

# City Council Work Session

Tuesday, June 25, 2013

6:00 p.m.

Council Chambers – Rouss City Hall

## AGENDA

### 1.0 Call to Order

**2.0 Public Comments:** (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone.)

### 3.0 Items for Discussion:

- 3.1 CU-13-273:** Conditional Use Permit - Request of Michael Bortz on behalf of T-Mobile Northeast, LLC for a conditional use permit to upgrade existing telecommunications facilities with replacement antennas at 333 West Cork Street (*Map Number 192-01-C-16*) zoned Health Services (HS) District. – Tim Youmans, Planning Director (pages 3-7)
- 3.2 O-2013-21:** AN ORDINANCE AMENDING ARTICLES 18 AND 23 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO CONDITIONAL USE PERMITS FOR TRANSMITTING AND RECEIVING FACILITIES AND TOWERS AND FEES FOR TELECOMMUNICATIONS FACILITIES AND RE-ADVERTISEMENT FEES TA-13-198 – Aaron Grisdale, Director of Zoning & Inspections (pages 8-14)
- 3.3** Motion to approve a Memorandum of Understanding Template for Outside Agency Funding Awards – Doug Hewett, Assistant City Manager (pages 15-78)
- 3.4** Motion to approve a Memorandum of Understanding with the Shenandoah Valley Discovery Museum for Capital Renovations at 19 W. Cork Street – Doug Hewett, Assistant City Manager (pages 79-84)
- 3.5 O-2013-18:** AN ORDINANCE TO DECLARE THE PROPERTY AT 414 S. BRADDOCK STREET TO BE A NUISANCE; AND APPROPRIATE FUNDS AND AUTHORIZE THE CITY TO ABATE THE NUISANCE AND DEMOLISH OR MAKE EMERGENCY REPAIRS TO THE UNSAFE PROPERTY (**DISCUSSION ONLY – PUBLIC HEARING/SECOND READING IS SCHEDULED FOR JULY 9, 2013**) – Aaron Grisdale, Director of Zoning & Inspections (pages 85-113)

- 3.6 R-2013-31:** Resolution – Adopt the schedule for regularly held meetings and work sessions of City Council for fiscal year 2014 – Doug Hewett, Assistant City Manager (pages 114-117)
- 3.7 O-2013-19:** Real Estate Tax Relief for Low Income Elderly and Disabled – Ann Burkholder, Commissioner of the Revenue (pages 118-126)
- 3.8 O-2013-20:** AN ORDINANCE TO AMEND AND RE-ENACT SECTION 26-33 OF THE WINCHESTER CITY CODE PERTAINING TO SPECIAL PROVISIONS RELATING TO LOUDOUN STREET MALL – Jennifer Bell, Old Town Manager (pages 127-148)

#### **4.0 Liaison Reports**

#### **5.0 Executive Session**

- 5.1** MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION

#### **6.0 Monthly Reports**

- 6.1** Finance Department (pages 149-161)

#### **7.0 Adjourn**

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 6/25/13 (work session), CUT OFF DATE: 6/18/13
7/9/13 (regular mtg)

RESOLUTION \_\_\_ ORDINANCE \_\_\_ PUBLIC HEARING X

ITEM TITLE:

CU-13-273 Request of Michael Bortz on behalf of T-Mobile Northeast, LLC for a conditional use permit to upgrade existing telecommunications facilities with replacement antennas at 333 West Cork Street (Map Number 192-01-C-16) zoned Health Services (HS) District.

STAFF RECOMMENDATION:

Approval with conditions

PUBLIC NOTICE AND HEARING:

Public hearing for 7/9/13 Council meeting

ADVISORY BOARD RECOMMENDATION:

Planning Commission recommended approval with conditions

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include Zoning & Inspections, City Attorney, City Manager, and Clerk of Council.

Initiating Department Director's Signature: (Planning) [Signature] 6/17/13



APPROVED AS TO FORM:

[Signature] 6/18/2013 CITY ATTORNEY

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Will Moore, Planner  
**Date:** June 18, 2013  
**Re:** CU-13-273

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**THE ISSUE:**

Request on behalf of T-Mobile for CUP to upgrade existing telecommunications facilities at 333 W Cork St ("old hospital").

**RELATIONSHIP TO STRATEGIC PLAN:**

N/A

**BACKGROUND:**

Request is made in preparation of this carrier launching 4G LTE services. Six existing panel antennas would be replaced with six new ones that are of similar height and mass.

**BUDGET IMPACT:**

No funding is required.

**OPTIONS:**

- Approve with conditions recommended by the Planning Commission
- Approve with revised conditions
- Deny the application

**RECOMMENDATIONS:**

Planning Commission and staff recommend approval with conditions as noted within the staff report.

Council Work Session  
June 25, 2013

**CU-13-273** Request of Michael Bortz on behalf of T-Mobile Northeast, LLC for a conditional use permit to upgrade existing telecommunications facilities with replacement antennas at 333 West Cork Street (Map Number 192-01-C-16) zoned Health Services (HS) District.

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#### REQUEST DESCRIPTION

The request is to replace six existing, pole-mounted panel antennas on the penthouse at 333 W Cork St with six new panel antennas and to replace two existing rooftop equipment cabinets with one new cabinet.

#### AREA DESCRIPTION

The site is zoned Health Services, HS District. The site and some adjacent land including some medical office buildings were zoned HS when the hospital moved to the newer Medical Center, MC District in 1990. Surrounding properties, including many of the existing parking lots serving the HS District, are zoned MR and contain a mix of single-family, multifamily, office, and parking lot uses. Land to the northeast, diagonally across the Cork Street/Stewart Street intersection is zoned RO-1 and contains medical offices. No adjacent properties or properties across Stewart Street are in the HW Historic District.



#### COMMENTS FROM THE PLANNING DEPARTMENT

The applicant notes in his letter dated May 2, 2013 that these proposed revisions are part of T-Mobile's process of upgrading its network in preparation for launching of 4G LTE service. The changes would allow for provision of 4G LTE wireless data services and also improve existing 3G data and voice coverage in the area.

As shown on the submitted plans and in the proposed-condition photos, five of the six replacement antennas will be swapped for existing antennas in the same locations on existing mounts. One additional mount is proposed for a new antenna. The sixth existing antenna will be removed and the mount will remain for possible future use. The existing and proposed antennas are similar in height ( $\pm 4.5'$ ) and mass.

The use of the existing tall structure is preferable to construction of a freestanding tower in this area. The penthouse has minimal view from many of the adjacent residences due to the steep angle of the existing structure and the fact that the penthouse is recessed back considerably from the main perimeter walls of the multi-story building. Extensive street trees in the area buffer the view of the building from the surrounding streets and sidewalks. The replacement of six existing antennas with a like amount of similar size should have minimal, if any, impact on surrounding properties or uses.

## RECOMMENDATION

In order for a CUP to be issued, a finding must be made that the proposal as submitted or modified will not adversely affect the health, safety or welfare of residents and workers in the neighborhood nor be injurious to adjacent properties or improvements in the neighborhood.

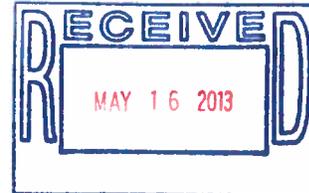
At its June 18, 2013 meeting, the Planning Commission forwarded **CU-13-273** to City Council recommending approval because the use as proposed should not adversely affect the health, safety or welfare of residents and workers in the neighborhood nor be injurious to adjacent properties or improvements in the neighborhood. The recommendation is subject to:

- 1) Submission of an as-built emissions certification after the facility is in operation;
- 2) removal of the facilities should the use cease; and,
- 3) submission a bond guaranteeing removal of facilities should the use cease.

  
**NETWORK BUILDING  
& CONSULTING, LLC**

May 2, 2013

City of Winchester  
Department of Zoning and Inspections  
15 N. Cameron St  
Winchester, Virginia 22601



**RE:** Conditional Use Permit  
333 W Cork St  
Winchester, VA 22601

**Site Name:** HCH132A -Winchester #2

**Applicant:**

T-Mobile Northeast, LLC (Hereafter referred to as "T-Mobile.")  
12050 Baltimore Avenue  
Beltsville, MD 20705

**Applicant's Agent:**

Michael Bortz  
7380 Coca Cola Drive, Suite 106  
Hanover, 21076  
(301) 233-1664  
Mbortz@nbcllc.com

**Description of Intent**

T-Mobile is requesting approval per Section 18-2-1 of the Zoning Ordinance to allow telecommunications equipment and facilities not located in an enclosed structure within the HS, Health Services District. T-Mobile is in the process of upgrading its core network, including all cell sites, in preparation for its 4G long term evolution (LTE) service launch. These upgrades will allow T-Mobile to provide 4G LTE wireless data services as well as help to improve its current 3G data and voice coverage. T-Mobile is proposing swapping out (6) existing antennas and (2) cabinets for 6 new LTE antennas of equal size and (1) new equipment cabinet. A new CUP would be required.

**Proposed Scope of Work**

The six (6) existing panel antennas which are pole mounted to the penthouse wall shall be removed and replaced with six (6) new panel antennas of similar size. The new antennas are shown at a centerline elevation of 112 feet; the same height as the existing T-Mobile antennas. The existing two (2) equipment cabinets will be removed and replaced with (1) one new cabinet in the same location on the rooftop.

7380 Coca Cola Dr., Suite 106

Hanover, MD 21076

(410) 712-7092 FAX (410)712-4056

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 6/25/13 (work session), CUT OFF DATE: 6/18/13
7/9/13 (1st Reading) 8/13/13 (2nd Reading/Public Hearing)

RESOLUTION \_\_\_ ORDINANCE X PUBLIC HEARING X

ITEM TITLE:

TA-13-198 AN ORDINANCE AMENDING ARTICLES 18 AND 23 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO CONDITIONAL USE PERMITS FOR TRANSMITTING AND RECEIVING FACILITIES AND TOWERS AND FEES FOR TELECOMMUNICATIONS FACILITIES AND RE-ADVERTISEMENT FEES

STAFF RECOMMENDATION:

Approval.

PUBLIC NOTICE AND HEARING:

Public hearing for 8/13/13 Council mtg

ADVISORY BOARD RECOMMENDATION:

Planning Commission recommended approval.

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

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Initiating Department Director's Signature: [Signature] 6/18/13
(Zoning and Inspections)



APPROVED AS TO FORM:

[Signature] 6/18/2013
CITY ATTORNEY

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Aaron Grisdale, Director of Zoning and Inspections  
**Date:** June 18, 2013  
**Re:** Zoning Text Amendment (TA-13-198) – Telecommunications Facility Fees

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**THE ISSUE:**

The proposed Zoning Ordinance text amendment will modify the existing Zoning Ordinance language pertaining to fees for telecommunications facilities and increasing the public re-advertisement fees.

**RELATIONSHIP TO STRATEGIC PLAN:**

Goal #2: Develop a High Performing Organization.

**BACKGROUND:**

The goal of this text amendment is to better recover the costs associated with a review and application for a telecommunications facility conditional use permit application, as well as better recovering the costs associated with re-advertisement costs for items requiring a public hearing.

**BUDGET IMPACT:**

No funding is required.

**OPTIONS:**

- Adopt the Zoning Ordinance Text Amendment
- Decline to adopt the Zoning Ordinance Text Amendment

**RECOMMENDATIONS:**

Planning Commission and staff recommend approval.

**TA-13-198 AN ORDINANCE AMENDING ARTICLES 18 AND 23 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO CONDITIONAL USE PERMITS FOR TRANSMITTING AND RECEIVING FACILITIES AND TOWERS AND FEES FOR TELECOMMUNICATIONS FACILITIES AND RE-ADVERTISEMENT FEES**

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**REQUEST DESCRIPTION**

This publicly sponsored text amendment is to serve as an update to the existing language pertaining to the conditional use permit provisions of transmitting and receiving facilities and towers as well as required fees.

**STAFF COMMENTS**

Presently, the Zoning Ordinance outlines requirements for conditional use permit applications for transmitting and receiving facilities and towers (telecommunications facilities). However, during staff review of the current language, it was observed that the Limited High Density Residential (HR-1) district was excluded from the provisions of 18.2-1.2 outlining the requirements for maximum tower height. This ordinance will correct that and place the HR-1 district within the same height threshold as the other residential districts with a maximum height of 75 feet.

Additionally, staff has proposed the establishment of a separate conditional use permit fee for telecommunications facilities. The original proposal during the Planning Commission's initiation of this text amendment had two separate fees for a new structure and for a modification of existing facility, \$7000 and \$2500 per antennas, respectively.

One of City Council's goals for 2018 in the Strategic Plan is "creating a more livable City for all." The uniform development, especially pertaining to telecommunication facilities is part of that goal. These minor adjustments will ensure the continued uniform development for new towers and tower modifications as well as establishing a fee structure that will cover the costs for administering the Zoning Ordinance requirements and conditional use permit process.

Since the initiation of the text amendment at the Commission's meeting in April, staff is considering revisions following closer review of the enabling legislation in §15.2-2286, providing for the collection of fees. Staff is researching and preparing new language that will provide an amended fee structure to more closely reflect the cost of administering the conditional use permit process.

**Update for June 18, 2013 PC meeting:**

Following research of the enabling legislation in the Code of Virginia, how other localities and municipalities conduct their reviews, and discussions with staff, we have come up with a revised proposal. This amendment proposes an increase from \$500 to \$1500 per application for a telecommunications facility. This revised fee will apply to new facilities, modification of existing facilities and collocations of antennas/equipment.

Many other municipalities and localities charge much higher amounts for their conditional use/special use permits; however, the reason for the higher cost is that majority of these governments use a third-party entity to handle the entire technical review/public hearing process for these types of permits. This proposal is a reflection on the current departmental costs for review, inspections, and administration of such permits.

#### RECOMMENDATION

During their June 18, 2013 meeting, the Planning Commission unanimously recommended approval and adoption of this text amendment because it represents good planning practice by providing for clear regulations and reasonable fees for such telecommunications facilities.

**RESOLUTION ADOPTING AN ORDINANCE AMENDING ARTICLES 18 AND 23 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO CONDITIONAL USE PERMITS FOR TRANSMITTING AND RECEIVING FACILITIES AND TOWERS AND FEES FOR TELECOMMUNICATIONS FACILITIES AND RE-ADVERTISEMENT FEES**

**TA-13-198**

**WHEREAS**, the Code of Virginia provides that one of the purposes of a Zoning Ordinance is to facilitate the creation of a convenient, attractive and harmonious community; and,

**WHEREAS**, Section 15.2-2286 of the Code of Virginia, provides that Zoning Ordinances may provide for the collection of fees to cover the cost of making inspections, issuing permits, advertising of notices and other expenses incident to the administration of a zoning ordinance; and,

**WHEREAS**, the proposed Ordinance amendments will establish reasonable fees for such administration of the Zoning Ordinance for applications for telecommunications facilities and public re-advertisement costs.

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council of the City of Winchester hereby adopts the following text amendment:

AN ORDINANCE AMENDING ARTICLES 18 AND 23 OF THE WINCHESTER ZONING ORDINANCE  
PERTAINING TO CONDITIONAL USE PERMITS FOR TRANSMITTING AND RECEIVING FACILITIES  
AND TOWERS AND FEES FOR TELECOMMUNICATIONS FACILITIES AND RE-ADVERTISEMENT FEES

**13-00000198**

Draft 3 – June 18, 2013

Ed. Note: The following text represents an excerpt of Articles 18 and 23 of the Zoning Ordinance that is subject to change. Words with strikethrough are proposed for repeal. Words that are boldfaced and underlined are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excerpted text.

**ARTICLE 18**

**GENERAL PROVISIONS**

**SECTION 18-2.           CONDITIONAL USE PERMIT.**  
(10/11/83, Case 83-06, Ord. No. 034-83)

**18-2-1           CONDITIONAL USE PERMIT.**

- 18-2-1.2**           Proposals for transmitting and receiving facilities and towers for cellular communications systems and similar communications systems shall demonstrate the following: (2/14/96, Case TA-95-07, Ord. No. 002-96)
- All possible means for sharing space on existing towers or on existing buildings or other structures have been exhausted and no alternative other than constructing a new tower exists, and if a new tower is proposed, the applicant has executed a Letter of Intent to share space on their tower and negotiate in good faith with other interested parties.;
  - The height of any tower is no more than the minimum to accomplish required coverage and any new tower is separated from property lines in a residential district by not less than the height of the tower. In no case shall any tower exceed 75 feet in height in a LR, MR, HR, HR-1, RO-1, RB-1 or HS Districts, nor 100 feet in the B-1, B-2, CM-1, PC, MC or HE-1 Districts, nor 200 feet in the M-1 or M-2 Districts;
  - The tower construction is of a design which minimizes the visual impact and the tower and other facilities have been camouflaged and/or screened from adjacent properties and rights of way to the maximum extent practicable. To this end, the proposal must provide for retention of existing stands of trees and the installation of screening where

existing trees do not mitigate the visual impact of the facility. Such screening must, at a minimum, meet the requirements of Section 19-5-6.4d of this Ordinance. The Planning Commission may recommend and the City Council may require additional trees and screening when the minimum provisions do not mitigate adverse visual impacts of the facility;

- The electromagnetic fields do not exceed the radio frequency emission standards established by the American National Standards Institute or standard issued by the Federal Government subsequent to the adoption of this Ordinance.

