology Division.

Requesting Department	Description	Amount	Category		Action/Explanation
			From	To	
Consent Agenda					
FY 2017					
Board of Supervisors	Marshall Streetscape Improvement Project	\$361,936	Capital Improvement Fund	Capital Improvement Fund – Marshall Streetscape Project	Transfers up to \$361,936 from the Capital Improvement Fund and Capital Reserve to the project account to forward fund anticipated proffer funding that fulfills the non-VDOT funded project scope. \$125,000 will be transferred from the current Northern Pool CIP project and the remaining \$236,936 will be transferred from Capital Reserve. The Capital Improvement Fund will be refunded from proffers upon receipt.
Community Development	Salem Avenue VDOT Revenue Share Grant	\$250,570	State Revenue	General Fund	Appropriates and accepts \$250,570 in State funding for the preliminary engineering costs of the Salem Avenue VDOT Revenue Share Grant project. This grant requires a 50:50 match. This portion of the grant match is \$125,285 sourced from the site developer.
Sheriff's Office	Circuit Court Security	\$72,618	Contingency Reserve	General Fund - Sheriff's Office	Appropriates \$63,718 of recurring costs and \$8,900 of one-time costs from the Contingency Reserve to fund an additional (1) FTP Deputy Sheriff for the Circuit Court security staffing. This request was recommended by the Public Safety Committee at it August 16, 2016 meeting and will require approval by the Personnel Committee.
Social Services	HUD Continuum of Care Grant Program	\$45,166	Federal Revenue	General Fund	Appropriates and accepts \$45,166 in grant funding from the U.S. Department of Housing and Urban Development Continuum of Care Grant Program for the Foothills Housing Network. There is no local match for this grant.

SUPERVISORS' TIME

- Mr. Butler invited citizens to attend the Sumerduck Ruritan Club Remembrance Event at the Sumerduck Post Office on September 11, 2016, at 2:00 P.M. He added that Delegate Mark Cole will be speaking at the ceremony. Mr. Butler announced that the Remington Volunteer Fire Department will host its annual Crab Feast on September 17, 2016, at 4:00 P.M. and he encouraged everyone to support this fundraising event.
- Mr. Trumbo announced that the final "Sydney's Walk" will be held at the Brookside Community Center on Sunday, September 18, 2016, at 9:00 A.M. until 12:00 P.M. and that monies raised will go toward scholarships for the classmates of Sydney Davies, who would have graduated from Kettle Run High School this year. He encouraged anyone who is available to attend this worthy and uplifting event.
- Ms. McDaniel announced that on Saturday, September 17, 2016, will be Hume Day, which is the biggest fundraising event of the year for the Leeds Ruritan Club, from 12:00 P.M. until 7:00 P.M. at the Leeds Ruritan Park in Marshall. She encouraged the community to come out and enjoy jousting and lots of fun activities for both adults and children.
- Mr. Granger announced that the Middle School Committee met yesterday to continue deliberations regarding the future of middle schools and he encouraged interested citizens to check the School Division website and public calendar for future meeting details. Mr. Granger also announced that the Department of Community Development will hold its next Community Conversations session at Fauquier High School cafeteria, on September 21, 2016, at 7:00 P.M. and the public is encouraged to participate in the discussion about the future of Fauquier County.

ANNOUNCEMENTS

- Mr. McCulla announced that the next regular meeting of the Board of Supervisors will be held on October 13, 2016, at 6:30 P.M. in the Warren Green Building meeting room, located at 10 Hotel Street in Warrenton, Virginia.
- Mr. McCulla announced that the November meeting will be rescheduled for one week earlier on November 3, 2016, at 6:30 P.M. in the Warren Green Building meeting room, located at 10 Hotel Street in Warrenton, Virginia.

A ZONING ORDINANCE TEXT AMENDMENT TO SECTIONS 3-332 AND 5-3200 TO ALLOW LIMITED COMMERCIAL USES IN RESIDENTIAL DISTRICTS FOR PROPERTIES THAT HAVE HISTORICALLY BEEN UTILIZED FOR COMMERCIAL USES

A public hearing was held to consider a proposed text amendment that would allow additional commercial uses on properties located in the RR-2 and R-1 residential districts when those properties have historically been used for commercial purposes and have a commercial building on them. A Special Exception would be required, and standards are proposed that limit the eligible properties, limit the eligible uses and also provide additional protections for surrounding residential properties. On August 18, 2016, the Planning Commission unanimously recommended approval of the proposed amendment. Ms. Kimberley Johnson, Chief of Zoning and Development Services, summarized the proposed text amendment. No one else spoke. The public hearing was closed. Mr. Gerhardt moved to adopt the following Ordinance. Mr. Butler seconded and, following discussion, the vote was unanimous as follows:

Ayes: *Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel; Mr. R. Holder Trumbo, Jr.*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTIONS 3-332 AND 5-3200 TO ALLOW LIMITED COMMERCIAL USES IN RESIDENTIAL DISTRICTS FOR PROPERTIES THAT HAVE HISTORICALLY BEEN UTILIZED FOR COMMERCIAL USES

WHEREAS, certain properties in Fauquier County with residential zoning have historically been utilized for commercial purposes and contain commercial buildings; and

WHEREAS, uses allowed in commercial buildings located in residential districts are extremely limited under the existing Zoning Ordinance provisions; and

WHEREAS, because of the zoning limitations and the unique characteristics of such properties, it can be difficult to reuse some of these structures and properties; and

WHEREAS, the County seeks to provide more flexibility for such properties in a manner that protects the adjoining residential properties; and

WHEREAS, consideration of amendments to Sections 3-332 and 5-3200 would provide such flexibility and supports good zoning practice, convenience and the general welfare; and

WHEREAS, on June 9, 2016, the Fauquier County Board of Supervisors initiated an amendment to address these issues; and

WHEREAS, on July 21, 2016, the Fauquier County Planning Commission held a public hearing on the proposed amendment, and on August 18, 2016, the Planning Commission held a public hearing and recommended approval of the proposed amendment; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 8th day of September 2016,
That amendments to Sections 3-332 and 5-3200 as set forth below be, and are hereby, approved:

