



**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
FEBRUARY 14, 2013 AT 11:00 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Christopher N. Granger; Mr. Peter B. Schwartz; Mr. D. Lee Sherbeyn;
Mr. Chester W. Stribling; Mr. R. Holder Trumbo; Mr. Paul S. McCulla,
County Administrator; Mr. Kevin J. Burke, County Attorney

A B S E N T None

CALL TO ORDER

Mr. Trumbo called the meeting to order at 11:12 A.M.

AGENDA REVIEW

The Board of Supervisors reviewed the agenda.

RECOGNITION

Immediately following the Board of Supervisors' agenda review, Mr. James Pinsky, on behalf of the Fauquier County Veterans Council, presented Certificates of Appreciation to Ms. Catherine Heritage, Deputy County Administrator; Ms. Susan Eddy, Chief of Planning; and Ms. Renee Culbertson, Deputy Clerk to the Board of Supervisors, for their guidance and assistance in drafting a proposed resolution supporting the renaming of Fauquier County bridges after Fauquier County military veterans.

**A WORK SESSION TO PRESENT THE ECONOMIC DEVELOPMENT ATTRACTION
VIDEO TO THE BOARD OF SUPERVISORS**

11. No commercial advertising or signs shall be allowed on the tower or associated structures.
12. Removal of the facility is subject to the terms identified in Zoning Ordinance Section 11-107.2. The site shall be restored as closely as possible to its original condition.
13. Before proceeding to the zoning/building permit phase, site plan review and approval shall be required.
14. A VDOT entrance permit shall be required before site plan approval.
15. The applicant shall comply with all applicable Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) regulations.
16. The project shall comply with all other applicable Zoning Ordinance requirements.

A PUBLIC HEARING TO RECEIVE CITIZEN COMMENT ON A PROPOSED INCREASE TO THE MARSHALL ELECTRIC LIGHT AND BUSINESS IMPROVEMENT DISTRICT LEVY BY TWO CENTS

A public hearing was held to consider a proposed increase to the Marshall Electric Light and Business Improvement District levy by two (2) cents. A portion of the unincorporated village of Marshall is located within the Marshall Electric Light and Business Improvement District which is subject to a tax for streetlights as well as other appropriate community projects. The current tax levy for the district is .005 cent. Fauquier County has received a Transportation Enhancement grant from the Virginia Department of Transportation for improvements in Marshall known as the Marshall Main Street Project. That grant requires a local match of approximately \$643,000. The Board agreed at its November 8, 2012, meeting to advance from Capital Improvement funds the local match, subject to the funds being repaid to the County via a two cent increase in the Marshall Electric Light and Business Improvement District levy. The attached Ordinance authorizes an increase to the Marshall Electric Light and Business Improvement District levy by two cents to repay over a term of years the \$643,000 local match advanced for the Marshall Main Street Project. Under the terms of the resolution the tax would be effective the first day of the January following the issuance of the contracts for the project. On January 10, 2013, the Board held a public hearing and voted to table the issue. Paul S. McCulla, County Administrator, summarized the proposed increase. Mr. Trumbo announced that he would recuse himself from consideration of this matter, since he owns a business in Marshall.

- Ms. Bess Taylor, Marshall District, spoke in support of the tax increase.
- Mr. Ken Taylor, Marshall District, spoke in support of the tax increase.
- Mr. Duke Yowell, Marshall District, spoke in support of the tax increase.

- Ms. Sarah Atkins, Marshall District, presented letters of support of the tax increase.
- Dr. Norris Wren Royston, Marshall District, presented letters of support of the tax increase.
- Mr. Robert Sinclair, Scott District, spoke in support of the tax increase.
- Mr. Ray Cultrera, Marshall District, spoke in support of the tax increase.
- Ms. Joanne Nzenkowski, Marshall District, spoke in opposition to the tax increase.
- Ms. Mary Jane Stringfellow, Marshall District, spoke in opposition to the tax increase.
- Ms. Deanna Holmes, Marshall District, spoke in opposition to the proposed tax increase.
- Mr. (inaudible?), business owner on Marshall Main Street, spoke in opposition to the proposed tax increase.
- Mr. Paul Lawrence, Marshall business owner, spoke in support of the tax increase.

No one else spoke. The public hearing was closed. Mr. Schwartz moved to adopt the following Ordinance. Mr. Granger seconded and, following discussion, the motion carried with a vote of 3 to 1 as follows:

Ayes: *Mr. Christopher N. Granger; Mr. Peter B. Schwartz; Mr. Chester W. Stribling*
Nays: *Mr. D. Lee Sherbeyn*
Absent During Vote: *None*
Abstention: *Mr. R. Holder Trumbo*

ORDINANCE

AN ORDINANCE INCREASING THE MARSHALL ELECTRIC LIGHT AND BUSINESS IMPROVEMENT LEVY BY TWO CENTS

WHEREAS, a portion of the unincorporated village of Marshall located within the Marshall Electric Light and Business Improvement District is subject to a tax for the operation and maintenance of street lights as well as other appropriate community projects within the district; and

WHEREAS, the current Marshall Electric and Business Improvement District tax for calendar year 2012 is .005 cent; and

WHEREAS, Fauquier County has received a series of Transportation Enhancement (TEA) Grants from the Virginia Department of Transportation for improvements to Main Street in Marshall (the "Marshall Main Street Project") in the aggregate amount of \$2,748,087 as of the date hereof, which grants require a local match in the amount of approximately \$643,000; and

WHEREAS, at the meeting held on November 8, 2012, the Board of Supervisors authorized the use of unassigned Capital Improvement Funds in the amount of \$643,000 for the remaining local match for the Marshall Main Street Project grant (the "Match Funds"), subject to the requirement that the Match Funds be repaid over time, but without interest, by a two cent increase to the Marshall Electric Light and Business Improvement District levy; now, therefore, be it

ORDAINED by the Fauquier County Board of Supervisors this 14th day of February, 2013, That (i) the Match Funds are now deemed available for use for the Marshall Main Street Project so that the bidding process may be completed and contracts may be signed, and (ii) the Marshall Electric Light and Business Improvement District levy be, and is hereby, increased by two cents to a total levy of \$0.025 cents, effective on the first day of the January immediately following the issuance of such contracts for the Marshall Main Street Project to repay over a term of years, without interest, the \$643,000 of local matching funds that has been advanced; and be it further

ORDAINED. That the tax shall be reduced back to its current level or such level as is necessary to provide for the maintenance and operation of the Marshall street lights at such time as the \$643,000 has been recovered, without interest, through the two cent increase in the levy; and be it finally

Deleted: t

ORDAINED. That any rezoning proffer or other contribution or qualified source of match funding earmarked for the Marshall Main Street Project and actually collected for such purpose shall be applied to the reduction of the \$643,000 of local matching funds.

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With no further business, the meeting was adjourned at 9:21 P.M.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on February 14, 2013.