## ARTICLE 23

### ADMINISTRATION AND INTERPRETATION

**SECTION 23-8. FEES.** (10/13/99, Case TA-99-04, Ord. No. 029-99; 10/9/02, Case TA-02-07, Ord. No. 024-2002)

|        |  |                              |
|--------|--|------------------------------|
| 23-8-1 | Conditional Use (when applied for at same time as site plan)<br>(10/8/02, Case TA-02-07, Ord. No. 024-2002)      | \$200                        |
|        | Conditional Use (when applied for separate from site plan)<br>(10/8/02, Case TA-02-07, Ord. No. 024-2002)        | \$500                        |
|        | <u>Conditional Use –Telecommunications Facility/Tower (New, Modification, or Collocation)</u>                    | <u>\$1500</u>                |
| 23-8-7 | Re-advertisement Fee<br>(10/8/02, Case TA-02-07, Ord. No. 024-2002;<br>3/14/06, Case TA-05-07, Ord. No. 09-2006) | <del>\$75</del> <u>\$100</u> |

**CITY OF WINCHESTER, VIRGINIA**

**PROPOSED CITY COUNCIL AGENDA ITEM**

**CITY COUNCIL/COMMITTEE MEETING OF:** June 25, 2013 **CUT OFF DATE:** 06/18/13

**RESOLUTION** \_\_\_ **ORDINANCE** \_\_\_ **PUBLIC HEARING** \_\_\_

**ITEM TITLE:** Memorandum of Understanding Template for Outside Agency Funding Awards

**STAFF RECOMMENDATION:** Approve

**PUBLIC NOTICE AND HEARING:** N/A

**ADVISORY BOARD RECOMMENDATION:** N/A

**FUNDING DATA:** N/A

**INSURANCE:**N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

| <u>DEPARTMENT</u>      | <u>INITIALS FOR APPROVAL</u> | <u>INITIALS FOR DISAPPROVAL</u> | <u>DATE</u>      |
|------------------------|------------------------------|---------------------------------|------------------|
| 1. Mary Blowe, Finance | <u>MB</u>                    | _____                           | <u>6-18-13</u>   |
| 2. _____               | _____                        | _____                           | _____            |
| 3. _____               | _____                        | _____                           | _____            |
| 4. _____               | <u>AW</u>                    | _____                           | <u>6/18/2013</u> |
| 5. City Attorney       | _____                        | _____                           | _____            |
| 6. City Manager        | <u>DT</u>                    | _____                           | <u>6-18-13</u>   |
| 7. Clerk of Council    | _____                        | _____                           | _____            |

Initiating Department Director's Signature: Douglas J. Newell 06/18/2013  
Date



**APPROVED AS TO FORM:**  
[Signature] 6/18/2013  
 CITY ATTORNEY

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Doug Hewett, Assistant City Manager  
**Date:** June 18, 2013  
**Re:** Outside Agency Funding Memoranda of Understanding

**THE ISSUE:** Development of a Memorandum of Understanding, MOU, template to help standardize how outside agencies can use and must report their allocation of City funds awarded by the City Council, consistent with the City's Outside Agency Funding Policy.

**RELATIONSHIP TO STRATEGIC PLAN:** Goal 2 – Develop a High Performing Organization, Goal 4 – Create a More Livable City for All

**BACKGROUND:** With the adoption of the FY 2014 City Budget on June 11, 2013 the City Council approved funds for 10 outside agencies that provide service in our community. To ensure that those funds, \$282,713, are expended according to City Council's wishes and that the agency report back on the uses of those funds, City staff proposes that a MOU developed with each funded outside agency. The attached draft MOU template would be customized for each agency according to their initial funding request, reviewed by City staff, the City Attorney and finalized by the City Manager.

Given City Council's direct interest, the MOU being developed for the Shenandoah Valley Discovery Museum would be presented and approved by the City Council separately. The other MOU's would be completed administratively by City staff once City Council gives direction on the MOU template.

**BUDGET IMPACT:**

- The MOU's finalize the City Council's authorization to fund 10 outside agencies for \$282,713 in FY 2014.

**OPTIONS:**

1. Accept staff's recommendation for the MOU template.
2. Reject staff's recommendation for the MOU template.
3. Provide additional direction to staff, and/or take no action at this time.

**RECOMMENDATIONS:** Accept staff's recommendation for the MOU template.

Rouss City Hall  
15 North Cameron Street  
Winchester, VA 22601

Telephone: (540) 667-1815  
FAX: (540) 722-3618  
TDD: (540) 722-0782  
Website: [www.winchesterva.gov](http://www.winchesterva.gov)

## MEMORANDUM OF UNDERSTANDING CHARITABLE FUNDING FOR OUTSIDE AGENCIES

It is the intention of Common Council to ensure that charitable funding of outside agencies is conducted and administered in accordance with the statutory requirements of §15.2-953 of the Code of Virginia and the intent of Common Council as described in Resolution R-????.

This Memorandum of Understanding (MOU) is entered into on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the City of Winchester, VA ("Grantor") and the Shenandoah Area Agency on Aging ("Recipient"), sets forth the understanding of the parties with regard to the duties and responsibilities incumbent upon the recipient as a condition of receiving such funds and eligibility for future funding.

- 1) **Qualification for Funding.** The application for Charitable Funding submitted by Recipient has been reviewed by the Grantor and it is the belief of Common Council that Recipient is eligible to receive charitable donations of public funds from Grantor insofar as Recipient is a nonsectarian, not for profit organization that provides valuable services to the citizens of the City of Winchester, particularly the elderly residents of the City of Winchester, through various programs including but not limited to the "Meals on Wheels" programs and other activities for the interests and benefit of Winchester's elderly population.
- 2) **Purpose.** The purpose of this agreement between the Grantor and Recipient is to outline the responsibilities of both agencies as it relates to funds authorized by Common Council for use in Recipient's operations, consistent with Recipient's attached request (Exhibit A) that is adopted and incorporated into this MOU by reference as if set forth fully herein.
- 3) **Roles and Responsibilities.** The Grantor will provide up to \$20,000 to be used by the Recipient to provide 'Meals on Wheels' and complementary transportation services to any Winchester resident, with all services to be provided inside the corporate limits of Winchester.
- 4) **No Agency.** This MOU contemplates the charitable donation of funds by the Grantor to Recipient consistent with the provisions of §15.2-953 of the Code of Virginia. Nothing in this document shall be construed to create an employment relationship between the Grantor and Recipient or any of its employees, agents or assigns. At all times, Recipient shall remain an independent agency solely responsible for all acts and omissions of its employees pursuant to any program described in this document and for which charitable funding is provided as described herein.

- 5) Indemnification/Hold Harmless:** The Recipient shall indemnify and hold the City of Winchester harmless from any damages including but not limited to attorney's fees arising from all claims brought by third parties as a result of any act or omission of any employee, agent, or assign of Recipient pursuant to any program described in this document and for which charitable funding is provided as described herein.
- 6) Reporting Requirements and Special Considerations.**
- a) SAAA agrees to provide a detailed accounting of how these funds were expended on December 31 and June 30, of each year funding is provided. This information should be forwarded to the City of Winchester Finance Department at the above mentioned address to the attention of Celeste Broadstreet, Assistant Finance Director.
  - b) The accounting should include number of meals served and the transportation services provided.
  - c) SAAA agrees to also provide the City of Winchester with a copy of its annual financial audit once completed.
- 7) Timeframe.** This funding for services provided by SAAA from July 1, 2013 through June 30, 2014.
- 8) Compliance with Terms.** The failure of Recipient to provide the services described in this MOU to the complete satisfaction of Common Council and/or the failure to adhere to the reporting, accounting, and other requirements described in this MOU shall result in disqualification from consideration for future funding under this program.
- 9) Choice of Law/Choice of Venue.** This MOU shall be construed under the laws of the Commonwealth of Virginia. Any dispute arising as a result of the performance or non-performance of any term of this MOU shall be litigated exclusively in the Winchester Circuit Court.
- 10) Severability.** If any provision of this MOU is determined to be inconsistent with any lawful authority, the provision shall be deemed stricken from the MOU and all other terms shall remain in full force and effect.
- 11) Termination / Modification.** This MOU supersedes and replaces any prior Agreements between the parties relating to the subject matter described herein. Common Council may revoke, rescind, or terminate this MOU without cause, notice, or penalty at any time. This MOU, including all exhibits, represents the complete and entire agreement between Grantor and Recipient and may be amended only by written addendum signed by all parties.
- 12) Subject to Appropriation.** All funds referenced in this document are subject to appropriation by Common Council at their sole discretion. Common Council may revoke or rescind any and all funds appropriated as described herein at any time without cause, notice or penalty, and may direct that any funds previously appropriated be used for other public purposes in accordance with applicable law. Nothing in this document shall be

construed as a guarantee of funding including future funding in subsequent years, nor shall it be construed in any way to bind future City Councils to any particular action.

This MOU must be signed by all parties. By signing below, signatories pledge that they are duly authorized to sign on behalf of their respectively identified agency and hereby bind said agency to the terms of this MOU.

**City of Winchester (Grantor)**

Authorized Official: \_\_\_\_\_ *Signature*

Dale Iman, City Manager *Printed Name/ Title*

Address: 15 North Cameron Street, Winchester, VA 22601

Telephone(s): 540-667-1815

E-Mail Address: diman@ci.winchester.va.us

**Shenandoah Area Agency on Aging (Recipient)**

Authorized Official: \_\_\_\_\_ *Signature*

\_\_\_\_\_ *Printed Name/Title*

Address: \_\_\_\_\_

Telephone(s): \_\_\_\_\_

E-Mail Address: \_\_\_\_\_



December 15, 2012

Celeste R. Broadstreet  
Assistant Finance Director  
City of Winchester  
Rouss City Hall  
15 North Cameron Street  
Winchester, VA 22601

Re: Request for Funding

Dear Ms. Broadstreet:

Thank you for giving our Agency the opportunity to submit a budget request for consideration by Winchester City Council for their fiscal year 2014 annual budget.

We are very grateful for the Council's continued support of SAAA's services. Their dedication and commitment ensures our Agency has the resources necessary to help the very frailest of our older neighbors.

Enclosed is our request and supporting documentation. If you have questions, please feel free to contact me or Roberta Lauder, our Director of Resource Development at 540-635-7141.

Sincerely yours,

A handwritten signature in cursive script that reads "Cynthia V. Palmer".

Cynthia V. Palmer  
Interim President/CEO Director

Enclosure: SAAA Fiscal Year 2013-2014 Budget Request and Attachments



**CITY OF WINCHESTER  
OUTSIDE AGENCY FUNDING REQUEST  
BUDGET YEAR FY 2014**

On or before December 15, 2012, submit this form along with supporting documents to include a certified resolution or other official acknowledgment from the agency requesting funding certifying understanding that the failure to meet the outcome goals and objectives described in this document may result in disqualification from future donations to the agency by the City of Winchester to:

City of Winchester, 15 North Cameron Street, Winchester, VA 22601 Attention: Assistant Finance Director

Agency Requesting Funds: Shenandoah Area Agency on Aging

Address: 207 Mosby Lane, Front Royal, VA 22630

Contact Person: Cynthia V. Palmer, Interim President/CEO Phone Number: (540) 635-7141  
(Name & Title)

Email Address: c.palmer@shenandoahaaa.com Fax Number: (540) 636-7810

Person authorized to sign contract on behalf of Agency:  
Cynthia V. Palmer, Interim President/CEO Phone Number: (540) 635-7141  
(Name and Title)

**Financial Information**

|  |                                     |                       |
|--|-------------------------------------|-----------------------|
| 1. Amount of City requested funding for budget year: | FY 2014 (7/1/13 – 6/30/14)          | <u>\$ 35,000</u>      |
| 2. Assets (as of June 30, 2012):                     | <b>Cash &amp; Other Equivalents</b> | <u>\$ 562,659.46</u>  |
| 3. Fund Balance as of June 30, 2012:                 | <b>Type</b>                         | <b>Amount</b>         |
|  | Restricted                          | <u>\$ 62,599.56</u>   |
|  | Unrestricted                        | <u>\$ -367,380.01</u> |
|  | Other                               | <u>\$</u>             |
|  | <b>Total Fund Balance</b>           | <u>\$ -304,780.45</u> |

4. Funding Sources: (Please indicate actual or anticipated funding sources for the periods specified)

| <u>Funding Source</u>         | <u>Prior Year<br/>FY 2012<br/>Amount Allocated</u> | <u>Current Year<br/>FY 2013<br/>Amount Anticipated</u> | <u>Budget Year<br/>FY 2014<br/>Amount Anticipated</u> |
|-------------------------------|--|--|---|
| <u>Federal</u>                | <u>\$ 1,127,387</u>                                | <u>\$ 1,036,249</u>                                    | <u>\$ 1,036,249</u>                                   |
| <u>State</u>                  | <u>\$ 613,939</u>                                  | <u>\$ 544,344</u>                                      | <u>\$ 544,344</u>                                     |
| <u>Local</u>                  | <u>\$ 389,480</u>                                  | <u>\$ 288,930</u>                                      | <u>\$ 413,285</u>                                     |
| <u>Grants &amp; Donations</u> | <u>\$ 225,342</u>                                  | <u>\$ 164,544</u>                                      | <u>\$ 264,554</u>                                     |
| <u>Fees</u>                   | <u>\$ 90,203</u>                                   | <u>\$ 36,763</u>                                       | <u>\$ 40,000</u>                                      |
| <u>In Kind</u>                | <u>\$ 526,015</u>                                  | <u>\$ 664,346</u>                                      | <u>\$ 664,346</u>                                     |

**\*\*NOTE:** Please be concise and limit each answer to *no more* than a third (1/3) of a single-spaced page using a font size of 11 or larger. Complete sentences in bullet form are desirable.

### **Purpose and Goals**

5. What community need/opportunity is being addressed by your agency/project? In other words, what is missing and how will you fill that gap? What evidence is there that this is a need/opportunity? (use local statistics, if available) Who is your target population?
- With an increasingly older population base, SAAA addresses the following community needs for seniors, their families, and ultimately all tax payers:
    - 1) Support services that enable older persons, with the inability to perform some activities of daily living, to continue living at home, keeping Medicaid costs for nursing home care lower,
    - 2) Access to cost effective preventive medical care for two vulnerable populations: persons with disabilities and the aged.
    - 3) Programs that promote healthy aging, allowing seniors to live independently and continue contributing to their community.
  - Responses from the 10/19/12 Community Impact Study conducted by the United Way of the Northern Shenandoah Valley indicate:
    - 19% of Winchester's population lives in poverty
    - 14% of Winchester's population is aged 65 or older
    - 38% of seniors do not have funds for assisted living or nursing home care
    - 31% of seniors are afraid of falling and not being found
    - 20% of seniors are unable to afford needed food
    - 12% of seniors do not have transportation to medical appointments
  - Under the Older Americans Act, SAAA's target population is the residents of Winchester who are age 60 and older for all services. As one of 10 Aging and Disability Resource Centers in Virginia, SAAA also provides adults with disabilities direct-service transportation and information and referral to a wide variety of other services.

### **Program/Services**

6. How does your organization propose to meet the described need? (What services, programs, or activities will be provided or implemented...what other groups or organizations do you partner with to meet your objectives.). **Please observe space limit.** If you want to include additional information, include it in a cover letter or as an attachment.
- 1) SAAA provides in-home support services including Meals on Wheels, personal care and housekeeping assistance for persons 60 and older who need help with one or more basic activities of daily living. These three in-home support services are much more cost effective than institutional care.
  - 2) Through WellTran, SAAA provides door-to-door transportation for persons 18 and older with disabilities and seniors thus improving access to cost effective preventive and necessary medical care.
  - 3) At its Winchester Active Living Center (ALC), SAAA promotes healthy aging through good nutrition, mental and physical exercise, and social support that are the proven cornerstones of aging well. SAAA also offers certified insurance counseling every Monday at the ALC providing Winchester citizens with information to make informed choices regarding Medicare insurance options.

SAAA partners closely with Winchester Parks and Recreation, Shenandoah University, Access Independence, The Adult Day Care Center, United Way, Valley Health System, Our Health, Department of Health, and Winchester and Frederick County Departments of Social Services.

- 4) If available, what is the evidence of likely success?

SAAA continues to monitor the quality of its programs and services. For SAAA's FY13, the target service numbers have increased, and there is every expectation that they will be met.

- 5) Please describe methods you use to make sure the programs/services are accessible to all citizens of Winchester (consistent with your mission and purpose)

SAAA's programs are open to all Winchester residents who are age 60 or older regardless of income, race, or gender. Under the Older Americans Act, priority is given to those who are low-income, frail and isolated.

### **Justification for City of Winchester funding**

- 6) Why should the City provide funding to this agency/project? In other words, how does this project/service benefit the City and how are City residents served?

In addition to improving the quality of life for Winchester's older citizens, SAAA services make a real difference in how long Winchester's seniors remain productive, tax-paying citizens. Given a choice, most people prefer to age at home, and SAAA supports this option through the lower cost of services like Meals on Wheels that also provide a daily check on the recipient's well-being. The Winchester Active Living Center helps older citizens who could easily become homebound without the support of transportation, daily interaction with others, good nutrition and new interesting activities and programs.

- 7) What are the consequences if the City does not fund this request?

SAAA prioritizes available funds to serve low-income persons. Since Winchester's overall poverty rate is 19.3%, the highest in contiguous jurisdictions, the cost of service needed in Winchester is higher than available funding. As a consequence of not receiving adequate funding, persons in need of support services will not receive them. Without adequate nutrition and other support services, the elderly are at risk of more serious health related issues that can lead to chronic (and costly) disease and disability among the elderly.

- 8) If approved, this funding is only for the current budget cycle. What is your strategy for replacing these funds in the future?