3-332 Approval of a Use Not Otherwise Allowed (Category 32)																			
	Site Plan	RC	RA	RR-2	V	R-1	R-2	R-3	R-4	TH	GA	MDP	C-1	C-2	C-3	CV	BP	I-1	I-2
1. Long-standing uses		SE	SE										SE	SE	SE	SE		SE	SE
2. Uses established pursuant to erroneous County approval or act	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE		SE	SE
3. Properties historically utilized solely for commercial purposes	X			SE	SE	SE													

5-3203 Standards for Approving Commercial Uses on Properties Historically Utilized Solely for Commercial Uses

1. Eligible properties are limited to those properties that have historically been utilized solely for either: 1) a legally approved commercial use; or 2) a legally established non-conforming use that has subsequently lost its non-conforming status because the use ceased operations for a period of two or more years. The applicant shall provide documentation to establish this fact to the satisfaction of the Board of Supervisors.
2. Eligible properties are further limited to those properties already developed with a commercial building.
3. For purposes of #1 and #2 above, “commercial” shall mean commercial business uses and shall not include other non-business uses and buildings that are classified as commercial under the building code and shall not include agricultural uses or buildings.
4. Eligible properties are further limited to properties with frontage on an arterial street.
5. Eligible uses are limited to:
 - a. Meeting Halls for social, fraternal, civic, public and similar organizations
 - b. Technical School, Indoor
 - c. Theatre, indoor
 - d. Retail sales and rental
 - e. Farm supply establishment
 - f. Financial institutions
 - g. Business or Professional Office
 - h. Eating establishment
 - i. Eating establishment, fast food
 - j. Repair service establishment
 - k. Laundry/dry cleaners/laundromat
 - l. Furniture repair, cabinet making, upholstery
 - m. Barber/beauty shop
 - n. Carpentry, plumbing, electrical, printing, welding, sheet metal shops
 - o. Artisan’s workshop and studio
 - p. Taxidermisty shop
 - q. Farm equipment sales, rental and service
 - r. Contractors offices, shops and material storage yards completely within building

- or completely screened from view
 - s. Auto Repair
 - t. Vehicle Impoundment
6. A maximum 30 percent increase in the square footage of commercial structures existing at the time of initial approval shall be permitted in connection with the approval of the Special Exception.
 7. No residential use shall be permitted on the property unless all commercial use authorized under this provision is abandoned.
 8. No Special Exception shall be approved unless the Board of Supervisors finds that the property is not suitable for residential development.
 9. Conditions shall be included to assure the proposed use relates appropriately to surrounding residential uses, to include but not limited to buffering, noise attenuation, lighting, hours of operation, etc.

A ZONING ORDINANCE TEXT AMENDMENT TO SECTIONS 5-207 AND 6-102 TO BRING FAMILY DAY HOME PROVISIONS INTO COMPLIANCE WITH THE CODE OF VIRGINIA

A public hearing was held to consider a proposed text amendment that changes the number of children allowed by-right in a Family Day Home from five to four, consistent with a July 1, 2016 *Code of Virginia* revision. More children, up to 12, continue to be approved by Administrative Permit. The amendment clarifies that the Zoning Administrator may not approve the Administrative Permit if there is a written objection from an adjoining neighbor, as required by the *Code of Virginia*. Where such an objection occurs, or where the facility does not meet the standards set forth for administrative approval, the applicant can pursue approval through the Special Permit process. On August 18, 2016, the Planning Commission unanimously recommended approval of the proposed amendment. Ms. Kimberley A. Johnson, Chief of Zoning and Development Services, summarized the proposed text amendment. No one else spoke. The public hearing was closed. Mr. Butler moved to adopt the following Ordinance. Ms. McDaniel seconded and, following discussion, the vote was unanimous as follows:

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

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO SECTIONS 5-207 AND 6-102 TO BRING FAMILY DAY HOME PROVISIONS INTO COMPLIANCE WITH THE CODE OF VIRGINIA

WHEREAS, Family Day Homes are authorized by the *Code of Virginia* and the Fauquier County Zoning Ordinance; and

WHEREAS, a *Code of Virginia* revision effective July 1, 2016, changed the number of children that must be allowed by-right with no County approval from five to four; and

WHEREAS, a prior *Code of Virginia* change established specific procedures for the approval of a Family Day Home by Administrative Permit; and

WHEREAS, Fauquier County seeks to bring its Family Day Home provisions into full compliance with the *Code of Virginia*; and

WHEREAS, consideration of amendments to Sections 5-207 and 6-102 supports good zoning practice, convenience and the general welfare; and

WHEREAS, on July 21, 2016, the Fauquier County Planning Commission initiated this proposed amendment, and on August 18, 2016, held a public hearing on this proposed amendment and recommended approval; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 8th day of September, 2016, That amendments to Sections 5-207 and 6-102 related to Family Day Homes, as set forth below, be, and are hereby approved:

5-207 Additional Standards for Family Day Homes

1. A Family Day Home for ~~5~~ **four** or fewer children shall be allowed with no zoning approval pursuant to Section 6-102(30).
2. Family Day Homes for **five** ~~6 to~~ **through** 12 children meeting standards A through E below may be approved by the Zoning Administrator pursuant to an Administrative Permit as set forth in Section 5-009 of this Ordinance. Prior to approval by the Zoning Administrator, notification shall be sent by certified mail to the last known address of each adjacent property owner. If the Zoning Administrator receives no written objection from a person so notified within 30 days of the date of sending the letter and determines that the Family Day Home otherwise complies with the standards below, the Zoning Administrator may issue the permit. ~~The Zoning Administrator shall consider: A) any written objection from a person so notified within 30 days of sending the letter as well as B) the standards below in determining whether or not to approve the permit. An applicant who is denied a permit or an adjoining property owner aggrieved by the issuance of the permit may appeal the decision to the Board of Zoning Appeals pursuant to Section 13-300 of this Ordinance and further provided that a public hearing be advertised and held in conjunction with the appeal pursuant to Sections 13-110 and 13-111 of this Ordinance.~~
 - A. The Family Day Home shall be located within a single-family detached dwelling located on a lot at least 5,000 sq. ft. in size.

- B. Drop-Offs and Pick-Ups of children shall occur between the hours of 6:00 a.m. and 9:00 p.m. except in an emergency situation.
 - C. Adequate space shall be provided for drop-off and pick-up of children in a manner that does not interfere with traffic circulation in the neighborhood, and drop-offs and pick-ups shall be staggered as necessary to address potential traffic issues on the neighborhood streets.
 - D. Dwelling units in which a Family Day Home is operated shall not be altered structurally or with respect to external decoration so as to be incompatible with surrounding dwellings, nor shall driveway and/or parking paving be expanded beyond that which is typical for the neighborhood. No outdoor lighting shall be added in conjunction with the Family Day Home operation, nor shall any signage be allowed.
 - E. Fencing and/or landscaping may be required to provide buffering between any outdoor recreation facility located within 25 feet of an adjoining residential property.
3. Family Day Homes where the Zoning Administrator has received a written objection from an adjoining neighbor notified pursuant to Section 2 above and Family Day Homes not meeting the requirements of A through E above shall require approval of a special permit by the Board of Zoning Appeals pursuant to the general provisions set forth in Section 5-000 of this Ordinance. Standards A through E shall apply, except that the BZA may waive or modify such standards in conjunction with the Special Permit approval upon a finding that the waiver will not unduly impact the surrounding neighborhood.

6-102 Permitted Accessory Uses

30. A Family Day Home for ~~four~~ five (5) or fewer children.

A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLES 4, 5 AND 13 RELATED TO THE PROFFER POLICY AND PROCESSING OF APPLICATIONS FOR AND RELATED TO RESIDENTIAL REZONINGS

A public hearing was held to consider amendments to the Zoning Ordinance to address *Code of Virginia* changes related to proffers. The proposed amendments to the Zoning Ordinance would remove references to proffers that conflict with the new code provisions and also add new procedural and submission requirements for residential rezonings intended to facilitate compliance with the new rules. On August 18, 2016, the Planning Commission unanimously recommended approval of the proposed amendments. Ms. Kimberley A. Johnson, Chief of Zoning and Development Services, summarized the proposed text amendment. No one else spoke. The public hearing was closed. Mr. Granger moved to adopt the following Ordinance. Mr. Trumbo seconded and, following discussion, the vote was unanimous as follows:

Ayes: *Mr. Christopher T. Butler; Mr. Richard R. Gerhardt; Mr. Christopher N. Granger; Ms. Mary Leigh McDaniel; Mr. R. Holder Trumbo, Jr.*

Nays: *None*

Absent During Vote: *None*

Abstention: *None*

ORDINANCE

A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLES 4, 5 AND 13 RELATED TO THE PROFFER POLICY AND PROCESSING OF APPLICATIONS FOR AND RELATED TO RESIDENTIAL REZONINGS

WHEREAS, during its last term, the Virginia General Assembly adopted Section 15.2-2303.4 of the *Code of Virginia*; and

WHEREAS, Section 15.2-2303.4 permits applicants to assert a claim that the County suggested, requested or demanded an unreasonable proffer during the process of a Rezoning whether the Rezoning is approved or denied; and

WHEREAS, the County seeks to change the language of the Comprehensive Plan to address the change in Virginia's code provisions on proffers; and

WHEREAS, the County seeks to implement procedural requirements that eliminate any ambiguity as to whether proposed conditions and possible denials are related to a Rezoning application as opposed to a related Comprehensive Plan or Special Exception application; and

WHEREAS, the County seeks to require additional application materials for Rezoning applications that require an applicant to assess direct impacts; and

WHEREAS, the County has determined that the public necessity, convenience, general welfare and good zoning practice warrant these amendments; and

WHEREAS, on July 14, 2016, the Fauquier County Board of Supervisors initiated this proposed amendment; and

WHEREAS, on August 18, 2016, the Fauquier County Planning Commission held a public hearing on the proposed amendments and recommended approval; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That the following changes to Articles 4, 5 and 13 be, and are hereby, approved.

4-113

Rezoning to the Planned Residential Development District

Rezonings to PRD shall be established by amending the Zoning Map of Fauquier County. The procedures for such an amendment shall be generally as set forth in Section 13-200 of this Ordinance except as provided below. In the event of conflict between the provisions of Section 13-200, the provisions below shall prevail.

A. ~~**Deleted. Pre-Application Conference**~~

~~Applicants for rezoning to the PRD shall meet with Department of Community Development staff and other appropriate review agencies to review the proposed Concept Development Plan and Code of Development prior to formal submittal. The purpose of such conferences shall be to assist in bringing the application and material submitted therewith as nearly as possible into conformity with these or other regulations applying in the case, and to define specific modifications to the applicant of these regulations which may be modifiable pursuant to Section 4-112 above and which seem justified by alternative means to achieve the public purpose for such regulation to at least an equivalent degree. The timing and number of pre-application conferences shall be as mutually agreed to by the applicant and staff.~~

4-715

Rezonings to the Planned Development Mixed Use District

Rezoning to the PDMU district shall be established by amending the Zoning Map of Fauquier County. The procedures for such an amendment shall be generally as set forth in Section 13-200 of this Ordinance except as provided below. In the event of conflict between the provisions of Section 13-200, the provisions below shall prevail.

1. ~~**Deleted. Pre-Application Conference**~~

~~Applicants for rezoning to the PDMU shall meet with Department of Community Development staff and other appropriate review agencies to review the proposed development plan prior to formal submittal. The purpose of such conference shall be to assist in bringing the application and material submitted therewith as nearly as possible into conformity with these or other regulations applying in the case. The conference shall also identify specific modifications to the regulations which may be requested pursuant to Section 4-714 above, and which seem justified by alternative means to achieve the public purpose for such regulations to at least an equivalent degree. The timing and number of pre-application conferences shall be as mutually agreed to by the applicant and staff.~~

4-904

Uses

The table below lists potential uses allowed within the MU district, by sub-district. The Code of Development approved in conjunction with a MU rezoning (see Section 4-923) shall further define and limit the particular uses for any proposed development. In no case shall a Code of Development for a project authorize any uses which are in conflict with the specific Comprehensive Plan provisions for a Service District.

Permitted uses (P) are allowed by-right within the MU district unless specifically excluded by the approved Code of Development for the project.