SAAA is not in a financial situation where it can forego jurisdictional funding. SAAA will continue to fundraise to meet additional needs. Currently the cost to provide Meals on Wheels for 11 seniors in the Winchester/Frederick area is covered by private businesses.

- 9) If this is a change in the amount requested from previous years, please explain the reason for the change.

SAAA has reduced the amount of its request from \$45,000 to \$35,000 based on the lowered number of service units for FY12. SAAA received \$20,000 last year, but

needs the additional \$15,000 to adequately serve Winchester residents and to increase services in the next fiscal year.

**Summary of Outcomes and Results**

10) What are your outcome objectives for the funding period? How will this be measured? (Describe how your organization proposes to make a measurable and achievable difference in the city, e.g. changes in behavior, situations, conditions, or knowledge. Who/what will be changed and how?)

| <b>Strategic goal(s) for the next year</b>  | <b>How goals will be measured</b>  | <b>Projected Results</b>   |
|---|--|--|
| Increase WellTran rides for Winchester residents by 10%   | Measured by tracking departure address for all completed rides                         | Anticipated increase from 1,074 rides in FY12 to 1,181                             |
| Increase WellTran rides from areas originating outside 22601 with a Winchester destination by 10% | Measured by tracking departure address and destination address for all completed rides | Anticipated increase from 760 rides in FY12 to 836                                 |
| Increase Meals Provided at the Winchester Active Living Center by 20%                             | Congregate Meals are tracked electronically in the NAPIS Report                        | An additional 950 meals will be provided to Winchester residents                   |
| Increase Meals on Wheels Provided for Winchester residents by 20%                                 | Meals on Wheels are tracked electronically in the NAPIS Report                         | An additional 650 meals will be provided to Winchester residents who are homebound |

*History of results*

| <b>Strategic goals for previous years</b>   | <b>Projected Results</b>   | <b>Actual Results</b>   |
|---|--|---|
| As Chair of Coordinated Human Service Mobility Plan Committee, SAAA's Director of Transportation will coordinate the development of an updated mobility plan that includes the Winchester area. | The created plan will be submitted to the Federal Transit Authority. | The draft plan setting transportation goals, gaps in service, and paving the way for grant funding for transportation providers has been submitted to the Dept. of Rail and Public Transportation. It will be open to public comment in the summer of FY13.   |
| Manage the financial recovery of SAAA   | Debts paid off by end of FY13  | At the beginning of FY12 (10/1/12), SAAA carried over \$150,556 in unpaid vendor bills from FY11. At the end of FY12, SAAA had paid \$95,798 dollars of that debt leaving a balance of \$54,758 owed to vendors. SAAA is paying all current expenses and has returned its Meals on Wheels and Active Living Centers to full levels of |



**Shenandoah Area Agency on Aging**  
**Agencywide Line Item Revenues and Expenditures**  
**FY 2013**

**With Indirect Detail**

| <b>Code &amp; Description</b>                | <b>FY2013 Budget</b> |
|--|----------------------|
| <b>Revenues</b>                              |                      |
| 40000 Federal III B Revenue                  | 312,247              |
| 40100 Federal C-1 Revenue                    | 174,021              |
| 40200 Federal III C-2 Revenue                | 185,135              |
| 40300 Federal III-D Revenue                  | 2,971                |
| 40500 USDA Reimbursement- Rev                | 42,067               |
| 40600 Title E Funds                          | 99,384               |
| 40800 RSVP - CNS                             | 0                    |
| 40900 Ombudsman Federal Revenue              | 9,675                |
| 41000 GF Comm Based Revenue                  | 118,632              |
| 41200 GF SP Trans Rev                        | 32,144               |
| 41300 GF H-D Meals Rev                       | 143,165              |
| 41400 Title VII Elder Abuse                  | 3,539                |
| 41500 GF III B Match Rev                     | 23,471               |
| 41800 VICAP Revenue                          | 26,209               |
| 41801 MIPPA                                  | 17,610               |
| 42000 CPI Donations                          | 36,762               |
| 42400 Center Contributions/Program Donations | 27,578               |
| 42500 Donations                              | 141,850              |
| 43400 Fraud Patrol                           | 4,145                |
| 44700 D MAS Ombudsman Program                | 0                    |
| 44800 State Ombudsman Fund                   | 16,000               |
| 44900 Census Adjustments                     | 38,995               |
| 45000 Local Jurisdiction                     | 288,930              |
| 48100 New Freedom Federal                    | 181,000              |
| 48200 New Freedom State                      | 171,938              |
| <b>Revenues</b>                              | <b>2,097,468</b>     |

|                                       |           |
|---------------------------------------|-----------|
| <b>Expenses</b>                       |           |
| 50000 Salaries                        | 1,028,722 |
| 50500 Fringe Benefits                 | 118,391   |
| 51500 Food Congregate                 | 171,000   |
| 52000 Special Events                  | 5,050     |
| 52200 Supplies                        | 2,475     |
| 53000 Inspections/Licenses/Tags/Taxes | 1,805     |
| 53100 Gas & Oil                       | 81,350    |
| 53200 Vehicle Repairs & Maint.        | 15,200    |
| 53400 Tires                           | 9,800     |
| 53500 Insurance Auto                  | 12,250    |
| 53900 Workmans Comp Ins.              | 24,963    |
| 54000 Volunteer Ins.                  | 0         |
| 54400 Fire Ins. & Liab.               | 5,260     |
| 54700 D & O Liability Insurance       | 1,100     |
| 54900 Auto Hired Not Owned            | 2,200     |
| 55000 Staff Travel                    | 11,940    |
| 55600 Real Estate Taxes               | 2,500     |
| 55700 Depr. in Lieu of Rent           | 2,580     |
| 55900 Building Repair & Maint.        | 10,227    |
| 56100 Meals                           | 100       |
| 56200 Utilities                       | 39,200    |

**Shenandoah Area Agency on Aging**  
**Agencywide Line Item Revenues and Expenditures**  
**FY 2013**

**With Indirect Detail**

| <b>Code &amp; Description</b>     | <b>FY2013 Budget</b>    |
|-----------------------------------|-------------------------|
| 56201 Rent - Other                | 600                     |
| 56300 Telephone                   | 37,911                  |
| 56400 Office Supplies             | 5,977                   |
| 56500 Equipment Maint.            | 15,700                  |
| 56501 Software & Upgrades         | 12,840                  |
| 56600 Postage                     | 8,148                   |
| 56700 Membership Dues & Subs.     | 7,530                   |
| 56800 Conference & Workshop       | 1,500                   |
| 56801 Training/CE                 | 1,500                   |
| 57000 Auditing Expense            | 15,000                  |
| 57100 Legal Expense               | 63,000                  |
| 57200 Contract Expenses           | 91,912                  |
| 57400 Printing                    | 5,500                   |
| 57500 Classified Ads/Solicit Bids | 1,900                   |
| 57600 Equipment Purchases         | 500                     |
| 57601 Equipment Rental            | 12,566                  |
| 57900 Interest Expense            | 12,450                  |
| 57904 Late Fees                   | 5,000                   |
| 58100 Advertising                 | 750                     |
| 58500 Enrollee Medical Exam       | 500                     |
| 58800 Gifts & Recognition         | 500                     |
| 58900 Volunteer Recognition       | 450                     |
| <b>Expenses</b>                   | <b><u>1,847,847</u></b> |
| <b>Agency Balance</b>             | <b><u>249,621</u></b>   |

**Shenandoah Area Agency on Aging**  
**Agencywide Line Item Revenues and Expenditures**  
**FY 2012**

| Indirect Detail<br>Code & Description        | FY2012 Budget | YTD     | Un/Over Budget |
|--|---------------|---------|----------------|
| <b>Revenues</b>                              |               |         |                |
| 40000 Federal III B Revenue                  | 320,433       | 349,504 | (29,071)       |
| 40100 Federal C-1 Revenue                    | 179,301       | 147,071 | 32,230         |
| 40200 Federal III C-2 Revenue                | 220,069       | 167,040 | 53,029         |
| 40300 Title D Revenue                        | 7,931         | 2,939   | 4,992          |
| 40301 Homeless Prevention Shen. County       | 10,000        | 10,000  | -              |
| 40500 USDA Reimbursement- Rev                | 54,184        | 49,284  | 4,900          |
| 40600 Title E Funds                          | 102,486       | 98,381  | 4,105          |
| 40800 RSVP - CNS                             | 38,990        | 22,728  | 16,262         |
| 40900 Ombudsman Federal Revenue              | 14,000        | 13,824  | 176            |
| 41000 GF Comm Based Revenue                  | 118,687       | 105,285 | 13,402         |
| 41200 GF SP Trans Rev                        | 44,551        | 42,695  | 1,856          |
| 41300 GF H-D Meals Rev                       | 164,408       | 130,831 | 33,577         |
| 41400 Title VII Elder Abuse                  | 3,686         | 3,849   | (163)          |
| 41500 GF III B Match Rev                     | 23,984        | 23,984  | -              |
| 41800 VICAP Revenue                          | 25,864        | 25,744  | 120            |
| 41801 MIPPA                                  | 25,870        | 22,721  | 3,149          |
| 42000 CPI Donations                          | 70,000        | 69,085  | 916            |
| 42100 Gas Tax Refund                         | 2,500         | 0       | 2,500          |
| 42400 Center Contributions/Program Donations | 18,800        | 18,509  | 291            |
| 42500 Donations                              | 151,828       | 186,789 | (34,961)       |
| 42900 Other Local Income                     | 100           | 1,947   | (1,847)        |
| 43000 Reimbursement Fund                     | 0             | 38,057  | (38,057)       |
| 43200 Merchandise Sales                      | 0             | 40      | (40)           |
| 43300 Cooling Funds                          | 0             | 715     | (715)          |
| 43400 Fraud Patrol                           | 7,400         | 6,400   | 1,000          |
| 43500 Int Income                             | 0             | 62      | (62)           |
| 44100 Building Funds                         | 0             | 400     | (400)          |
| 44300 Donations Winter Heating               | 500           | 415     | 85             |
| 44700 D MAS Ombudsman Program                | 0             | 7,994   | (7,994)        |
| 44800 State Ombudsman Fund                   | 11,400        | 11,401  | (1)            |
| 45000 Local Jurisdiction                     | 283,930       | 182,430 | 101,500        |
| 45300 Respite Grant - Adult Care Center      | 10,000        | 1,800   | 8,200          |
| 45600 Misc. Small Grants                     | 0             | 505     | (505)          |
| 45602 AGUA Fund                              | 10,000        | 0       | 10,000         |
| 45603 Food Lion Foundation                   | 2,000         | 0       | 2,000          |
| 45800 Andersen Grant Foundation              | 13,500        | 13,500  | -              |
| 45900 MOW Grant                              | 1,600         | 0       | 1,600          |
| 46000 Sale of Assets                         | 0             | 400     | (400)          |
| 46200 FEMA ESFP                              | 3,958         | 1,979   | 1,979          |
| 47500 In Kind Match                          | 625,000       | 73,485  | 551,515        |
| 47900 Money Follows the Person               | 6,000         | 9,000   | (3,000)        |
| 48100 New Freedom Federal                    | 152,388       | 131,028 | 21,360         |
| 48200 New Freedom State                      | 145,292       | 124,502 | 20,790         |
| 48300 New Freedom Match                      | 0             | 0       | -              |
| 48400 United Way                             | 21,000        | 21,099  | (99)           |
| 49000 Rental Income                          | 0             | 158     | (158)          |
| 49101 CLP Reimbursement Funds                | 0             | 0       | -              |

|                                    |                  |                  |                |
|------------------------------------|------------------|------------------|----------------|
| 49200 Well Tran - Page Memorial    | 10,000           | 0                | 10,000         |
| 49300 ADRC Federal Grant           | 10,565           | 2,285            | 8,280          |
| 49700 SNAP Federal                 | 1,000            | 0                | 1,000          |
| 49900 Agency Unrestricted Transfer | 200,000          | 0                | 200,000        |
| <b>Revenues</b>                    | <b>3,113,205</b> | <b>2,119,865</b> | <b>993,340</b> |

**Expenses**

|                                       |           |         |          |
|---------------------------------------|-----------|---------|----------|
| 50000 Salaries                        | 1,079,631 | 938,649 | 140,982  |
| 50100 Leave Liability                 | 0         | -99,382 | 99,382   |
| 50500 Fringe Benefits                 | 244,237   | 213,119 | 31,118   |
| 51500 Food Congregate                 | 139,394   | 124,311 | 15,083   |
| 52000 Special Events                  | 2,122     | 1,650   | 472      |
| 52200 Supplies                        | 4,305     | 1,401   | 2,904    |
| 52300 Center Maint.                   | 1,500     | 46      | 1,454    |
| 52400 Permits                         | 1,425     | 0       | 1,425    |
| 53000 Inspections/Licenses/Tags/Taxes | 2,050     | 1,421   | 630      |
| 53100 Gas & Oil                       | 72,000    | 80,611  | (8,611)  |
| 53200 Vehicle Repairs & Maint.        | 26,000    | 13,619  | 12,381   |
| 53400 Tires                           | 3,500     | 3,637   | (137)    |
| 53500 Insurance Auto                  | 12,000    | 11,436  | 564      |
| 53900 Workmans Comp Ins.              | 18,291    | 25,603  | (7,312)  |
| 54000 Volunteer Ins.                  | 1,500     | 1,494   | 6        |
| 54400 Fire Ins. & Liab.               | 7,806     | 9,595   | (1,789)  |
| 54600 Prof. Liab. Ins.                | 0         | 1,064   | (1,064)  |
| 54700 D & O Liability Insurance       | 1,064     | 0       | 1,064    |
| 54800 ST/Local Tax                    | 0         | 84      | (84)     |
| 54900 Auto Lease                      | 4,200     | 2,242   | 1,958    |
| 54901 Vehicle Loan Principle          | 5,100     | 0       | 5,100    |
| 54902 Mortgage Loan Principle         | 6,960     | 0       | 6,960    |
| 55000 Staff Travel                    | 10,000    | 3,461   | 6,539    |
| 55100 Volunteer Travel                | 400       | 26      | 375      |
| 55600 Real Estate Taxes               | 5,201     | 2,455   | 2,746    |
| 55700 Depr. in Lieu of Rent           | 2,332     | 2,577   | (245)    |
| 55900 Building Repair & Maint.        | 2,230     | 7,891   | (5,661)  |
| 56000 Board Expenses                  | 200       | 0       | 200      |
| 56100 Meals                           | 1,000     | 742     | 258      |
| 56200 Utilities                       | 30,931    | 28,795  | 2,136    |
| 56201 Rent - Other                    | 600       | 2,450   | (1,850)  |
| 56300 Telephone                       | 41,461    | 46,340  | (4,879)  |
| 56400 Office Supplies                 | 3,500     | 3,483   | 17       |
| 56500 Equipment Maint.                | 2,000     | 18,175  | (16,175) |
| 56501 Software & Upgrades             | 2,742     | 5,244   | (2,502)  |
| 56600 Postage                         | 9,440     | 2,317   | 7,123    |
| 56700 Membership Dues & Subs.         | 5,800     | 4,563   | 1,237    |
| 56800 Conference & Workshop           | 6,000     | 152     | 5,848    |
| 56801 Training/CE                     | 2,500     | 4,374   | (1,874)  |
| 56900 Janitorial Expense              | 0         | -850    | 850      |
| 57000 Auditing Expense                | 85,500    | 94,873  | (9,373)  |
| 57100 Legal Expense                   | 83,910    | 58,799  | 25,111   |
| 57200 Contract Expenses               | 81,088    | 61,333  | 19,755   |
| 57300 Copying                         | 489       | 10      | 479      |
| 57400 Printing                        | 2,000     | 4,742   | (2,742)  |
| 57500 Classified Ads/Solicit Bids     | 1,000     | 1,481   | (481)    |
| 57600 Equipment Purchases             | 1,200     | 0       | 1,200    |
| 57700 Emergency Services              | 4,500     | 0       | 4,500    |
| 57800 Bad Debt Expense                | 0         | 15,500  | (15,500) |
| 57900 Interest Expense                | 4,762     | 14,449  | (9,687)  |
| 57901 Bank Charges                    | 2,306     | 1,430   | 876      |

|                                   |                         |                         |                         |
|-----------------------------------|-------------------------|-------------------------|-------------------------|
| 57903 IATS Fees                   | 0                       | 661                     | (661)                   |
| 57904 Late Fees                   | 0                       | 17,398                  | (17,398)                |
| 58000 Loan Closing Cost           | 0                       | 850                     | (850)                   |
| 58100 Advertising                 | 500                     | 0                       | 500                     |
| 58101 Marketing Materials         | 0                       | 513                     | (513)                   |
| 58300 Misc. Expenses              | 1,173                   | 4,243                   | (3,070)                 |
| 58500 Enrollee Medical Exam       | 200                     | 28                      | 172                     |
| 58600 Prior Year Adjustments      | 0                       | 218,020                 | (218,020)               |
| 58800 Gifts & Recognition         | 258                     | 55                      | 203                     |
| 58900 Volunteer Recognition       | 5,000                   | 1,890                   | 3,110                   |
| 59200 Transfer ALC Meal Costs     | 0                       | 1,043                   | (1,043)                 |
| 59500 TRANSFER SOCIALIZATION/RSVP | 0                       | -1,043                  | 1,043                   |
| 60100 IN KIND VOLUNTEER HOURS     | 520,650                 | -18,255                 | 538,905                 |
| 60200 IN KIND SPACE               | 104,350                 | 91,740                  | 12,610                  |
| 62200 MODULAR OFFICE FURNITURE    | 0                       | 252                     | (252)                   |
| 75000 VSB LINE OF CREDIT          | 200,000                 | 0                       | 200,000                 |
| 76000 PREVIOUS YEAR DEBT          | 254,897                 | 0                       | 254,897                 |
| <b>Expenses</b>                   | <b><u>3,113,205</u></b> | <b><u>2,032,803</u></b> | <b><u>1,080,402</u></b> |
| <b>Agency Balance</b>             | <b><u>0</u></b>         | <b><u>87,062</u></b>    |                         |

**SHENANDOAH AREA  
AGENCY ON AGING**

**Front Royal, Virginia**

**CONSOLIDATED FINANCIAL REPORT**

**SEPTEMBER 30, 2011**

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**INDEPENDENT AUDITOR'S REPORT**

To the Board of Directors  
Shenandoah Area Agency on Aging  
Front Royal, Virginia

We have audited the accompanying consolidated statement of financial position of Shenandoah Area Agency on Aging (the "Agency") as of September 30, 2011, and the related consolidated statements of activities, functional expenses and cash flows for the year then ended. These financial statements are the responsibility of the Agency's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control over financial reporting. Accordingly, we express no such opinion. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of Shenandoah Area Agency on Aging as of September 30, 2011, and the changes in net assets and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated May 29, 2012, on our consideration of Shenandoah Area Agency on Aging's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The supplementary information is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has not been subjected to the auditing procedures applied in the audits of the financial statements. Accordingly, it is inappropriate to and we do not express an opinion on the supplementary information referred to above.