Special Permit (SP) and Special Exception (SE) uses must be identified in the rezoning as potential future uses, but may only be approved separately by SP and SE once the MU zoning is approved ~~be:~~

1. ~~approved as part of the initial MU District rezoning pursuant to the procedures in Section 4-923 and the Standards set forth in this Mixed Use District and Article 5;~~
or
2. ~~approved as an amendment to the MU District rezoning by approval of the Board of Supervisors pursuant to the procedures in Section 4-923 and the Standards set forth in this Mixed Use District and Article 5;~~
3. ~~added to the proposed development after approval of the MU District with approval of a Special Permit or Special Exception pursuant to the Provisions set forth in Article 5.~~

4-920

Deleted. Pre Application Conference

~~Applicants for rezoning to the MU shall meet with Department of Community Development staff and other appropriate review agencies to review the proposed development plan prior to formal submittal.~~

ARTICLE 5

ADMINISTRATIVE PERMITS, SPECIAL PERMITS AND SPECIAL EXCEPTIONS

PART 0

5-000

GENERAL PROVISIONS

5-001

Purpose and Intent

4. Notwithstanding anything in the Zoning Ordinance to the contrary:

~~C. Any use requiring special permit or special exception approval shall be exempt from such additional special permit or special exception approval where 1) such use was specifically requested and approved as part of a rezoning application, with location and character of the proposed use shown and addressed on the concept development plan for the rezoning, and 2) compliance with the specific standards in this article were addressed in proffers as part of the rezoning application.~~

5-009

Application for Administrative Permit, Special Permit or Special Exception

~~1.1 Proposals that include residential uses shall not be considered for AP, SP or SE applications when such proposals rely on pending ZOTAs or zoning map amendments. Relevant zoning map amendments or zoning text amendments shall be approved by the board before any related application may be filed. No application for Administrative Permit, Special Permit or Special Exception for any proposal including residential use shall be filed that relies on a zoning map amendment or zoning text amendment being considered by the County. Such related zoning map amendment or zoning text amendment shall be approved by the Board before any related application may be filed.~~

PART 2

13-200

AMENDMENTS

13-202

Amendments

2. Zoning Map Amendments

A. Rezoning requests petitioned by property owners, may be submitted at any time provided such request includes no residential component. Rezoning requests that include a residential component may only be filed on December 1st and June 1st and, additionally, when the Rezoning request also requires a Comprehensive Plan Amendment, the Rezoning request may not be filed until the Comprehensive Plan Amendment is approved by the County.

C. Submission Requirements

(1) All applications to the Zoning Map, initiated in the manner prescribed by 13-202-1-B(c) above, shall be filed with the Zoning Administrator and shall include the following information:

h. For any proposal with a residential component, detailed analysis addressing how proposed proffers are directly attributable to mitigating the impacts of the proposed project

D. Proffered Condition Regulations

~~(11) In the event proffered conditions include a requirement for the dedication of real property of substantial value, or substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the REZONING itself, then no amendment to the zoning map for the property subject to such conditions, nor the conditions themselves, nor any amendments to the text of the zoning ordinance with respect to the zoning district applicable thereto initiated by the Board, which eliminate, or materially restrict, reduce, or modify the uses, the floor area ratio, or the density of use permitted in the zoning district applicable to such property, shall be effective with respect to such property unless there has been a mistake, fraud, or a change in circumstances substantially affecting the public health, safety or welfare. Nothing in the Section shall preclude the Board from accepting proffered conditions which make the zoning conditional upon the substantial implementation of the proffers, including provisions which safeguard the Board's ability to rezone the property if the proffers are not implemented.~~

A RESOLUTION TO CONSIDER SPEX-16-005184 - THE MEADOWS AT KELLY FARM - AN APPLICATION TO AMEND A PREVIOUSLY APPROVED CATEGORY 29 SPECIAL EXCEPTION (SPEX-14-001333) TO WAIVE THE PUBLIC STREET REQUIREMENT (PIN 7903-27-1455-000, 7903-36-7799-000 AND 7903-46-0693-000, CEDAR RUN DISTRICT)

This item was withdrawn at the request of the applicant.

A RESOLUTION TO APPROVE SPEX-16-005332 - MIDDLEBURG MONTESSORI SCHOOL - AN APPLICATION FOR A CATEGORY 5 SPECIAL EXCEPTION TO ALLOW A PRIMARY SCHOOL AND A CATEGORY 5 SPECIAL PERMIT TO ALLOW A NURSERY SCHOOL (PIN 6073-89-6367-000 AND 6073-89-9285-000, SCOTT DISTRICT)

A public hearing was held to consider an application requesting a Special Exception to allow a primary school for students under the age of 15 and a Special Permit to allow a nursery school for children under the age of 6. This application would expand the current Middleburg Montessori School campus to include the adjacent property. The properties are located at 7296 and 7274 Rectors Lane (Route 828) in the Village of Atoka. The Planning Commission conducted a public hearing for this item on August 18, 2016 and voted unanimously to recommend approval of the application, subject to conditions. Ms. Wendy Wheatcraft, Preservation Planner, summarized the application. No one else spoke. The public hearing was closed. Mr. Trumbo moved to adopt the following Resolution. Mr. Butler seconded and, following discussion, the vote was unanimous, as follows:

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

RESOLUTION

A RESOLUTION TO APPROVE SPEX-16-005332 – MIDDLEBURG MONTESSORI SCHOOL – AN APPLICATION FOR A CATEGORY 5 SPECIAL EXCEPTION TO ALLOW A PRIMARY SCHOOL AND A CATEGORY 5 SPECIAL PERMIT TO ALLOW A NURSERY SCHOOL (PIN 6073-89-6367-000 AND 6073-89-9285-000, SCOTT DISTRICT)

WHEREAS, the applicant, BethAnn Slater of Middleburg Montessori School, has requested a Category 5 Special Exception to allow a primary school for students under the age of 15 years and a Category 5 Special Permit to allow a nursery school for children under the age of 6 years; and

WHEREAS, on August 18, 2016, the Fauquier County Planning Commission held a public hearing on the proposed Special Exception and Special Permit and recommended approval of the application; and

WHEREAS, on September 8, 2016, the Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, the Board of Supervisors waives the 5-acre minimum lot requirement for a primary school in the Residential-Village (V) District, and finds that the 4.35-acre Residential-

Village (V) zoned property is adequate to accommodate less than 50 primary school students per Section 5-504.3.A of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors finds that the lesser setback of the existing structure on PIN 6073-89-6367-000 from the adjoining property to the west will not cause an undue impact on the adjoining property because of the specific characteristics of the proposed school per Section 5-502.1 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors finds that the type and amount of traffic generated by the new facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage per Section 5-502.2 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors has determined that the application satisfies the standards of Zoning Ordinance Sections 5-006 and 5-500; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That SPEX-16-005332 be, and is hereby, approved, subject to the following conditions:

1. This Special Exception and Special Permit are granted only for the purpose(s), structure(s) and/or uses indicated on the Special Exception and Special Permit Plat “Middleburg Montessori” dated July 6, 2016, and received in the Planning Office on July 6, 2016, as approved with this application and as modified by the associated conditions below.
2. The applicant shall comply with all Virginia Department of Health (VDH) requirements. The Operation Permit for the proposed school use at 7296 Rectors Lane shall be required prior to release of the Site Plan.
3. The school use, including nursery and primary schools on both parcels, shall be limited to a maximum enrollment of one hundred thirty-eight (138) students.
4. The primary school use (6 to 14 years), including both parcels, shall be limited to a maximum enrollment of forty-nine (49) students.
5. The number of students on the school parcel currently designated as PIN 6073-89-6367-000, 7296 Rectors Lane, shall be limited to fifty (54) students.
6. No more than four (4) non-related staff members shall be housed on PIN 6073-89-6367-000.
7. The number of people per school building shall not exceed the occupancy load of the structure.
8. The preschool on PIN 6073-89-9285-000 may include an office with a maximum of six (6) employees.
9. Accessory teacher training classes shall be permitted.

10. The outdoor recreation area on the parcel currently designated as PIN 6073-89-6367-000, 7296 Rectors Lane, shall be constructed in accordance with Sections 5-503 and 5-504 of the Zoning Ordinance in the general area shown on the Special Exception and Special Permit plat. It shall be completely surrounded with a wood picket fence at least four (4) feet in height. The total size of the outdoor recreation area shall accommodate the required space per child at a given time: one hundred (100) square feet per nursery school child, two hundred (200) square feet per child in kindergarten through grade 3, and four hundred thirty (430) square feet per child in grade 4 through 12. This area shall be supervised by at least one member of the faculty or staff when students are using the space.
11. The applicant shall obtain an entrance permit and meet all Virginia Department of Transportation (VDOT) standards.
12. Off-street parking shall be effectively screened and located outside of the minimum front yard setback, which is fifty (50) feet from the centerline of Rectors Lane (Route 828).
13. The applicant shall provide a suitable and safe student drop off area on PIN 6073-89-6367-000 prior to school use.
14. The applicant shall retain the existing vegetation around the perimeter of the campus with the exception of minor maintenance and removal of dead vegetation.
15. Non-scalable fencing shall be installed around the perimeter of both properties, running behind the stone wall. Students shall not be permitted to use this area for outdoor recreation until this fencing is completely constructed. This area shall be supervised by at least one member of the faculty or staff when students are using the space.
16. Access to the two parcels shall be limited to Rectors Lane (Route 828); no access shall be authorized on John S. Mosby Highway (Route 50).
17. The existing farm gate on PIN 6073-89-9285-000 shall remain locked at all times and shall include non-scalable wire fencing. No additional gates shall be installed along the north side of the subject properties.
18. The stone wall along the south side of the school properties shall be retained, except in the instance when it may become necessary to remove a small portion to install a commercial entrance to provide access to the school parcel currently designated as PIN 6073-89-6367-000, 7296 Rectors Lane. If the stone pillars are removed to install the new entrance, they shall be reconstructed.
19. A lighted path connecting the two parcels, the approximate location of which is shown on the Special Exception/Special Permit plat, shall be installed. The lighting shall be in conformance with Article 9 of the Zoning Ordinance.

20. All signs shall require appropriate permits. No additional signage shall be installed along John S. Mosby Highway (Route 50).
21. All required building and zoning permits shall be obtained.

A RESOLUTION TO APPROVE SPEX-16-005347 - GENTLE HARVEST - AN APPLICATION FOR A CATEGORY 13 SPECIAL EXCEPTION TO ALLOW A DRIVE-THROUGH FACILITY ASSOCIATED WITH A COMMERCIAL BUSINESS AND A CATEGORY 13 SPECIAL PERMIT TO ALLOW A FAST FOOD EATING ESTABLISHMENT (PIN 6969-58-7821-000), MARSHALL DISTRICT

A public hearing was held to consider an application seeking approval of a Category 13 Special Exception to allow a drive-through facility associated with a commercial business, and a Category 13 Special Permit to allow a fast food eating establishment. Both uses are associated with the proposed, by-right, “Gentle Harvest” commercial retail use. The drive-through facility is proposed to utilize the building’s existing drive-through window, and allow for convenient customer pickup of prepared food and market goods. The fast food eating establishment is proposed to be a small café space within the retail store. The property is located at 8372 West Main Street (Route 55), Marshall. On August 18, 2016, the Planning Commission voted unanimously to recommend approval of the application. Mr. Adam Shellenberger, Senior Planner/Urban Designer, summarized the application.

- Mr. Sully Callahan, Marshall District, requested favorable consideration on behalf of the applicant, and offered to answer any questions.

No one else spoke. The public hearing was closed. Ms. McDaniel moved to adopt the following Resolution. Mr. Trumbo seconded and, following discussion, the vote was unanimous, as follows:

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

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPEX-16-005347 – GENTLE HARVEST - AN APPLICATION FOR A CATEGORY 13 SPECIAL EXCEPTION TO ALLOW A DRIVE-THROUGH FACILITY ASSOCIATED WITH A COMMERCIAL BUSINESS AND A CATEGORY 13 SPECIAL PERMIT TO ALLOW A FAST FOOD EATING ESTABLISHMENT (PIN 6969-58-7821-000, MARSHALL DISTRICT)

WHEREAS, Gentle Harvest 2, LC (Owner), and Tom Krajewski (Applicant) are seeking to allow a drive-through facility associated with a commercial business, and a fast food eating establishment, on property located on 8372 West Main Street, Marshall (PIN 6969-58-7821-000); and

WHEREAS, the proposed use is in conjunction with the operation of a combined commercial food market and café featuring locally-sourced foods; and

WHEREAS, on August 18, 2016, the Fauquier County Planning Commission held a public hearing on the application and recommended that the application be approved; and

WHEREAS, on September 8, 2016, the Board of Supervisors conducted a public hearing and considered written and oral testimony; and