Our audit was conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The accompanying schedule of expenditures of Federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*, and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

The accompanying financial statements have been prepared assuming that the Agency will continue as a going concern. As discussed in Note 9 to the financial statements, the Agency has suffered recurring losses from operations and its total liabilities exceed its total assets. This raises substantial doubt about the Agency's ability to continue as a going concern. Management's plans in regard to these matters are also described in Note 9. The financial statements do not include any adjustments that might result from the outcome of this uncertainty.

*Yount, Hyde & Barbour, P.C.*

Winchester, Virginia  
May 29, 2012

**SHENANDOAH AREA AGENCY ON AGING**

**Consolidated Statement of Financial Position**  
September 30, 2011

**Assets**

|                                    |                |
|------------------------------------|----------------|
| Cash and cash equivalents          | \$ 70,084      |
| Accounts and grants receivable     | 168,914        |
| Property, plant and equipment, net | <u>413,660</u> |

Total assets \$ 652,658

**Liabilities**

|                  |               |
|------------------|---------------|
| Accounts payable | \$ 319,227    |
| Accrued expenses | 141,041       |
| Lines of credit  | 300,000       |
| Notes payable    | <u>67,772</u> |

Total liabilities \$ 828,040

**Net Assets**

|                               |                     |
|-------------------------------|---------------------|
| Undesignated                  | \$ (589,042)        |
| Invested in fixed assets      | <u>413,660</u>      |
| Total unrestricted net assets | <u>\$ (175,382)</u> |

Total liabilities and net assets \$ 652,658

See Consolidated Notes to Financial Statements.

**SHENANDOAH AREA AGENCY ON AGING**

**Consolidated Statement of Activities  
For the Year Ended September 30, 2011**

|   | <u>Unrestricted</u> | <u>Temporarily<br/>Restricted</u> | <u>Totals</u>       |
|---|---------------------|-----------------------------------|---------------------|
| <b>Revenue and Other Support:</b>                                 |                     |                                   |                     |
| Federal   | \$ 1,127,387        | \$ --                             | \$ 1,127,387        |
| State   | 613,939             | --                                | 613,939             |
| Local governments   | 389,480             | --                                | 389,480             |
| Contributions and grants  | 225,342             | --                                | 225,342             |
| Program income  | 90,203              | --                                | 90,203              |
| Interest  | 585                 | --                                | 585                 |
| Rent  | 2,932               | --                                | 2,932               |
| Donated rent  | 84,095              | --                                | 84,095              |
| Sales - Home Task, LLC  | 45,570              | --                                | 45,570              |
| Other revenue   | <u>67,211</u>       | <u>--</u>                         | <u>67,211</u>       |
| Total revenue and other support<br>before release of restrictions | \$ 2,646,744        | \$ --                             | \$ 2,646,744        |
| Net assets released from restriction                              | <u>204,054</u>      | <u>(204,054)</u>                  | <u>--</u>           |
| Total revenue and other support                                   | \$ 2,850,798        | \$ (204,054)                      | \$ 2,646,744        |
| <b>Expenses:</b>  |                     |                                   |                     |
| Program   | \$ 2,553,111        | \$ --                             | \$ 2,553,111        |
| Management and general  | 229,012             | --                                | 229,012             |
| Fundraising   | 60,060              | --                                | 60,060              |
| Loss on Woodstock Project abandonment                             | 258,030             | --                                | 258,030             |
| Contributions to County of Clarke                                 | <u>135,341</u>      | <u>--</u>                         | <u>135,341</u>      |
| Total expenses  | \$ 3,235,554        | \$ --                             | \$ 3,235,554        |
| Change in net assets  | \$ (384,756)        | \$ (204,054)                      | \$ (588,810)        |
| Net assets beginning of year, as previously stated                | \$ 2,311            | \$ 204,054                        | \$ 206,365          |
| Prior period adjustment   | <u>207,063</u>      | <u>--</u>                         | <u>207,063</u>      |
| Net assets beginning of year, after adjustment                    | \$ 209,374          | \$ 204,054                        | \$ 413,428          |
| Net assets at end of year   | <u>\$ (175,382)</u> | <u>\$ --</u>                      | <u>\$ (175,382)</u> |

See Notes to Consolidated Financial Statements.

**SHENANDOAH AREA AGENCY ON AGING**

**Consolidated Statement of Functional Expenses  
For the Year Ended September 30, 2011**

|                                | <u>Program</u>             | <u>Management<br/>and General</u> | <u>Fundraising</u>      | <u>Totals</u>              |
|--------------------------------|----------------------------|-----------------------------------|-------------------------|----------------------------|
| Personnel costs                | \$ 1,584,616               | \$ 156,538                        | \$ 36,301               | \$ 1,777,455               |
| Food and disposables           | 206,425                    | --                                | --                      | 206,425                    |
| Contracted costs               | 116,978                    | --                                | --                      | 116,978                    |
| Vehicle expenses and insurance | 145,997                    | --                                | --                      | 145,997                    |
| Other insurance                | 43,702                     | 4,855                             | --                      | 48,557                     |
| Occupancy                      | 170,559                    | 20,065                            | 10,033                  | 200,657                    |
| Legal and professional         | --                         | 34,454                            | --                      | 34,454                     |
| Office expenses                | 13,074                     | 1,634                             | 1,634                   | 16,342                     |
| Copying and printing           | 6,535                      | 816                               | 816                     | 8,167                      |
| Postage                        | 7,701                      | --                                | 855                     | 8,556                      |
| Travel and conferences         | 45,855                     | --                                | 5,095                   | 50,950                     |
| Other                          | 119,726                    | --                                | --                      | 119,726                    |
| Cost of sales - Home Task, LLC | 1,416                      | --                                | --                      | 1,416                      |
| Depreciation                   | <u>90,527</u>              | <u>10,650</u>                     | <u>5,326</u>            | <u>106,503</u>             |
| <b>Total</b>                   | <b><u>\$ 2,553,111</u></b> | <b><u>\$ 229,012</u></b>          | <b><u>\$ 60,060</u></b> | <b><u>\$ 2,842,183</u></b> |

See Notes to Consolidated Financial Statements.

**SHENANDOAH AREA AGENCY ON AGING**

**Consolidated Statement of Cash Flows**  
For the Year Ended September 30, 2011

|   |                     |
|---|---------------------|
| <b>Cash Flows from Operating Activities</b>   |                     |
| Change in net assets  | \$ (588,810)        |
| Adjustments to reconcile change in net assets to net cash provided by operating activities: |                     |
| Depreciation  | 106,503             |
| Loss on disposal on Woodstock Project abandonment   | 258,030             |
| Changes in assets and liabilities:  |                     |
| Decrease in accounts receivable   | 64,643              |
| Decrease in due from other governmentals  | 15,233              |
| Decrease in prepaid expenses  | 23,208              |
| Increase in accounts payable  | 252,820             |
| (Decrease) in deferred revenue  | (56,632)            |
| (Decrease) in accrued expenses  | <u>(42,617)</u>     |
| Net cash provided by operating activities   | <u>\$ 32,378</u>    |
| <br><b>Cash Flows from Investing Activities,</b>  |                     |
| purchase of property and equipment  | <u>\$ (261,178)</u> |
| <br><b>Cash Flows from Financing Activities</b>   |                     |
| Loan and line of credit proceeds  | \$ 133,207          |
| Principal payments on loan and line of credit   | <u>(5,926)</u>      |
| Net cash provided by financing activities   | <u>\$ 127,281</u>   |
| <br>Net (decrease) in cash and cash equivalents   | \$ (101,519)        |
| <br><b>Cash and Cash Equivalents</b>  |                     |
| Beginning   | <u>171,603</u>      |
| <br>Ending  | <u>\$ 70,084</u>    |
| <br><b>Supplemental Information,</b>  |                     |
| interest paid   | <u>\$ 5,708</u>     |

See Notes to Consolidated Financial Statements.

# SHENANDOAH AREA AGENCY ON AGING

## Notes to Consolidated Financial Statements

### Note 1. Nature of Business

The Shenandoah Area Agency on Aging is non-profit organization which acts as an agent of the City of Winchester and counties of Clarke, Frederick, Page, Shenandoah and Warren in the establishment of and operation of aging programs.

### Note 2. Summary of Significant Accounting Policies

#### Principles of Consolidation

The accompanying consolidated financial statements include the accounts of the wholly owned for-profit subsidiary, Home Task, LLC which was created in 2008 for the purpose of providing jobs for the community in the field of cleaning services. Anderson Garden Apartments, LLC, SAAA Properties and SAAA Page were created in fiscal year 2011 but did not have any activity.

#### Financial Reporting

Net assets are segregated by unrestricted, temporarily restricted and permanently restricted categories. There are no permanently restricted net assets as of September 30, 2011.

#### Accrual Basis

The financial statements of Shenandoah Area Agency on Aging have been prepared on the accrual basis.

#### Cash and Cash Equivalents

For purposes of reporting cash flows, the Agency considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents. The Agency's cash amounts are maintained in commercial banks located in Virginia.

#### Fair Value Measurement

The carrying amounts of the Agency's financial instruments approximate their fair value.

#### Contributions

Revenues are recognized for all unconditional promises to give, including those with donor imposed restrictions, at time of receipt of the promise.

## SHENANDOAH AREA AGENCY ON AGING

### Notes to Consolidated Financial Statements

The Agency reports gifts of cash and other assets as restricted support if they are received with donor stipulations that limit the use of the donated assets. When a donor restriction expires, that is, when a stipulated time restriction ends or purpose restriction is accomplished, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities as net assets released from restrictions.

Gifts of land, buildings, and equipment are presented as unrestricted support unless explicit donor stipulations specify how the donated assets must be used. Gifts of long-lived assets with explicit restrictions that specify how the assets are to be used and gifts of cash or other assets that must be used to acquire long-lived assets are reported as restricted support. Absent explicit donor stipulations about how long those long-lived assets must be maintained, the Agency reports expirations of donor restrictions when the donated or acquired long-lived assets are placed in service.

Donor-restricted contributions whose restrictions are met in the same year as received are classified as unrestricted contributions in the accompanying financial statements.

#### Property, Plant and Equipment

The Organization capitalizes purchases of property, plant and equipment in excess of \$5,000. All purchases of property, plant and equipment have been recorded at cost. Property and equipment that is donated to the Agency is stated at its fair market value at the time of donation. Depreciation is determined by using the straight-line method.

#### Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

#### Accounts and grants receivable

Accounts and grants receivable are recorded monthly. Management evaluates the accounts periodically for collectability. No allowance for doubtful accounts was estimated as of September 30, 2011.

#### Accrued Leave

Vacation and sick pay are accumulated and accrued when earned. The amount of accrued unpaid leave as of September 30, 2011 was \$141,041.

**SHENANDOAH AREA AGENCY ON AGING**

**Notes to Consolidated Financial Statements**

**Revenue Recognition**

The Agency recognizes revenue in the year it is earned. Client billings are recorded as accounts receivable. Deferred revenue is recorded for any unearned grants received.

**Income Tax Status**

The Agency is exempt from federal and state income taxes as defined by the Internal Revenue Code Section 501(c)(3) and a similar section under the Code of Virginia.

**Note 3. Property, Plant and Equipment**

At September 30, 2011, property, plant and equipment consisted of the following:

|                                   |                   |
|-----------------------------------|-------------------|
| Land and buildings                | \$ 396,309        |
| Furniture, fixtures and equipment | 63,925            |
| Vehicles                          | <u>740,994</u>    |
|                                   | \$ 1,201,228      |
| Less accumulated depreciation     | <u>(787,568)</u>  |
|                                   | <u>\$ 413,660</u> |

Depreciation expense was \$106,503 for the year ended September 30, 2011.

**Note 4. Donated Services**

Contributions of services shall be recognized if the services received (a) create or enhance nonfinancial assets or (b) require specialized skills, are provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation. A number of volunteers have donated significant amounts of their time to the Agency's programs. However, no amounts have been reflected in the financial statements for their services since these items do not meet the criteria above. The estimated total value of donated services was \$526,015.

**Note 5. Revenue Concentration**

The Agency receives a significant amount of its support from the Virginia Department of the Aging.

**SHENANDOAH AREA AGENCY ON AGING**

**Notes to Consolidated Financial Statements**

**Note 6. Temporarily Restricted Net Assets**

Net assets during the years ended September 30, 2011 were released from donor restrictions by incurring expenses satisfying the restrictions or by the occurrence of other events specified by donors as follows:

|  |                   |
|--|-------------------|
| Clarke County Active Living Center             | \$ 135,341        |
| Anderson Garden Apartments / Woodstock Project | <u>68,713</u>     |
|  | <u>\$ 204,054</u> |

There were no permanently restricted net assets as of September 30, 2011.

**Note 7. Employee Benefit Plan**

The Agency has a 401(k) Retirement Plan. Eligible employees may contribute to the plan. There is no match based on employees' contributions. The Agency contributed 6% of eligible employees' salaries to this plan. Employees become fully vested at the end of five years of service. Total contributions to the plan during the fiscal year were \$35,294.

**Note 8. Notes Payable and Lines of Credit**

The Northern Shenandoah Valley Regional Commission (NSVRC) has loaned a total of \$21,045 to the Agency for affordable housing opportunities. There is no interest on this loan.

The Agency has purchased vehicles with a BB&T loan. Interest is 4.75%. Payments are due monthly. The balance as of September 30, 2011 is \$46,727.

The Agency has a line of credit with BB&T, interest 4.75%. The Agency currently owes \$100,000, with interest payments due monthly.

The Agency has taken a line of credit with Virginia Savings Bank, interest at 3.25%. The Agency currently owes \$200,000, with interest payments due monthly.

Aggregate maturities required as of September 30, 2011 are as follows: \$333,999 in 2012; \$13,583 in 2013; \$11,903 in 2014; and \$8,287 in 2015, respectively.

# SHENANDOAH AREA AGENCY ON AGING

## Notes to Consolidated Financial Statements

### Note 9. Ability to Continue as a Going Concern

Solvency is the main factor giving rise to question Shenandoah Area Agency on Aging's ability to continue as a going concern. The Agency's total net assets for the year ending September 30, 2011 were negative (\$175,382). The Agency has been experiencing large negative changes in net assets over the past two fiscal years. There has been substantial turnover in upper-level management as well.

The possible effects of these factors could be the Agency potentially not having enough cash to continue normal operations. The Agency could be forced to cut programs, the number of elderly served, as well as staff.

The Agency continues to grapple with revenue shortages, exacerbated by (currently) unmanageable backlogs of vendor payments, unbudgeted legal fees as a result of two separate lawsuits and unbudgeted accounting fees as a result of forensic investigations into financial mismanagement and fraud. Also, as a result of public awareness of the Agency's current fiscal problems, public support currently has been impacted. Funding remains uninterrupted at the local and state levels; however, some monies were accelerated at the beginning of the Agency's fiscal year which may result in a related shortfall toward the end of the fiscal year.

The board and staff have investigated ways in which to increase revenues/decrease expenses and have been successful in three areas – 1) more accurate filing for support on the state level resulting in increased monies to the Agency through normal channels, 2) fundraising efforts, including the pay-off of a liability (vehicle) which freed up \$640/month for the Agency, and 3) significant reductions in other expenses, including reductions in salary costs (due to the non-replacement of terminated and/or resigned employees, staff assumption of 20% of health care costs, and 5-20% reduction in salary). One large issue to be dealt with – unsecured lines of credit totaling \$300,000 that need to be converted into a monthly principal/interest structure for budgeting purposes. Financing through financial institution channels have met with failure – Agency is now seeking private venture capitalists to assume notes with main office property in Front Royal as collateral. In the meantime, Virginia Savings Bank (VSB) has called for collateralization of the unsecured \$200,000 line of credit by encumbering the Front Royal property. Barring any discovery of available private funding, the paperwork will be completed by the end of May 2012 to secure VSB's line. This will result in a principal and interest monthly payment for budgeting purposes. Negotiations have yet to begin with BB&T's line of credit for \$100,000. The Agency's plan (again barring any private funding) will be to offer a 2<sup>nd</sup> against the Front Royal property that will result in a principal and interest payment for budgeting purposes.

The end-of-year financials have been reconciled to the audit and an amended budget has been reviewed and accepted at the board level which shows a balanced budget for fiscal year 2011-2012.