WHEREAS, the Board of Supervisors finds that the application satisfies the standards of Zoning Ordinance Section 5-006; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That SPEX-16-005347 be, and is hereby, approved, subject to the following conditions:

1. The Special Exception/Special Permit is granted for PIN 6969-58-7821-000, runs with the land as indicated in the application, and shall not be transferable to other land.
2. This Special Exception/Special Permit is granted only for the purpose(s), structure(s) and/or uses indicated on the Gentle Harvest Special Exception Plat – Special Permit dated June 20, 2016 and received in the Planning Office on June 21, 2016, as approved with this application (the “Plat”), which explicitly describes the purpose and use as the operation of a combined commercial food market and cafe featuring locally-sourced foods. This Special Exception/Special Permit is qualified by each of the development conditions and qualifications set forth on the Plat and in this Resolution.
3. The drive-through facility and café shall only be in operation at times when the associated commercial food market and cafe is open for regular business.
4. The drive-through facility shall not be a traditional drive-through, in that: (i) there may not be a typical electronic voice communication box for ordering on the spot, but rather, customers may only pre-order groceries or prepared foods by mobile application, phone or store visit; (ii) customers shall not be permitted to place orders at the drive-through window; and (iii) customers will be given, at the time of placing their order, a specific pick-up time in order to minimize traffic stacking and prevent blockage of parking lot or loading dock access for adjacent properties.
5. The drive-through shall be limited to the existing window and lane closest to the building, and may not be further expanded. In the event that the drive-through cannot be utilized without causing blockage of access to the loading dock on the adjacent property to the east, then the

Applicant shall reroute the vehicular access to the drive-through to utilize the property's Frost Street entrance only, and include appropriate directional signage and pavement markings.

AN ORDINANCE TO APPROVE A COMPREHENSIVE PLAN AMENDMENT #COMA-16-005513 TO CHAPTER 6, RELATED TO THE PROFFER POLICY

A public hearing was held to consider approval of Comprehensive Plan Amendment, #COMA 16-005513 to Chapter 6, related to the proffer policy. Legislative changes this year have necessitated a change to the County's handling of residential rezoning proffers. This amendment to Chapter 6 - Service Districts, of the Comprehensive Plan addresses the conflicts that the existing language may have with the new legislation as well as updates the Introduction, and the Marshall and New Baltimore Service District Plans to make them consistent with other updated chapters of the Comprehensive Plan. On August 18, 2016, the Planning Commission held a public hearing and voted unanimously to recommend approval of the amendment. Mr. Andrew Hopewell, Assistant Chief of Planning, summarized the application. No one else spoke. The public hearing was closed. Mr. Granger moved to adopt the following Resolution. Ms. McDaniel seconded and, following discussion, the vote was unanimous, as follows:

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

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE TO APPROVE A COMPREHENSIVE PLAN AMENDMENT COMA-16-005513 TO CHAPTER 6, RELATED TO THE PROFFER POLICY

WHEREAS, the Virginia State Legislature adopted amendments to its Code pertaining to proffers for residential rezonings; and

WHEREAS, the Comprehensive Plan's Chapter 6 covering its Service Districts contains language that could be interpreted to run contrary to the amended Code; and

WHEREAS, the chapter also contains references to other Comprehensive Plan chapters that have since been revised and amended; and

WHEREAS, on August 18, 2016, the Fauquier County Planning Commission held a public hearing on the draft chapter and considered written testimony, and voted unanimously to recommend approval of this amended chapter; and

WHEREAS, on September 8, 2016, the Fauquier County Board of Supervisors held a public hearing and received input from the public; and

WHEREAS, the Fauquier County Board of Supervisors believes that the update of the chapter would represent good planning and be in the best interests of the citizens of the County; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 8th day of September 2016, That an update to Chapter 6 of the Fauquier County Comprehensive Plan dealing with Service Districts, as recommended by the Planning Commission be, and is hereby, adopted.

AN ORDINANCE TO AMEND FAUQUIER COUNTY CODE CHAPTER 13.5 PERTAINING TO NOISE

A public hearing to obtain citizen input on amendments to Fauquier County Code Chapter 13.5 regulating noise. Proposed amendments allow violations to be cited based on a plainly audible standard from inside a neighboring dwelling or evidence of sound greater than 60 decibels obtained from a noise meter at the property line or anywhere within a receiving property. Violations of the noise ordinance are subject to civil fines. Mr. Kevin Burke, County Attorney, summarized the proposed text amendments.

- Mr. J.R. Royston, Cedar Run District, expressed concern that neighbors continue to ride recreational vehicles up and down property lines and it becomes very loud and disturbing and that none of the four proposed text amendment options adequately addresses the problem. He asked that this item be withdrawn and that the Board consider using a "common sense" approach and that exemptions be considered on a case by case basis, similar to Prince William and Stafford Counties.

No one else spoke. The public hearing was closed. Mr. Gerhardt moved to adopt the attached Ordinance, Option IV, with the following amendments: (1) eliminate subsections 4 and 5 pertaining to operation of off-road recreational vehicles; and, (2) amend decibel limits from 60 dBA to 65 dBA; and, (3) exempt approved kennels that existed prior to the adoption of this Ordinance. Ms. McDaniel seconded and, following discussion, the vote was unanimous, as follows:

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

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE TO AMEND AND ADOPT CHAPTER 13.5 OF THE

FAUQUIER CODE TO REGULATE NOISE

WHEREAS, the Fauquier Board of Supervisors, after due notice and public hearing, has determined that it is in the best interest of the health, safety and welfare of the citizens of Fauquier County to amend and adopt this Ordinance; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 8th day of September 2016, That Chapter 13.5 of the Fauquier County Code be, and is hereby, amended and adopted, which Sections shall read as follows:

FAUQUIER COUNTY CODE

Chapter 13.5 NOISE

Sections 13.5-1 and 13.5-2 are not changed and are only provided for reference.

Sec. 13.5-1. - Declaration of policy.

The board hereby finds and declares that certain audible and discernible sounds are a serious hazard to the public health, safety, welfare and the quality of life of the citizens of Fauquier County; that the people have a right to and should be ensured an environment free from such sound that may jeopardize the public health, safety and welfare or degrade the quality of life; and that it is the policy of the board to prevent such sound to the extent such action is not inconsistent with a citizen's Constitutional rights.

(Ord. No. 15-1, 6-11-15)

Sec. 13.5-2. - Penalty for violations of chapter.

Any person who violates any provision of this chapter shall be subject to a civil penalty of two hundred fifty dollars (\$250.00) for the first offense and five hundred dollars (\$500.00) for each subsequent offense. These civil penalties may be charged once for each twenty-four-hour period and each offense charged for every twenty-four-hour period shall be deemed a separate and subsequent offense.

(Ord. No. 15-1, 6-11-15)

State Law reference -- Enabling authority, Code of Virginia § 15.2-980.

Sec. 13.5-3. - Prohibitions.

~~(a) — Noise near schools, hospitals, etc. The creation of any excessive noise on any street adjacent to any school, institution of learning, library, hospital or sanitarium, or any court while the same is in session, which unreasonably interferes with the working or activities of such place.~~

~~(b) — Noisy animals. Owning, keeping, possessing or harboring any animal or animals which frequently or habitually howl, bark, meow, squawk or make such other noise as is plainly audible across property boundaries or through partitions common to two (2) persons within a building. A canine or canine crossbreed that is outside a fully enclosed structure without the owner or other adult capable of controlling the animal present that is confined by chain or tether to a trolley system, ground stake or other stationary or fixed object that barks or makes such other noise that~~

is plainly audible to an animal control officer or other sheriff's deputy for more than one (1) minute shall be deemed to be in violation of this section.

~~(c) — Loud parties, playing of radios, musical instruments, etc.~~

~~(1) — Operating or permitting the use, or operation of any radio receiving set, musical instrument, television, phonograph or any other device for the production of sound between the hours of 10:00 p.m. and 7:00 a.m. the following day, except Friday and Saturday evenings, when the hours of noise limitation shall be 11:00 p.m. to 7:00 a.m. the following day in such a manner as to be plainly audible across property boundaries or through partitions common to two (2) persons within a building or plainly audible at fifty (50) feet from such device when operated within a motor vehicle parked on a public right-of-way or in a public place.~~

~~(2) — The conducting of any loud party, between the hours of 10:00 p.m. and 7:00 a.m., except Friday and Saturday evenings, when the hours of noise limitation shall be 11:00 p.m. to 7:00 a.m. the following day, with or without radios, musical instruments or stereos in such a manner as to be plainly audible across property boundaries or through partitions common to two (2) persons within a building or plainly audible at fifty (50) feet from such device.~~

~~(d) — Engine braking. The creation of any unreasonably loud, disturbing or unnecessary noise caused by the application of engine brakes by any driver of a motor vehicle and is not as of a result a bona fide emergency occurrence necessitating the application of an engine brake. Any violation of this subsection shall constitute a Class 1 misdemeanor, which misdemeanor is punishable by a fine of not more than two thousand five hundred dollars (\$2,500.00) or confinement in jail for not more than twelve (12) months, or both.~~

~~(e) — The collection of trash or refuse in residential use districts between the hours of 10:00 p.m. and 5:00 a.m. the following day.~~

(a) No person shall permit, operate, or cause any source of sound or sound generation to create a sound that is plainly audible in any other person's residential dwelling or place of business with the doors and windows of that residential dwelling or place of business closed. In addition, the source of sound or sound generation must be discernible regardless of whether such doors and windows are closed. Plainly audible means the sound can be heard by the human ear with or without a medically approved hearing aid or device. Discernible means that the sound is sufficiently distinct such that its source can be clearly identified.

(b) No person shall permit, operate, or cause any source of sound or sound generation to create a sound that is in excess of 65 A-weighted decibels (dBA) measured at the emitter's property line or at any point within any other affected property.

(c) Any person owning, operating or controlling the sound generation or source shall be guilty of any violation caused by that sound generation or source. If it cannot be determined which person is the owner, operator or controller of the sound generation or source, any owner, tenant, resident or manager physically present on the property where the violation is occurring is subject to a rebuttable presumption that they are the one operating or controlling the sound generation or source.

(d) The following activities that create sound that is measurable under subsections (a) or (b) above are a violation of this chapter only as specifically set out and prohibited below:

- (1) Use of a loudspeaker, radio, musical instrument, stereo or other sound amplification device between the hours of 10:00 p.m. and 7:00 a.m., except Friday and Saturday evenings, when the hours of noise limitation shall be 11:00 p.m. to 7:00 a.m. the following day.
- (2) Conducting any loud party, between the hours of 10:00 p.m. and 7:00 a.m., except Friday and Saturday evenings, when the hours of noise limitation shall be 11:00 p.m. to 7:00 a.m. the following day, with or without radios, musical instruments or stereos.
- (3) Owning, keeping, possessing or harboring any animal or animals which make sound which is either: (i) plainly audible for more than five consecutive minutes without interruption of more than 10 seconds or (ii) measures more than 65 dBA for a 15 second interval at least once per minute for five consecutive minutes. A canine or canine crossbreed that is outside a fully enclosed structure without the owner or other adult capable of controlling the animal present that is confined by chain or tether to a trolley system, ground stake or other stationary or fixed object that barks or makes such other noise that is plainly audible to an animal control officer or other sheriff's deputy for more than one (1) minute shall be deemed to be in violation of this section. It shall not be a violation of this provision if the animal, at the time of the sound or sound generation, was responding to pain, injury or was protecting itself, its kennel or offspring, or any person at the time of the sound.

(Ord. No. 88-3, 6-7-88; Ord. No. 02-07, 10-21-02; Ord. No. 09-06, 7-9-09; Ord. No. 15-1, 06-11-15; Ord. No. 16-____, 09-08-2016)

Sec. 13.5-4. Exemptions.

- (a) The following activities shall be exempt from the provisions of this chapter:
 - (1) Animal shelters or kennels which were in existence prior to September 8, 2016~~as of the date of adoption of this chapter.~~
 - (2) Sporting events or other activities operated and conducted under the auspices of an official organization such as a hunt club, civic organization, ~~high public or private school or~~ that which occurs on or in any municipal, county, state, federal property or facility.
 - (3) Agricultural activities on agriculturally zoned property associated with crops, livestock, and livestock products, including field crops, fruits, vegetables, horticultural specialties, cattle, sheep, domesticated game animals, hogs, goats, horses, poultry, milk, honey, eggs, aquaculture, timber including Christmas trees, and dogs working or being trained to work in conjunction with any agricultural activity.
 - (4) Automobile races at commercial facilities before 10:00 p.m., except Friday and Saturday evenings, which will be before 11:00 p.m.
 - (5) Lawful discharge of firearms or lawful hunting.
 - (6) Clocks, bells, carillons, and other calls to worship emanating from a public building, church or place of worship.