**SHENANDOAH AREA AGENCY ON AGING**

**Notes to Consolidated Financial Statements**

**Note 10. Accounting for Uncertain Tax Positions**

Management evaluated the Organization's tax positions and concluded that the Organization had taken no uncertain tax positions that require adjustment to the financial statements to comply with the provisions of this guidance. With few exceptions, the Organization is no longer subject to income tax examinations by the U.S. federal, state or local tax authorities for years ending before 2008.

**Note 11. Litigation**

The Agency has asked for, and has received approval for, a continuance of the Cockrell breach of contract lawsuit against SAAA and the Agency's countersuit against Ms. Cockrell. The Agency was to incur additional expenses of \$10,000 - \$15,000 during May 2012 leading up to the original trial date of May 22<sup>nd</sup>. The date has been deferred until September or October of 2012, a period where the Agency should be in a better position to meet those costs.

A defamation of character lawsuit has been brought against the Agency. The Agency is awaiting notice of a date for trial. The Agency's attorneys have filed for dismissal of the case which will be considered first when the Judge takes over the presiding of this lawsuit. The costs of this lawsuit are being borne by the Commonwealth of Virginia by virtue of the Agency's directors and officers liability insurance coverage.

**Note 12. Prior Period Adjustment**

For the year ended September 30, 2010, the Agency increased net assets by \$207,063 in order to record grants receivable. The effect of this adjustment increased the change in net assets by \$207,063 as of September 30, 2010.

**Note 13. Subsequent Events**

Subsequent to year end, the Agency stopped operating the Home Task, LLC.

The Organization has evaluated all subsequent events through May 29, 2012 the date the financial statements were available to be issued. The Organization has determined there are no additional subsequent events that require recognition or disclosure.

Shenandoah Area Agency on Aging  
 Status of Funds - Schedule A  
 At September 30, 2011

| Fund                                      | Unencumbered Funds<br>on Hand at Beginning<br>of Period | Total Funds<br>Received During<br>Period | Funds In Transit at<br>9-30-11 | Total Funds<br>Available During<br>Period | Accrued Costs<br>to Contract<br>Period | Unencumbered<br>Funds on Hand at<br>End of Period |
|---|---|--|--------------------------------|---|--|---|
| <b>Federal</b>                            |   |  |                                |   |  |   |
| <b>Older Americans Act:</b>               |   |  |                                |   |  |   |
| Title III B                               | \$ --   | \$ 320,433                               | \$ 26,477                      | \$ 346,910                                | \$ 337,541                             | \$ 9,369  |
| Title III C (1)                           | --  | 164,684                                  | 449                            | 165,133                                   | 150,271                                | 14,862  |
| Title III C (2)                           | (787)   | 218,365                                  | 36,263                         | 253,841                                   | 217,578                                | 36,263  |
| Title III D                               | --  | 7,327                                    | --                             | 7,327                                     | 6,005                                  | 1,322   |
| Title III E                               | --  | 102,486                                  | 11,516                         | 114,002                                   | 102,486                                | 11,516  |
| Title VII - Ombudsman                     | --  | 14,000                                   | 1,333                          | 15,333                                    | 14,000                                 | 1,333   |
| Title VII - Elder Abuse                   | (9)   | 3,686                                    | 613                            | 4,290                                     | 3,677                                  | 613   |
| <b>Other Federal</b>                      |   |  |                                |   |  |   |
| USDA - NSIP                               | --  | 63,422                                   | 6,063                          | 69,485                                    | 57,985                                 | 11,500  |
| VICAP - 3/31/11 Award                     | 329   | 15,178                                   | --                             | 15,507                                    | 15,507                                 | --  |
| VICAP - 3/31/12 Award                     | --  | 15,064                                   | --                             | 15,064                                    | 15,064                                 | --  |
| MIPPA I - 9/30/12 Award                   | --  | 1,218                                    | --                             | 1,218                                     | 1,218                                  | --  |
| MIPPA II - 9/30/12 Award                  | --  | 3,963                                    | --                             | 3,963                                     | 3,963                                  | --  |
| MIPPA III - 9/30/12 Award                 | --  | 2,026                                    | --                             | 2,026                                     | 1,634                                  | 392   |
| ADA MIPPA - ADRC                          | --  | 5,086                                    | --                             | 5,086                                     | 5,056                                  | 30  |
| CMS MIPPA LIS/MSP ADRC & AAA              | --  | 3,840                                    | --                             | 3,840                                     | 3,840                                  | --  |
| ADRC: Empower Individuals - 9/30/10 Award | --  | 20,681                                   | --                             | 20,681                                    | 20,681                                 | --  |
| CLP2 Support - 9/30/10 Award              | --  | 11,272                                   | --                             | 11,272                                    | 11,272                                 | --  |
| CLP2 Support - 9/30/11 Award              | --  | 42,464                                   | --                             | 42,464                                    | 41,891                                 | 573   |
| CDSMP - 3/30/11 Award                     | --  | 44,217                                   | --                             | 44,217                                    | 44,217                                 | --  |
| CDSMP - 3/30/12 Award                     | --  | 6,772                                    | --                             | 6,772                                     | 5,909                                  | 863   |
| CONG Meals ARRA - 9/30/10 Award           | --  | 15,422                                   | --                             | 15,422                                    | 15,422                                 | --  |
| <b>DMAS Ombudsman</b>                     |   |  |                                |   |  |   |
| 2008 Award                                | 290   | --                                       | --                             | 290                                       | --                                     | 290   |
| 2009 Award                                | --  | 5,707                                    | --                             | 5,707                                     | 7,810                                  | (2,103)   |
| 2010 Award                                | --  | --                                       | --                             | --  | --                                     | --  |
| <b>General Funds</b>                      |   |  |                                |   |  |   |
| Title III Match - 6/30/11 Award           | (1,068)   | 21,520                                   | 2,204                          | 22,656                                    | 22,656                                 | --  |
| Title III Match - 6/30/12 Award           | --  | 5,996                                    | --                             | 5,996                                     | 3,792                                  | 2,204   |
| <b>Community Based Support</b>            |   |  |                                |   |  |   |
| 6/30/11 Award                             | 486   | 94,627                                   | 16,298                         | 111,411                                   | 111,411                                | --  |
| 6/30/12 Award                             | --  | 31,798                                   | --                             | 31,798                                    | 21,236                                 | 10,562  |
| <b>Transportation</b>                     |   |  |                                |   |  |   |
| 6/30/11 Award                             | (1,225)   | 34,638                                   | 3,713                          | 37,126                                    | 37,126                                 | --  |
| 6/30/12 Award                             | --  | 11,138                                   | --                             | 11,138                                    | 7,425                                  | 3,713   |
| <b>Home Delivered Meals</b>               |   |  |                                |   |  |   |
| 6/30/11 Award                             | (2,567)   | 132,511                                  | 14,061                         | 144,005                                   | 144,005                                | --  |
| 6/30/12 Award                             | --  | 38,790                                   | --                             | 38,790                                    | 24,729                                 | 14,061  |
| <b>Ombudsman</b>                          |   |  |                                |   |  |   |
| 6/30/11 Award                             | (2,103)   | 11,388                                   | 1,010                          | 10,295                                    | 10,295                                 | --  |
| 6/30/12 Award                             | --  | 2,829                                    | --                             | 2,829                                     | 1,819                                  | 1,010   |
| Fan Care                                  | --  | 750                                      | --                             | 750                                       | 750                                    | --  |
| <b>Money Follows the Person</b>           |   |  |                                |   |  |   |
| 6/30/11 Award                             | --  | --                                       | 3,000                          | 3,000                                     | 3,000                                  | --  |
| 6/30/12 Award                             | --  | --                                       | --                             | --  | --                                     | --  |
| <b>Other Funds</b>                        |   |  |                                |   |  |   |
| Voluntary Contributions                   | --  | 53,639                                   | --                             | 53,639                                    | 53,639                                 | --  |
| In-Kind Services                          | --  | 216,593                                  | --                             | 216,593                                   | 216,593                                | --  |
|   | <b>\$ (6,654)</b>                                       | <b>\$ 1,743,530</b>                      | <b>\$ 123,000</b>              | <b>\$ 1,859,876</b>                       | <b>\$ 1,741,503</b>                    | <b>\$ 118,373</b>                                 |

| Voluntary Contributions | Costs to Other Non Federal Funds | Fees      | Costs to USDA Funds | Costs to GF State Matching Funds | Costs to GF Community Based Funds | Costs to GF Title III Match Funds | Costs to GF Special Transportation Funds | Costs to GF Home Delivered Meals Fund |
|-------------------------|----------------------------------|-----------|---------------------|----------------------------------|-----------------------------------|-----------------------------------|--|---------------------------------------|
| \$ 28,372               | \$ 30,536                        | \$ --     | \$ 44,269           | \$ --                            | \$ --                             | \$ --                             | \$ --                                    | \$ --                                 |
| --                      | 2,359                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | --                               | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 2,400                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| 110                     | 9,530                            | 4,510     | --                  | --                               | 30,584                            | --                                | --                                       | --                                    |
| --                      | 22,613                           | 22,152    | --                  | --                               | --                                | --                                | --                                       | 71,016                                |
| 22,990                  | 93,252                           | --        | 13,716              | --                               | --                                | --                                | --                                       | 84,568                                |
| --                      | 4,613                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 1,210                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 385                              | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| 152                     | 14,209                           | 29,301    | --                  | --                               | 42,670                            | --                                | --                                       | --                                    |
| --                      | 21,047                           | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 4,143                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | --                               | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | --                               | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 39,420                           | 343       | --                  | --                               | --                                | 13,224                            | 44,551                                   | --                                    |
| --                      | 2,174                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 1,000                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 10,979                           | --        | --                  | --                               | --                                | 13,224                            | --                                       | --                                    |
| --                      | --                               | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | --                               | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | --                               | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 2,536                            | --        | --                  | --                               | --                                | --                                | --                                       | 13,150                                |
| 2,015                   | 27,333                           | 15,093    | --                  | --                               | 59,420                            | --                                | --                                       | --                                    |
| --                      | 7,020                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 2,212                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 2,875                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | 2,875                            | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | --                               | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| --                      | --                               | --        | --                  | --                               | --                                | --                                | --                                       | --                                    |
| \$ 53,639               | \$ 304,821                       | \$ 71,399 | \$ 57,985           | \$ --                            | \$ 132,674                        | \$ 26,448                         | \$ 44,551                                | \$ 168,734                            |

| MIIPA PRIORITY 3 | AOA MIIPA ADR | CMS MIIPA LIS<br>MSP ADR & AAA | ADRC<br>EMPOWERING<br>INDIVIDUALS | COSMP     | CONG MEALS ARRA | FAN CARE  | MONEY FOLLOWS<br>THE PERSON | Total Costs |           |
|------------------|---------------|--------------------------------|-----------------------------------|-----------|-----------------|-----------|-----------------------------|-------------|-----------|
| \$               | -- \$         | -- \$                          | -- \$                             | -- \$     | -- \$           | -- \$     | -- \$                       | -- \$       | 391,100   |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 7,373     |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 3,677     |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 3,706     |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 59,996    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 115,781   |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 425,009   |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 13,301    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 54,850    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 1,376     |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 86,332    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 87,857    |
|                  | --            | 5,086                          | 3,840                             | 20,681    | --              | --        | --                          | --          | 100,351   |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 619       |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 28,154    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 140,445   |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 9,244     |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 7,601     |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 165,662   |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 68,131    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | --        |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 4,175     |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 21,686    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 133,210   |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 28,082    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 20,073    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 15,195    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 15,195    |
|                  | --            | --                             | --                                | --        | --              | --        | --                          | --          | 2,915     |
|                  | 1,634         | --                             | --                                | --        | 50,126          | 15,422    | 750                         | 3,000       | 106,355   |
| \$               | 1,634 \$      | 5,086 \$                       | 3,840 \$                          | 20,681 \$ | 50,126 \$       | 15,422 \$ | 750 \$                      | 3,000 \$    | 2,117,451 |

Shenandoah Area Agency on Aging  
 Status of Inventories - Schedule C  
 At September 30, 2011

| Fund Source and Type of Inventory | Value on Hand at<br>September 30, 2010 | Increase (Decrease)<br>During the Period | Value on Hand at<br>September 30, 2011 |
|-----------------------------------|--|--|--|
| Title III-B, Older Americans Act  | \$ 107,343                             | \$ --                                    | \$ 107,343                             |
| AOA Grant                         | 27,679                                 | --                                       | 27,679                                 |
| Transportation Funds              | 28,495                                 | --                                       | 28,495                                 |
| FTA 5310 & 5317 Funds             | <u>528,551</u>                         | <u>41,661</u>                            | <u>570,212</u>                         |
|                                   | <u>\$ 692,068</u>                      | <u>\$ 41,661</u>                         | <u>\$ 733,729</u>                      |

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER  
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Directors  
Shenandoah Area Agency on Aging  
Front Royal, Virginia

We have audited the financial statements of Shenandoah Area Agency on Aging as of and for the year ended September 30, 2011, and have issued our report thereon dated May 29, 2012. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

**Internal Control Over Financial Reporting**

In planning and performing our audit, we considered Shenandoah Area Agency on Aging's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Shenandoah Area Agency on Aging's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of Shenandoah Area Agency on Aging's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. However, as discussed below, we identified deficiencies in internal control over financial reporting that we consider to be significant deficiencies and material weaknesses.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential, will not be prevented or detected by the entity's internal control. We consider the deficiencies described in the *Schedule of Findings and Questioned Costs*, Financial Statement Finding 2011-1 through 2011-4, to be significant deficiencies and material weaknesses in internal control over financial reporting.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the entity's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. However, we believe that the significant deficiencies described in the *Schedule of Findings and Questioned Costs* together constitute material weaknesses.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether Shenandoah Area Agency on Aging's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain matters that we reported to management of Shenandoah Area Agency on Aging in a separate letter dated May 29, 2012.

This report is intended solely for the information and use of the Board of Directors, management, and federal awarding agencies and is not intended to be and should not be used by anyone other than those specified parties.

*Yount, Hyde & Barbour, P.C.*

Winchester, Virginia  
May 29, 2012

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH  
REQUIREMENTS THAT COULD HAVE A DIRECT AND MATERIAL  
EFFECT ON EACH MAJOR PROGRAM AND INTERNAL CONTROL  
OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133**

To the Board of Directors  
Shenandoah Area Agency on Aging  
Front Royal, Virginia

**Compliance**

We have audited the compliance of Shenandoah Area Agency on Aging with the types of compliance requirements described in the U. S. Office of Management and Budget (OMB) Circular A-133, *Compliance Supplement* that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2011. Shenandoah Area Agency on Aging's major federal programs are identified in the summary of auditor's results section of the accompanying *Schedule of Findings and Questioned Costs*. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of Shenandoah Area Agency on Aging's management. Our responsibility is to express an opinion on Shenandoah Area Agency on Aging's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Shenandoah Area Agency on Aging's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on Shenandoah Area Agency on Aging's compliance with those requirements.

In our opinion, Shenandoah Area Agency on Aging complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended September 30, 2011.

**Internal Control Over Compliance**

The management of Shenandoah Area Agency on Aging is responsible for establishing and maintaining effective internal control over compliance with requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, we considered Shenandoah Area Agency on Aging's internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Shenandoah Area Agency on Aging's internal control over compliance.

Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as discussed below, we identified certain deficiencies in internal control over compliance that we consider to be material weaknesses and other deficiencies that we consider to be significant deficiencies.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. We identified certain deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance. We consider the deficiencies in internal control over compliance described in the accompanying *Schedule of Findings and Questioned Costs* as items 2011-5 through 2011-8, to be significant deficiencies and together constitute material weaknesses.

Shenandoah Area Agency on Aging's response to the findings identified in our audit are described in the accompanying *Corrective Action Plan*. We did not audit Shenandoah Area Agency on Aging's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of management, the audit committee, and federal awarding agencies and is not intended to be and should not be used by anyone other than those specified parties.

*Yount, Hyde & Barbours, P.C.*

Winchester, Virginia  
May 29, 2012

**SHENANDOAH AREA AGENCY ON AGING**

**Schedule of Expenditures of Federal Awards  
For the Year Ended September 30, 2011**

| <b>Federal Grantor/Pass-Through<br/>Grantor/Program or Cluster Title</b>   | <b>Federal<br/>CFDA Number</b> | <b>Pass-through<br/>Entity Identifying<br/>Number</b> | <b>Federal<br/>Expenditures</b> |
|--|--------------------------------|---|---------------------------------|
| <i>Corporation for National and Community Service:</i>   |                                |   |                                 |
| Retired and Senior Volunteer Program   | 94.002                         | N/A   | \$ <u>45,872</u>                |
| <i>Department of Health and Human Services:</i>  |                                |   |                                 |
| <i>Passed Through Virginia Department for the Aging:</i>   |                                |   |                                 |
| Special Programs for the Aging - Title III, Part B -<br>Grants for Supportive Services and Senior Centers                  | 93.044                         | 44119/44110   | \$ 320,433                      |
| Special Programs for the Aging - Title III, Part C1 - Nutrition Service:   | 93.045                         | 44129/44120   | 164,684                         |
| ARRA - Aging Congregate Nutrition Services for States  | 93.707                         | 69997   | 15,422                          |
| Special Programs for the Aging - Title III, Part C2 - Nutrition Service  | 93.045                         | 44139/44130   | 218,365                         |
| National Family Caregivers Program, Title III, Part E  | 93.052                         | 46009/16000   | 102,486                         |
| Special Programs for the Aging - Title III, Part D - Disease Prevention<br>and Health Promotion Services                   | 93.043                         | 45009/45000   | 7,327                           |
| Special Programs for the Aging Title VII, Chapter 3 - Programs<br>for Prevention of Elder Abuse, Neglect, and Exploitation | 93.041                         | 44409/44400   | 3,686                           |
| Special Programs for the Aging Title VII, Chapter 2 - Programs<br>Long Term Care Ombudsman Services for Older Individuals  | 93.042                         | 44209-44200   | 14,000                          |
| Nutrition Services Incentive Program   | 93.053                         | 40579/40570   | 63,422                          |
| VICAP - Centers for Medicare and Medicaid Services (CMS)<br>Research, Demonstrations and Evaluations                       | 93.779                         | 60009/60000   | 30,242                          |
| Affordable Care Act - Medicare Improvements for Patients and Provi   | 93.518                         | 62005/62006   | 8,926                           |
| Special Programs for the Aging - Title IV, and Title II Discretionary F  | 93.048                         | 51150   | 53,736                          |
| DMAS Ombudsman   | 93.000                         | 79000   | <u>5,707</u>                    |
| <b>Total Department of Health and Human Services</b>   |                                |   | <b>\$ <u>1,008,436</u></b>      |
| <i>Federal Transit Administration:</i>   |                                |   |                                 |
| Passed Through Department of Rail and Public Transportation:<br>New Freedom Program  | 20.521                         | 57-X002-02  | \$ <u>114,004</u>               |
| <b>Total Expenditures of Federal Awards</b>  |                                |   | <b>\$ <u>1,168,312</u></b>      |

The accompanying note is an integral part of this schedule.