- (7) Noise generated by a business on industrially zoned property.
- (8) Railroads and any sound emanating from any area permitted by the Virginia Department of Mines, Minerals and Energy or any division thereof.
- (9) The emission of sound for the purpose of alerting persons to the existence of an emergency, provided that such alarm signals cease once any threat is no longer imminent.
- (10) The emission of sound in response to any emergency situation by law enforcement, fire and rescue personnel or any other public employee.
- (11) Use and operation of any equipment to remove snow or ice.
- (12) Operation of backup generators during power outages resulting from storms or other emergencies.
- (13) Heat pumps and/or air conditioners operated in accordance with manufacturer's specifications.
- (14) Electric garage door openers when properly installed and operated according to manufacturer's specifications and alarms or noise emanating from a motor vehicle when locking or unlocking such vehicle.
- (15) Motor vehicles travelling on a public right of way and any other activities for which the regulation of noise has been preempted by federal or state law.
- (16) Any noise associated with a use permitted by the issuance of Special Exception or Special Use Permit for that use on the subject property.
- (17) The provisions of this chapter shall not subject a sport shooting range to noise control standards more stringent than those in effect at the time of the effective date of the range. The operation or use of a sport shooting range shall not be enjoined on the basis of noise, nor shall any person be subject to action for nuisance or criminal prosecution in any matter relating to noise resulting from the operation of the range, if the range is in compliance with all ordinances relating to noise in effect at the time of the effective date of the range. For the purposes of this section, the following definitions shall apply:
- (i) a sport shooting range is an area or structure designed for the use for rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting; and
- (ii) effective date means the time the construction or operation of the sports shooting range initially was approved, or at the time any application was submitted for the construction or operation of the sports shooting range, whichever is earliest.
- (b) The following activities or sources of sound shall be exempt during the hours of 7 a.m. to 10 p.m., unless specifically noted otherwise, from the prohibitions in this chapter:
- (1) Activities related to the construction, repair, maintenance, remodeling or demolition, grading or other improvement of real property, except no such activities shall commence before 9 a.m. on Saturdays, Sundays and federal holidays.
- (2) Gardening, lawn care, tree maintenance or removal, and other landscaping activities.

(3) Refuse collection and sanitation services, except that refuse collection and sanitation services may begin at 5:00 a.m.

(4) Testing of audible signal devices which are employed as warning or alarm signals in case of fire, emergency, theft, or burglary, or imminent danger, except such testing shall not occur after 8:00 p.m.

(Ord. No. 88-3, 6-7-88; Ord. No. 16- , 09-08-2016)

State Law reference – Limitation on regulation of sport shooting ranges, Code of Virginia § 15.2-917.

Sec. 13.5-5. - Severability; private nuisance actions preserved; enforceability.

(a) In the event that any portion of this chapter is declared unconstitutional, invalid, or unenforceable for any reason, such declaration shall not affect the validity or enforceability of any other portion of this chapter.

(b) Nothing in this chapter is intended to preclude private actions to abate or enjoin nuisances. The enforcement of this chapter by public officers shall not be a precondition to the bringing of an action to restrain, abate or enjoin such nuisance.

(c) This chapter may be enforced by the sheriff or any deputy sheriff or animal control officer of Fauquier County.

(d) The provisions of this chapter are cumulative and not exclusive and shall supplement and be in addition to any noise performance standards or other standards set in the zoning ordinance of Fauquier County. ~~It shall not be necessary to utilize a sound measurement device to determine the precise decibel level of many sounds which are the subject of this chapter.~~

(e) It shall not be necessary to utilize a sound measurement device to determine the precise decibel level of sounds when they are plainly audible and cited as violations pursuant to Sec. 13.5-3(a).

(f) The sound level measurements in A-weighted decibels, or dBA, shall be made with an integrating sound level meter that meets or exceeds the standards for such equipment as established by Code of Virginia §§ 19.2-270.7, 2.2-1112, and any regulations promulgated thereunder. The results obtained by use of such equipment shall be accepted as prima facie evidence of the decibel level of the sound in any court or legal proceeding where the decibel level of the sound is at issue. If any question arises about the calibration or accuracy of such equipment used to determine the decibel level of sound, a certificate, or a true copy thereof, showing the calibration or testing for accuracy of the equipment, and when and by whom the calibration or test was made, shall be admissible as evidence of the facts therein stated. The calibration or testing of such equipment shall be valid for 12 months.

(g) A-weighted sound level or decibels (dBA) is the sound pressure level in decibels as measured on a sound level meter (SLM) using the A-weighting network. L Equivalent (Leq) is the constant sound level that, in a given situation and time period, conveys the same sound

energy as the actual time-varying A-weighted sound level. A-weighted sound levels shall be measured with an integrating sound level meter (SLM) that meets or exceeds the standards established by Code of Virginia §§ 19.2-270.7, 2.2-1112, and any regulations promulgated thereunder. The response of such SLM shall be set to FAST, and a time period of 15 seconds shall be used. The operator may select another time period between a minimum of 10 seconds and maximum of 1 minute if a 15 second time period cannot adequately capture the A-weighted sound level. Samples shall be taken only when the subject sound can be clearly heard and identified by the operator without any extraneous sounds such as passing traffic, bird songs, etc. The operator shall take a minimum of 3 samples that demonstrate the repeatability and consistency of the subject sound. When possible, the operator should also take at least 1 sample when the subject sound is not heard for the purpose of establishing a baseline and comparison. When measuring sound, the microphone of the SLM shall be aimed toward the source of the subject sound and a standard microphone height of five feet above grade shall be used. It is a violation of this chapter for the arithmetic average of all samples that demonstrate the repeatability and consistency of the subject sound to exceed 65 dBA.

(Ord. No. 15-1, 06-11-15; Ord. No. 16-___, 09-08-2016)

With no further business, the meeting was adjourned at 7:16 P.M.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on September 8, 2016.

(SEAL)

*Paul S. McCulla
Clerk to the Board of Supervisors*