**SHENANDOAH AREA AGENCY ON AGING**

**Note to the Schedule of Expenditures of Federal Awards  
For the Year Ended September 30, 2011**

**Note 1. Basis of Presentation**

The accompanying schedule of expenditures of federal awards includes the federal grant activity of Shenandoah Area Agency on Aging and is presented on the accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the presentation of, the basic consolidated financial statements.

SHENANDOAH AREA AGENCY ON AGING

Schedule of Findings and Questioned Costs  
Year Ended September 30, 2011

I. Summary of Auditor's Results

*Financial Statements*

|   |              |
|---|--------------|
| Type of auditor's report issued:  | Unqualified. |
| Internal control over financial reporting:  |              |
| • Were any material weaknesses identified?  | Yes.         |
| • Were any significant deficiencies identified that are not considered to be material weaknesses? | Yes.         |
| Was any noncompliance material to the financial statements noted?                                 | Yes.         |

*Federal Awards*

|   |                |
|---|----------------|
| Internal control over major programs:   |                |
| • Were any material weaknesses identified?  | Yes.           |
| • Were any significant deficiencies identified that are not considered to be material weaknesses?                       | Yes.           |
| Type of auditor's report issued on compliance for major programs:   | Qualified.     |
| Were any audit findings disclosed that are required to be reported in accordance with Section 510(a) of Circular A-133? | Yes.           |
| Identification of major programs:   | Aging Cluster. |
| Dollar threshold used to distinguish between Type A and Type B programs:  | \$300,000      |
| Did the auditee qualify as a low-risk auditee?  | No.            |

II. Financial Statement Findings

**2011-1: Reconciliation of General Ledger Accounts**

**Finding:** During our audit testing, we noted that several balance sheet accounts, such as accounts receivable, prepaid expenses, fixed assets, accounts payable, accrued expenses, deferred revenue, and notes payable, were not reconciled at year-end and are not being reconciled monthly on a consistent basis.

**Effect:** Internal financial statements may not be reliable due to these deficiencies.

**Recommendation:** We recommend that further assistance be provided to accounting personnel and mandatory procedures be implemented so that internal financial statements can be relied upon. Accurate financial reports can provide Agency management and the Board of Directors with the information necessary for effective decision making.

**SHENANDOAH AREA AGENCY ON AGING**

**Schedule of Findings and Questioned Costs  
Year Ended September 30, 2011**

**Finding:** During our cash testing, we noted that bank reconciliations were not completed for one of the Agency bank accounts.

**Effect:** Internal financial statements may not be reliable due to this deficiency.

**Recommendation:** Reconciliation of general ledger and bank balances should be completed on a timely basis to provide assurance that all transactions have been entered by the bank and recorded in the books properly. If bank reconciliations are to serve as an effective control over cash accounts, they must be prepared on a timely basis and all reconciling items should be investigated and disposed of properly.

**Finding:** During our fixed asset testing we noted that the depreciation schedule provided to us by Agency staff reported two years of depreciation expense for fiscal year 2011.

**Effect:** Internal financial statements may not be reliable due to this deficiency.

**Recommendation:** We recommend that the accounting department reconcile the fixed asset module to the general ledger on a quarterly basis at a minimum and that management examine the schedule for reasonableness.

**2011-2: Accounting Limitations**

**Finding:** As is common in small organizations, the Agency's accounting department currently does not prepare its financial statements, complete with notes, in accordance with accounting principles generally accepted in the United States of America nor does the Organization prepare its schedules of property and equipment and record depreciation on a monthly basis.

**Effect:** Accordingly, the Agency is unable to, and has not established internal controls over the preparation of financial statements and the depreciation calculation.

**Recommendation:** We recommend hiring a CPA/consultant to perform this function.

**Finding:** It was difficult for management to produce useful reports from the general ledger software.

**Effect:** Conducting the audit was a time-consuming, inefficient process.

**SHENANDOAH AREA AGENCY ON AGING**

**Schedule of Findings and Questioned Costs  
Year Ended September 30, 2011**

**Recommendation:** We recommend hiring a CPA/consultant who can determine if the existing software can be used for adequate reporting or if the Agency should acquire more user-friendly software.

**Finding:** During our audit we also noted that bank reconciliations were manually prepared using Excel.

**Effect:** Preparing bank reconciliations in Excel instead of the accounting software can allow greater opportunity for preparer errors and erroneous manipulation of account balances.

**Recommendation:** We recommend that the Agency use the accounting software to reconcile bank accounts, if possible.

**2011-3: Lack of Segregation of Duties**

**Finding:** We noted the former Executive Director's signature was printed on checks during the check printing process. A second manual signature was not required.

**Effect:** With such procedure, the accounts payable clerk exercised complete control of cash disbursements during this time period. Requiring checks to be manually signed by two authorized check signers can prevent unauthorized cash disbursements.

**Recommendation:** We noted that the Agency implemented a manual dual signature control system subsequent to fiscal year 2011. To improve this control, we recommend that supporting documents be attached to checks to be signed and such documents be reviewed by the person signing the checks.

**Finding:** While obtaining an understanding of the accounts payable process, we noted that checks were printed and held in a safe for an undetermined period of time before being mailed to vendors.

**Effect:** This practice not only jeopardizes the physical security of the checks, but also decreases the reliability of financial reporting. Based on our understanding, when the checks were printed the accounts payable liability balance would be reduced in the general ledger, indicating that the vendor had actually been paid. However, in some instances the vendors were not actually paid until the Agency had an adequate cash balance in the bank, as determined by the former Director of Finance.

**SHENANDOAH AREA AGENCY ON AGING**

**Schedule of Findings and Questioned Costs  
Year Ended September 30, 2011**

**Recommendation:** Subsequent to fiscal year 2011, we noted the Agency discontinued this practice.

**Finding:** The same employee is processing payroll and reviewing the payroll register.

**Effect:** The absence of a formal independent review of the payroll register could allow inaccurate amounts to be paid to employees.

**Recommendation:** We recommend that an employee or board member independent of the payroll processing function review the payroll register.

**Finding:** While completing our understanding of the Agency's information technology systems, we noted that two (now former) employees shared a password for the accounting software.

**Effect:** Sharing passwords can decrease accountability of employees and the reliability of identifying a clear audit trail.

**Recommendation:** We recommend that the Agency issue unique passwords to each employee using the accounting software.

**Finding:** During fiscal year 2011, the Agency credit cards were being kept in an unlocked desk drawer.

**Effect:** Physical security of credit cards should be maintained at all times to prevent unauthorized use of Agency of assets.

**Recommendation:** We noted that subsequent to the fiscal year 2011, the Agency implemented a policy of securing the credit cards in a locked cabinet. A sign-out and sign-in form should be utilized to track possession and trace utilization in the event of questions.

SHENANDOAH AREA AGENCY ON AGING

Schedule of Findings and Questioned Costs  
Year Ended September 30, 2011

**2011-4: Review of Transactions**

**Finding:** During our credit card testing, we noted numerous credit card transactions that lacked supporting documentation. According to the Agency's policies, cardholders are required to turn in receipts for all credit card charges.

**Effect:** Without supporting documentation for credit card transactions it can be difficult to determine if expenses were incurred for a valid business purpose and if expenses are recorded in the proper general ledger expense account.

**Recommendation:** We recommend that the Agency enforce its credit card policy, obtain a receipt for all credit card charges, and examine all supporting documentation to ensure that the expense was incurred for a legitimate business purpose. We also recommend that management examine expense reports and credit card billings closely before they are paid. This will help to ensure that all expenses charged to the Agency are incurred for a valid business purpose and that expenses recorded in the Agency's general ledger are proper and accurate. We recommend that an independent board member review expense reports and credit card billings for the Executive Director with all supporting documentation attached and sign off on the documents after the review.

**Finding:** While obtaining an understanding of the payroll cycle, we noted that the Agency does not have a process in place to review the Executive Director's timesheet for hours worked.

**Effect:** The absence of a formal review of the Executive Director's hours could allow unauthorized hours to be paid.

**Recommendation:** We recommend that an independent board member review the Executive Director's timesheets on a monthly basis.

**Finding:** While obtaining our understanding of the Agency's fixed asset acquisition process, we noted that there is not a purchase approval process for the Agency. We also noted that the Agency purchased an automobile for the former Executive Director's use during fiscal year 2011. We did not find Board approval of the automobile purchase in the Agency's board minutes.

**Effect:** The Board was unable to have clear, accurate financial picture.

**Recommendation:** We recommend that the Board of Directors and management develop a clear fixed asset purchase approval process and communicate the process to Agency employees.

SHENANDOAH AREA AGENCY ON AGING

Schedule of Findings and Questioned Costs  
Year Ended September 30, 2011

III. Federal Award Findings and Questioned Costs

**2011-5: Reconciliation of General Ledger Accounts**

Finding: See Financial Statement Finding 2011-1.

Effect: See Financial Statement Finding 2011-1.

Recommendation: See Financial Statement Finding 2011-1.

**2011-6: Accounting Limitations**

Finding: See Financial Statement Finding 2011-2.

Effect: See Financial Statement Finding 2011-2.

Recommendation: See Financial Statement Finding 2011-2.

**2011-7: Lack of Segregation of Duties**

Finding: See Financial Statement Finding 2011-3.

Effect: See Financial Statement Finding 2011-3.

Recommendation: See Financial Statement Finding 2011-3.

**2011-8: Review of Transactions**

Finding: See Financial Statement Finding 2011-4.

Effect: See Financial Statement Finding 2011-4.

Recommendation: See Financial Statement Finding 2011-4.

**SHENANDOAH AREA AGENCY ON AGING**

**Corrective Action Plan  
Year Ended September 30, 2011**

**Identifying Number: 2011-1 through 2011-8**

**Corrective Actions Taken or Planned:**

As recommended, we have hired a part-time CPA/consultant to assist us in establishing a system of internal control over financial reporting to correct the deficiencies that have been reported. We plan to implement the following policies, procedures and processes for SAAA:

- Reconcile balance sheet accounts on a monthly basis
- Use the financial accounting software cash module to reconcile the bank accounts in lieu of MS excel spreadsheets
- Reconcile the accounts receivable and accounts payable subsidiary ledgers to the general ledger monthly
- Reconcile the fixed asset module to the general ledger quarterly
- Evaluate the current financial accounting software to determine if it meets the needs of the organization and its funding agencies
- Revise employee job descriptions to segregate duties for establishing the required internal control over financial reporting
- Review and implement the proper IT controls within the financial accounting software application
- Revise the credit card policy and procedures as recommended to detect and prevent unauthorized use
- Establish a policy for the review and approval of the Executive Director's hours
- Establish a purchasing policy for the acquisition of assets

In addition to the above actions taken, the end-of-year financials have been reconciled to the audit and an amended budget has been reviewed and accepted at the board level which shows a balanced budget for fiscal year 2011-2012.

**SHENANDOAH AREA AGENCY ON AGING**

**Summary Schedule of Prior Audit Findings  
Year Ended September 30, 2011**

There were no prior year audit findings reported.

Internal Revenue Service  
District Director

Department of the Treasury

Date: APR 4 1978

Our Letter Dated:  
December 27, 1976  
Person to Contact:  
G. Whittle  
Contact Telephone Number:  
(301) 962-3650

Shenandoah Area Agency on Aging, Inc.  
Route 1, Box 329A  
Winchester, Virginia 22601

Gentlemen:

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

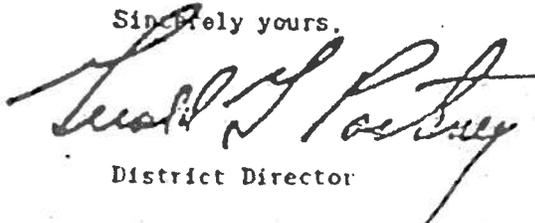
Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code, because you are an organization of the type described in section 170(b)(1)(A)(vi). Your exempt status under section 501(c)(3) of the code is still in effect.

Grantors and contributors may rely on this determination until the Internal Revenue Service publishes notice to the contrary. However, a grantor or a contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 170(b)(1)(A)(vi) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 170(b)(1)(A)(vi) organization.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,



District Director



## Winchester Jurisdiction FY-2013 Funding Request

|                               | Expenses<br>FY-12 Actuals | Grant Revenue<br>FY-12 Actuals | Other Revenue<br>FY12 Actuals | Local Match<br>FY-12 Actuals |
|-------------------------------|---------------------------|--------------------------------|-------------------------------|------------------------------|
| Acting Living Center FY-12    | \$ 38,390                 | \$ -                           | \$ 9,050                      | \$ 29,340                    |
|                               |                           |                                |                               |                              |
| Home Delivered Meals FY-12    | \$ 45,954                 | \$ 28,469                      | \$ 15,178                     | \$ 2,307                     |
|                               |                           |                                |                               |                              |
| ALC Transportation FY-12      | \$ 33,688                 | \$ 26,131                      |                               | \$ 7,557                     |
|                               |                           |                                |                               |                              |
| Winchester Jurisdiction FY-12 | \$ 118,032                | \$ 54,600                      | \$ 24,228                     | \$ 39,204                    |

**Summary:** The Above Figures Represent the Actual Fiscal Year 2012 Expenses, Revenues and the Local Match Funds Required to Operate the Active Living Center (ALC) Four Days per week, Including the Serving of Congregate Meals. The Same Information is Shown for the Home Delivered Meals (HDM) Program, and for all Transportation related to both ALC and HDM Programs.

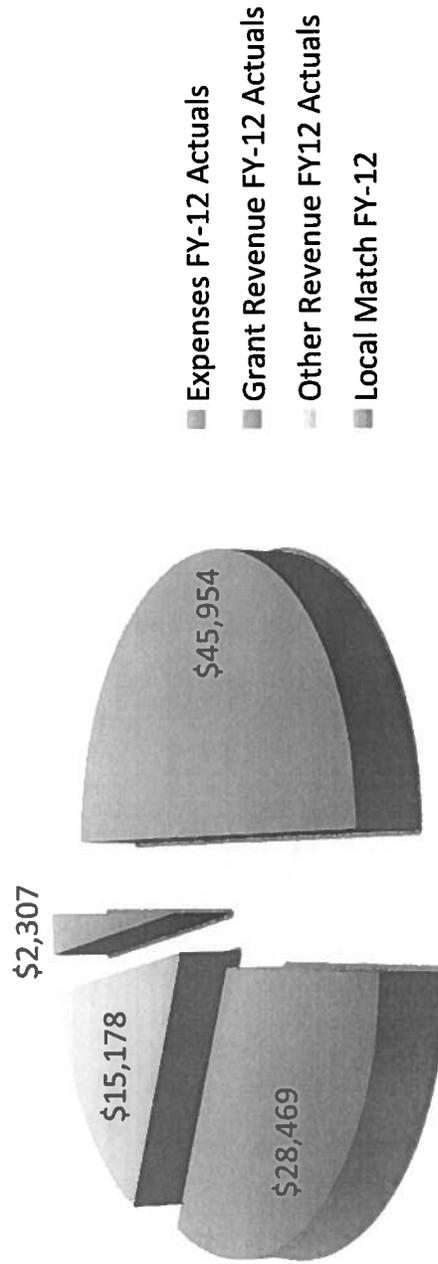
# Winchester Jurisdiction FY-12



### Winchester Acting Living Center FY-12



## Winchester Home Delivered Meals FY-12



## Winchester ALC Transportation FY-12

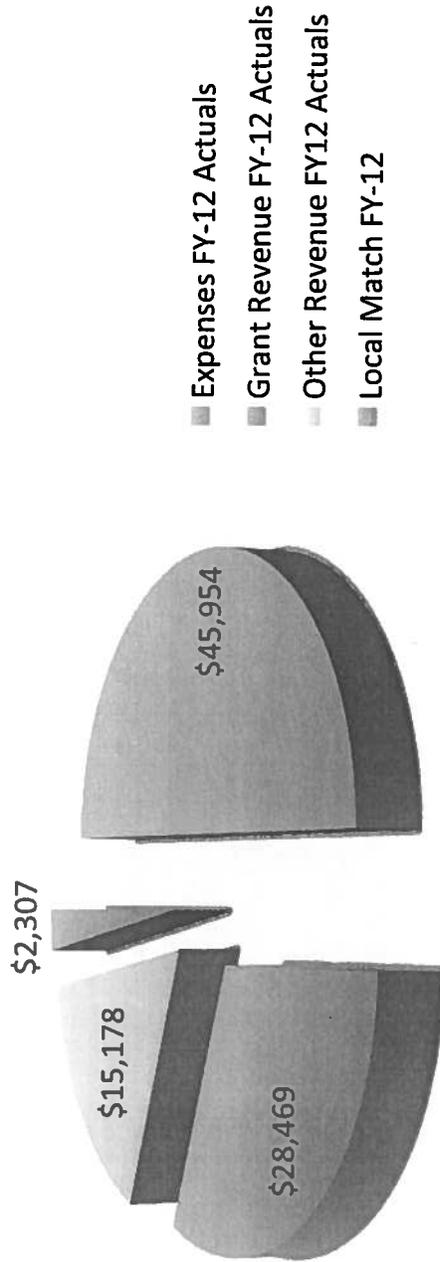


## Winchester Jurisdiction FY-2013 Funding Request

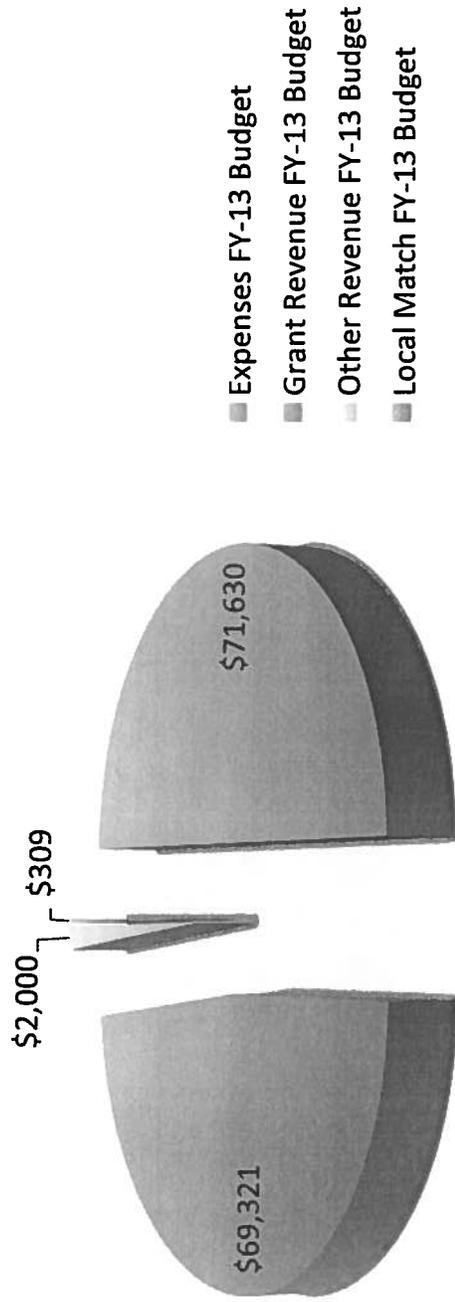
|                               | Expenses<br>FY-13 Budget | Grant Revenue<br>FY-13 Budget | Other Revenue<br>FY-13 Budget | Local Match<br>FY-13 Budget |
|-------------------------------|--------------------------|-------------------------------|-------------------------------|-----------------------------|
| Acting Living Center FY-13    | \$ 56,184                | \$ 16,184                     | \$ 5,000                      | \$ 35,000                   |
|                               | <b>Expenses</b>          | <b>Grant Revenue</b>          | <b>Other Revenue</b>          | <b>Local Match</b>          |
| Home Delivered Meals FY-13    | \$ 71,630                | \$ 69,321                     | \$ 2,000                      | \$ 309                      |
|                               | <b>Expenses</b>          | <b>Grant Revenue</b>          | <b>Other Revenue</b>          | <b>Local Match</b>          |
| ALC Transportation FY-13      | \$ 48,916                | \$ 33,314                     | \$ 3,000                      | \$ 12,602                   |
|                               | <b>Expenses</b>          | <b>Grant Revenue</b>          | <b>Other Revenue</b>          | <b>Local Match</b>          |
| Winchester Jurisdiction FY-13 | \$ 176,730               | \$ 118,819                    | \$ 10,000                     | \$ 47,911                   |

**Summary:** The Above Figures Represent the Actual Fiscal Year 2013 Expense Budget, Revenue Budget and the Local Match Funds Required to Operate the Active Living Center (ALC) Four Days per week, Including the Serving of Congregate Meals. The Same Information is Shown for the Home Delivered Meals (HDM) Program, and for all Transportation related to both ALC and HDM Programs.

## Winchester Home Delivered Meals FY-12



## Home Delivered Meals FY-13



## Acting Living Center FY-13



## ALC Transportation FY-13



## Impact Stories

Miss R has memory loss and joined Our Place in November, 2004. Miss R comes from a big family of 11 siblings all growing up on the farm. Each sibling played a musical instrument, and many of them played multiple ones. Miss R's special musical instrument is the guitar, and playing one gives her great joy. She only had one guitar so her caregiver/sister wanted her to keep it at home. After Miss R had asked every time she came to Our Place if we had a guitar, staff were able to get a shiny, new one donated by Shenandoah Music. Miss R looked forward to being able to play "her new" guitar each time she attended Our Place including her favorite song "The Maple on the Mountain."



# Annual Report FY 2012



The fact that Mrs. T is adored by her children and grandchildren is evident as her eyes light up when you ask her about her family. She had a debilitating stroke 10 years ago which left her unable to control the left side of her body. Mrs. T has used a wheelchair for that period of time but remains determined to stay as independent as possible. However, due to her disability, she is not able to prepare meals. For the last ten years, SAAA has been there to provide her a hot nutritious midday meal. Meals on Wheels has been a vital support for Mrs. T, and her family. For the decade that SAAA has provided services, her extended family has had the joy of visiting their loving mother and grandmother in the family home. They continue to view her as a vital, cherished, and contributing family member looking forward to their visits with her. Without community based supports like SAAA's Meals on Wheels, the only long term care option would be a nursing home.

207 Mosby Lane • Front Royal, VA 22630  
540-635-7141 • [www.shenandoahaaa.com](http://www.shenandoahaaa.com)

## Mission

The Shenandoah Area Agency on Aging (SAAA) is a non-profit 501 (c) (3) that provides and coordinates programs and services which promote the independence, dignity, health, and well being of seniors. SAAA serves the counties of Clarke, Frederick, Page, Shenandoah, Warren and the City of Winchester.



Under the Older Americans Act, SAAA provides service to the community for persons age 60 or older with an emphasis on low income, frail, and minority older persons.

## Message from SAAA Board Chair

As 2012 comes to a close, SAAA's current cash-flow position allows us to meet all of our current obligations and the impact of the agency on our area seniors remains uninterrupted. Although there have been significant challenges over the past year, the volunteer board and agency staff remain committed. We look with pride to the fact that there has been no service interruption through these trying times. The board members have endured a greatly increased meeting schedule and have performed admirably. Issues remain challenging and hard decisions are made with an eye to the long-term viability of the SAAA. The staff, although reduced in number, remain dedicated to the agency. I do not know of another group of people who have dealt with this type of situation for as long as they have and still remained upbeat and positive, getting the critical work done. They all wear several hats due to the cost-cutting decisions made over the past months – decisions that are contributing to the agency's ability to meet current obligations. The board, staff and I are increasingly hopeful and optimistic that the agency will close out the year on a better path, heading into a brighter future for 2013.

## Impact Stories

She loved being part of the Active Living Center. Then, her regular participation was interrupted by a serious hospitalization. When she returned to the Center, her



personality had changed; she was feeling nauseous; she fell getting off the van, and then again at the Center. Concerned about her safety, the Center Director called her family, alerting them of her symptoms and that she wasn't physically able to participate at the Center. Diagnosed with possible overmedication and interactions from her prescriptions, SAAA switched services and began delivering Meals on Wheels while she was homebound. Within a few weeks, that joyous day came when she could return to the Center. She often hugs the staff person, expressing her appreciation for helping her feel so much better. Once again, she is an active and enthusiastic participant who loves being part of her Active Living Center Family.

"Since Dad has not been able to drive, your services have brought me great relief in knowing that I don't have to worry about who is transporting my Dad, that he is safe and he is going to get to and from where he needs to go. Dad told me he enjoys the conversations (especially with the driver who is a fellow American Legionnaire) and being able to sit back and enjoy the view while he rides. Before I discovered WellTran, trying to schedule rides was a challenge...But now that challenge has been removed. You truly have been my "Ram in the Bush."



SAAA started the year with over 50 seniors on a waiting list for Meals on Wheels. With a combination of fundraising and great community support, all are being provided service.

## Financial

### Revenues

|                    |   |            |     |
|--------------------|---|------------|-----|
| Federal Government | A | 1,045,398  | 51% |
| State Government   | B | 453,092    | 22% |
| Local Government   | C | 182,430    | 9%  |
| Client Fees        | D | 69,084.5   | 3%  |
| Donations          | F | 205,298.34 | 10% |
| Grants             | E | 49,598.26  | 2%  |
| Other*             | G | 41479.22   | 2%  |

**Total Revenues 2,046,380.32**

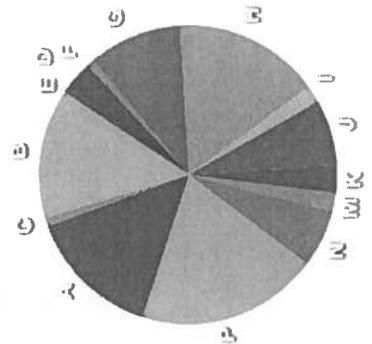
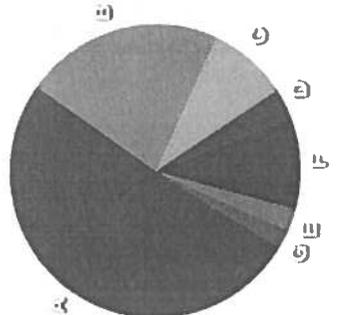
### Expenses by Services

|                              |   |            |     |
|------------------------------|---|------------|-----|
| WellTran                     | A | 281588.35  | 14% |
| Homemaker                    | C | 18368.49   | 1%  |
| Information and Assistance   | B | 276,401.35 | 14% |
| Legal Assistance             | E | 12281.42   | 1%  |
| Personal Care                | D | 60368.34   | 3%  |
| Socialization & Recreation   | F | 14969.25   | 1%  |
| Congregate Nutrition         | G | 197,093.41 | 10% |
| HDM Nutrition                | H | 313,634.43 | 16% |
| VICAP/Senior Medicare Patrol | I | 36,231.91  | 2%  |
| Transportation               | J | 140195.75  | 7%  |
| Ombudsman & Elder Abuse      | K | 59,357.34  | 3%  |
| Volunteer Services           | M | 39,749.8   | 2%  |
| Respite                      | N | 120887.63  | 6%  |
| Other**                      | P | 388,190.52 | 20% |

**Total Expenses 1,959,317.99**

\* Interest, Sale of Assets, Sale of Business, Misc

\*\* Life Lines, Fan Care, Interest, Audit, Legal, Bank Fees



## The SAAA Board

SAAA's Board is comprised of two directors per jurisdiction, recommended by county and city governing boards. An additional 8 at-large members representing the entire district may also be elected by the Board. All members of the Board of Directors serve without monetary compensation. Terms are 4-years, with two consecutive terms allowed.

The Board governs SAAA in a responsible and transparent manner, and makes every effort to ensure that SAAA operations are carried out in a cost-effective, accountable manner.

### SAAA Board

John Hudson, Chair • Jim Edwards • Teresa Strohmeier  
 John Woodward • Ann Holsigner • Mari-Anne Fowler  
 Wanda Shoemaker, Secretary • Violet Carter  
 Angela Whitacre, Treasurer  
 Travis Clark, Vice Chair • Jim Brinkmeier

## The Community SAAA Serves

The SAAA offers support services for over 40,000 seniors who live in the predominantly rural Northern Shenandoah Valley of Virginia. SAAA operates seven active living centers with kitchens preparing 62,877 meals each year. As the Meals on Wheels provider for the Northern Shenandoah Valley, SAAA annually prepares and delivers over 31,000 meals within a 1,652 square mile area that includes Frederick, Clarke, Shenandoah, Warren and Page Counties and the city of Winchester.

Food services are very important to local seniors because insufficient nutrient intake accounts for a disproportionate amount of health care costs unrelated to aging among low-income elderly individuals. In spite of only representing 12.5% of the total population, seniors account for 30% of all health care expenditures.

## Service Statistics

**Active Living Centers** - 31,826

hot nutritious noontime meals were provided to ALC clients.

The Centers also provided 51,109 hours of various programs

including current events, exercise,

nutrition education, healthy aging information, health

education programs, socialization, music, trips, etc. 27,587

trips were provided for clients attending the Active Living Centers.



**"Meals on Wheels"** - 31,051 meals were provided five days per week to homebound older residents. The meals are prepared at the Active Living Centers and delivered to the homebound individuals' homes.

**"Our Place"** - 2,801 hours of respite care for Alzheimer's and dementia clients were provided. Three community respite care sites located in Warren, Shenandoah and Clarke County provide needed respite to caregivers plus activities and socialization to those clients in early to mid-stage Alzheimer's or dementia.

**In Home Services** - Staff conduct in-home assessments and work directly with the recipient & family members to develop a plan of care. Staff coordinate available agency and community services for individuals to "age-in-place" safely.

**Personal Care & Homemaker** - 3,737 hours were provided to homebound individuals. Personal care includes help with grooming, transferring, hygiene, etc. Homemaker services include help with light housekeeping, laundry, clean-up, etc.

**Information and Referral Assistance** - 4,100 responses to requests for information were provided for older persons, their families, their caregivers, employers, and/or professional providers of aging services.

## Service Statistics

**WellTran** - 6,545 trips were provided. Rides are available Monday through Friday with advance scheduling to pick up medication, grocery shopping, and/or medical appointments.

Cost is \$4 round-trip under a grant for low-income seniors and persons with disabilities.



**Emergency Assistance** - is provided in times of crisis such as help with fuel bills, groceries, utility payments, etc.

**Insurance Counseling** - 481 individuals received services. Certified Insurance counselors help seniors with information on insurance options including prescription coverage, research into eligibility, and help with documentation or paperwork.

**Long-term care Ombudsman** - The Ombudsman serves as an advocate for residents of long-term care. Also provides training and consulting assistance to local long-term care facilities and staffs.

**Volunteer Opportunities** - SAAA offers numerous volunteer opportunities to make a positive difference in seniors' lives. Volunteer positions include: delivering Meals on Wheels; assisting with meal preparations; providing informative and/or entertaining programs including crafts at Active Living Centers and Our Place; and, providing administrative support services with mailings, etc.

SAAA provided personal care three times a week for a gentleman living with advanced Multiple Sclerosis over a twelve year period. Over twelve years, his cost for personal care totalled only \$30,700. The shocking difference in cost for twelve years of care in a nursing home would have been \$720,000.

**CITY OF WINCHESTER, VIRGINIA**

**PROPOSED CITY COUNCIL AGENDA ITEM**

**CITY COUNCIL/COMMITTEE MEETING OF:** June 25, 2013 **CUT OFF DATE:** 06/18/13

**RESOLUTION** \_ \_ **ORDINANCE** \_ \_ **PUBLIC HEARING** \_ \_

**ITEM TITLE:** Memorandum of Understanding with the Shenandoah Valley Discovery Museum for Capital Renovations at 19 W. Cork Street.

**STAFF RECOMMENDATION:** Approve

**PUBLIC NOTICE AND HEARING:** N/A

**ADVISORY BOARD RECOMMENDATION:** N/A

**FUNDING DATA:** N/A

**INSURANCE:**N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

| <u>DEPARTMENT</u>      | <u>INITIALS FOR APPROVAL</u> | <u>INITIALS FOR DISAPPROVAL</u> | <u>DATE</u> |
|------------------------|------------------------------|---------------------------------|-------------|
| 1. Mary Blowe, Finance | MB                           |                                 | 6-18-13     |
| 2. _____               |                              |                                 |             |
| 3. _____               |                              |                                 |             |
| 4. _____               |                              |                                 |             |
| 5. City Attorney       | <i>[Signature]</i>           |                                 | 6/18/2013   |
| 6. City Manager        | <i>[Signature]</i>           |                                 | 6-18-13     |
| 7. Clerk of Council    |                              |                                 |             |

Initiating Department Director's Signature: *[Signature]* 06/18/2013  
Date



**APPROVED AS TO FORM:**  
*[Signature]* 6/18/2013  
**CITY ATTORNEY**

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Doug Hewett, Assistant City Manager  
**Date:** June 18, 2013  
**Re:** Shenandoah Valley Discovery Museum Capital Renovation Memorandum of Understanding and Funding Agreement for the 19W. Cork Street Facility

**THE ISSUE:** City Council authorized funding for the Shenandoah Valley Discovery Museum for the renovation and relocation of the Museum to a building located at 19W. Cork Street. This Memorandum of Understanding formalizes the City's funding agreement with the Museum for FY 2014.

**RELATIONSHIP TO STRATEGIC PLAN:** Goal 1 – Grow the Economy, Goal 3 – Continue Revitalization of Historic Old Town, Goal 4 – Create a More Livable City for All

**BACKGROUND:** On February 4, 2013, the Museum requested financial assistance in the amount of \$810,194 from the City. The request was part of the Museum's planned \$3.4M renovation of their new facility located at 19 W. Cork Street in downtown Winchester.

On March 19, 2013, the City Council directed the City Manager to include in the draft FY 2014 budget funding for the Museum in the amount of \$500,000 to be disbursed \$100,000 a year over a 5-year period to be used consistent with the Museum's request for funding.

Subsequently, on June 11, 2013 the City Council approved the FY 2014 budget that included \$110,000 for the Museum – \$100,000 for the capital request and \$10,000 for operating assistance. City Council further directed that before the funding to be released that City Council wanted to approve the actual MOU and funding agreement.

The Museum's request and need exceeds the funding authorized by City Council. Additionally, the Museum's request was for one-time funding versus the 5-year funding authorized by City Council. As such, it is contemplated that the Museum will seek additional funding, possibly through loans.

To better understand the Museum's need and to develop the MOU, staff has met twice with the Museum and developed the following two options should the Museum seek financing for this project:

- A) At closing the Museum could reduce the principal amount borrowed by the amount (example \$100,000) the City would contribute towards the borrowing. This would be paid out by the City at closing.
- B) The second option would be for the City to pay the annual principal debt service payments as they come due. The Museum could provide a debt service schedule for the City and we could remit that amount to them on an annual basis prior to the payment due date.

Staff recommends City Council allow the Museum to utilize Option A in the first year, with Option B to be used in subsequent years – subject to City Council's annual appropriation.

---

**BUDGET IMPACT:**

- For FY 2014: \$110,000 was authorized by the City Council for the Museum – \$100,000 for the capital request and \$10,000 for operating assistance.
- Subject to City Council annual budget approval, the City Council also agreed to fund the Museum \$100,000 a year for 4 more additional fiscal years.

**OPTIONS:**

1. Accept staff's recommendation for use of Option A in FY 2014.
2. Reject staff's recommendation and/or use some variant.
3. Provide additional direction to staff, and/or take no action at this time.

**RECOMMENDATIONS:** Accept staff's recommendation and authorize staff to finalize the MOU with the Museum.

Rouss City Hall  
15 North Cameron Street  
Winchester, VA 22601

Telephone: (540) 667-1815  
FAX: (540) 722-3618  
TDD: (540) 722-0782  
Website: [www.winchesterva.gov](http://www.winchesterva.gov)

## MEMORANDUM OF UNDERSTANDING CHARITABLE FUNDING FOR OUTSIDE AGENCIES

It is the intention of Common Council to ensure that charitable funding of outside agencies is conducted and administered in accordance with the statutory requirements of §15.2-953 of the Code of Virginia and the intent of Common Council as described in Resolution R-????.

This Memorandum of Understanding (MOU) is entered into on this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between the City of Winchester, VA ("Grantor") and the Shenandoah Valley Discovery Museum ("Recipient").

- 1) **Qualification for Funding.** The application for Charitable Funding submitted by Recipient has been reviewed by the Grantor and it is the belief of Common Council that Recipient is eligible to receive charitable donations of public funds from Grantor insofar as Recipient is a nonsectarian, not for profit organization that provides valuable services to the citizens of the City of Winchester, particularly children of the City of Winchester, through various programs including but not limited to the provision of educational discovery opportunities through hands-on interactive activities and other activities for the interests and benefit of Winchester's youth.
- 2) **Purpose.** The purpose of this agreement between the Grantor and Recipient is to outline the responsibilities of both agencies as it relates to funds authorized by Common Council for use in Recipient's capital renovation request for their facility located at 19 W. Cork Street, Winchester, VA. The Recipient's attached February 4, 2013 request for capital funding (Exhibit A) is adopted and incorporated into this MOU by reference as if set forth fully herein.
- 3) **Roles and Responsibilities.** The Grantor will provide up to \$100,000 in FY 2014 to be used by the Recipient to complete their capital renovation project at the 19 W. Cork street facility.
- 4) **No Agency.** This MOU contemplates the charitable donation of funds by the Grantor to Recipient consistent with the provisions of §15.2-953 of the Code of Virginia. Nothing in this document shall be construed to create an employment relationship between the Grantor and Recipient or any of its employees, agents or assigns. At all times, Recipient shall remain an independent agency solely responsible for all acts and omissions of its employees pursuant to any program described in this document and for which charitable funding is provided as described herein.
- 5) **Indemnification/Hold Harmless:** The Recipient shall indemnify and hold the City of Winchester harmless from any damages including but not limited to attorney's fees arising from all claims brought by third parties as a result of any act or omission of any employee, agent, or assign of Recipient pursuant to any program described in this document and for which charitable funding is provided as described herein.

- 6) **Background.** On March 19, 2013 by a vote, City Council authorized funding the Recipient's capital request by providing \$500,000 in \$100,000 increments for 5 years. This agreement covers the first year funding of \$100,000 authorized with the adoption of the City's FY 2014 budget on June 11, 2014. Further, as directed by the City Council on June 11, 2014, no funds will be disbursed to the Recipient until this MOU is approved by the City Council.

The Recipient's request and need exceeds the funding authorized by City Council. Additionally, the Recipient's request was for one-time funding versus the 5 year funding authorized by City Council. As such, it is contemplated that the Recipient will seek additional funding, possibly through loans.

If the Recipient does seek financing for the renovation project, the options acceptable to the Grantor to request the \$100,000 approved in FY 2014 and possibly available in subsequent years, subject to City Council's appropriation, are as follows:

- A) At closing the Recipient could reduce the principal amount borrowed by the amount (example \$100,000) the City would contribute towards the borrowing. This would be paid out by the City at closing.
- B) The second option would be for the City to pay the annual principal debt service payments as they come due. The Recipient could provide a debt service schedule for the City and we could remit that amount to them on an annual basis prior to the payment due date.

**7) Reporting Requirements and Special Considerations.**

- a) Recipient agrees to provide a detailed accounting of how these funds were expended on December 31 and/or June 30, of each year funding is provided. This information should be forwarded to the City of Winchester Finance Department at 15 N. Cameron Street, Winchester, Virginia 22601 to the attention of Celeste Broadstreet, Assistant Finance Director.
- b) Recipient agrees to also provide the Grantor with a copy of its annual financial audit once completed.

8) **Timeframe.** Funding is provided for FY 2014 that runs from July 1, 2013 until June 30, 2014.

9) **Compliance with Terms.** The failure of Recipient to provide the services described in this MOU to the complete satisfaction of Common Council and/or the failure to adhere to the reporting, accounting, and other requirements described in this MOU shall result in disqualification from consideration for future funding under this program.

10) **Choice of Law/Choice of Venue.** This MOU shall be construed under the laws of the Commonwealth of Virginia. Any dispute arising as a result of the performance or non-performance of any term of this MOU shall be litigated exclusively in the Winchester Circuit Court.

11) **Severability.** If any provision of this MOU is determined to be inconsistent with any lawful authority, the provision shall be deemed stricken from the MOU and all other terms shall remain in full force and effect.

12) **Termination / Modification.** Common Council may revoke, rescind, or terminate this MOU without cause, notice, or penalty at any time. This MOU, including all exhibits, represents the complete and entire agreement between Grantor and Recipient and may be amended only by written addendum signed by all parties.

13) **Supersedes and Replaces.** This MOU supersedes and replaces any prior Agreements between the parties relating to the subject matter described herein.

**14) Subject to Appropriation.** All funds referenced in this document are subject to appropriation by Common Council at their sole discretion. Common Council may revoke or rescind any and all funds appropriated as described herein at any time without cause, notice or penalty, and may direct that any funds previously appropriated be used for other public purposes in accordance with applicable law. Nothing in this document shall be construed as a guarantee of funding including future funding in subsequent years, nor shall it be construed in any way to bind future City Councils to any particular action.

This MOU must be signed by all parties. By signing below, signatories pledge that they are duly authorized to sign on behalf of their respective agency and hereby bind said agency to the terms of this MOU.

**City of Winchester (Grantor)**

Authorized Official: \_\_\_\_\_ *Signature*  
Dale Iman, City Manager *Printed Name/ Title*  
Address: 15 North Cameron Street, Winchester, VA 22601  
Telephone: 540-667-1815  
E-Mail Address: [diman@ci.winchester.va.us](mailto:diman@ci.winchester.va.us)

**Shenandoah Valley Discovery Museum (Recipient)**

Authorized Official: \_\_\_\_\_ *Signature*  
Mary Braun, Executive Director *Printed Name/Title*  
Address: 54 S. Loudoun Street, Winchester, VA 22601  
Telephone: 540-722-2020  
E-Mail Address: [mbraun@discoverymuseum.net](mailto:mbraun@discoverymuseum.net)

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 6/25/13 (work session), CUT OFF DATE: 6/18/13
6/11/13 (1st Reading) 7/9/13 (2nd Reading/Public Hearing)

RESOLUTION \_\_\_ ORDINANCE X PUBLIC HEARING X

ITEM TITLE:

O-2013-18: AN ORDINANCE TO DECLARE THE PROPERTY AT 414 S. BRADDOCK STREET TO BE A NUISANCE; AND APPROPRIATE FUNDS AND AUTHORIZE THE CITY TO ABATE THE NUISANCE AND MAKE EMERGENCY REPAIRS TO THE UNSAFE STRUCTURE.

STAFF RECOMMENDATION:

Approval of ordinance.

PUBLIC NOTICE AND HEARING:

Public hearing for 7/9/13 Council mtg

ADVISORY BOARD RECOMMENDATION:

N/A

FUNDING DATA: Cost of demolition/abatement included in Ordinance.

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include City Attorney, City Manager, and Clerk of Council.

Initiating Department Director's Signature: [Signature] 6/18/13
(Zoning and Inspections)



# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Aaron Grisdale, Director of Zoning and Inspections  
**Date:** June 18, 2013  
**Re:** Discussion of 414 South Braddock Street

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**THE ISSUE:**

City Council is considering an ordinance to declare 414 South Braddock Street a public nuisance (O-2013-18)

**RELATIONSHIP TO STRATEGIC PLAN:**

Goal #4 – “Create a more livable City for all”

**BACKGROUND:**

The subject property was damaged by fire in 1984 and has continued to deteriorate over time. Zoning and Inspections has cited the property on several occasions and has attempted to work with the property owner to allow him to make the necessary repairs. Recently, the Code Official has cited the subject property as an “Unsafe Structure”. The matter was appealed to the Local Board of Building Code Appeals who unanimously upheld the Code Official’s determination that the property was an “unsafe structure” under the requirements of the Building Code. As such, immediate action must be taken to preserve health, safety, and welfare through demolition or abatement by repair of the unsafe conditions. Council must approve going forward with action and appropriation of funds to demolish the structure or abate the unsafe conditions by repair.

**BUDGET IMPACT:**

Cost of Demolition/Abatement included in Ordinance.

**OPTIONS:**

- Demolition or Abatement by Repair – requires implementation of least drastic means to remedy the unsafe conditions/nuisance.

**RECOMMENDATIONS:**

Approval of the Ordinance and appropriation of necessary funds.

**AN ORDINANCE TO DECLARE THE PROPERTY AT 414 S. BRADDOCK STREET TO BE A NUISANCE;  
AND APPROPRIATE FUNDS AND AUTHORIZE THE CITY TO ABATE THE NUISANCE AND  
DEMOLISH OR MAKE EMERGENCY REPAIRS TO THE UNSAFE STRUCTURE**

WHEREAS, the property located at 414 S. Braddock Street was severely damaged by fire in year 1984; and

WHEREAS, the property owner has failed to initiate any substantial repairs to eliminate the damage caused by the 1984 fire or to mitigate the deterioration of the structure since that time; and

WHEREAS, the property located at 414 S. Braddock Street has and continues to be the subject of numerous Building Code and Zoning Violations including but not limited to those identified in (Exhibit A); and

WHEREAS, numerous photographs of the property including but not limited to those depicted in (Exhibit B) establish that the property is in an extremely dilapidated condition; and

WHEREAS, on March 19, 2013, the Code Official for the City of Winchester issued a Notice of Unsafe Structure and Notice of Building Code Violation (Exhibit C) declaring that the property in its current state constitutes an “unsafe structure” that “there is an immediate danger that the referenced portion of the structure may collapse or fall or endangering the life of occupants or others”; and

WHEREAS, this determination by the Code Official is supported by the structural engineering report of a contractor hired by the owner/occupant of the property (Exhibit D) as well as a structural engineering report of a contractor hired by the City (Exhibit E); and

WHEREAS, on May 22, 2013, the Local Board of Building Code Appeals unanimously affirmed the determination made by the Code Official that the property constitutes an “unsafe structure” (Exhibit F); and

WHEREAS, it is the belief of Common Council that the building identified in the Notice of Unsafe Structure and Notice of Violation (Exhibit C) constitutes a “public nuisance” as defined under §15.2-900 of the Code of Virginia; and

WHEREAS, it is further the belief of Common Council that said public nuisance presents an imminent and immediate threat to life or property; and

WHEREAS, §15.2-900 of the Code of Virginia further provides that a locality may “abate, raze, or remove [a] public nuisance . . . and bring an action against the responsible party to recover the necessary costs incurred for the provision of public emergency services reasonably required to abate any such public nuisance”; and

WHEREAS, Section 105 of the Virginia Maintenance Code, Part III of the Virginia Uniform Statewide Building Code 2009 provides that the Code Official may also initiate demolition and/or emergency repairs to an unsafe structure when it is determined that there is an immediate danger of the structure collapsing or falling and when life is endangered; and

WHEREAS, the Director of Zoning and Inspections for the City of Winchester has obtained a rough estimate of the cost of repairs (**Exhibit G**) which is estimated to be \_\_\_\_\_; and

WHEREAS, the Director of Zoning and Inspections for the City of Winchester has obtained a rough estimate of the cost of demolition and removal of debris (**Exhibit H**) which is estimated to be \_\_\_\_\_; and

WHEREAS, due to the nature of the project, it is understood by Council that additional costs may be discovered in the **demolition or** performance of the work required to abate the nuisance and unsafe conditions on the property; **and**

WHEREAS, it is the belief of Common Council that *[insert DEMOLITION OR REPAIR/ABATEMENT]* represents the least drastic remedy and is necessary to abate the nuisance and unsafe condition of the property.

NOW THEREFORE BE IT ORDAINED that Common Council for the City of Winchester hereby declares that the property at 414 S. Braddock Street as identified in (**Exhibit C**) constitutes a “nuisance” and a public nuisance under the provisions of §15.2-900 of the Code of Virginia and that such nuisance presents an immediate danger to life and property and that the property is in imminent danger of collapse, and BE IT FURTHER ORDAINED that Council directs the City Attorney and City Manager to take all steps necessary to abate the nuisance in accordance with §15.2-900 of the Code of Virginia by **repair/abatement or demolition** and take action to recover all costs expended against the responsible party (owner/occupant) and whose acts or negligence cause the public nuisance; and

BE IT FURTHER ORDAINED THAT Common Council further agrees with the determination of the Code Official that the property identified in (**Exhibit C**) constitutes an “unsafe structure” under Section 105 of the Virginia Maintenance Code, Part III of the Virginia Uniform Statewide Building Code 2009 and that the property is in immediate danger of collapsing and falling and endangering life and property and directs that the City Attorney and City Manager take all action through the Code Official to ~~initiate emergency repairs~~ **demolish or repair/abate the unsafe conditions**; and

BE IT FURTHER ORDAINED that Common Council hereby appropriates \_\_\_\_\_ from the City’s General Funds for said emergency repairs and abatement efforts.

**O-2013-18: AN ORDINANCE TO DECLARE THE PROPERTY AT 414 S. BRADDOCK STREET TO BE A NUISANCE; AND APPROPRIATE FUNDS AND AUTHORIZE THE CITY TO ABATE THE NUISANCE AND MAKE EMERGENCY REPAIRS TO THE UNSAFE STRUCTURE.**

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**REQUEST DESCRIPTION**

This ordinance is proposed to declare the property at 414 South Braddock Street to be a public nuisance as a result of the ongoing deterioration of the structure. The proposed ordinance will also appropriate funds needed for the repair and authorize the City to abate the nuisance by making emergency repairs to the unsafe structure.

**STAFF COMMENTS**

The property in question, 414 South Braddock Street, was damaged as a result of a fire in 1984, resulting in severe damage to the front portion of the house, the porch, and the mansard roof. Over the years the property has been cited for numerous property maintenance violations, with only minimal repairs being completed by the property owner.

Numerous violation notices have been sent to the property owner, Mr. Gavis, over the years, but minimal progress has been made. The City has repeatedly tried to be flexible with the property owner, but the structure continues to degrade over time in the absence of repairs. As part of a 2008 abatement agreement, Gary Lance Smith, on behalf of the property owner, proposed a timetable for all repairs of the structure to be completed by October 15, 2009. The repairs were not completed in the timeframe.

Due to a concern of the lack of repairs and ongoing deterioration of the structure, the Winchester Building Official obtained an administrative search warrant and brought Ruckman Engineering to conduct a cursory structural analysis of the structure on March 23, 2010.

On April 16, 2010, a preliminary determination of blight was issued to Mr. Gavis, and a written abatement plan was provided to the City by Mr. Gavis on May 21, 2010. The City and Mr. Gavis finally agreed upon a blight abatement plan on June 28, 2010, with a requirement that Mr. Gavis submit a building permit application within 10 days. A building permit (BP-10-481) was issued to Mr. Gavis on July 12, 2010. Throughout the remainder of 2010 and first of 2011 no inspections were called in by Mr. Gavis to check on rehabilitation progress, and as a result the Building Official conducted visual inspections from the public right-of-way, documenting minimal progress taking place during this time period.

Due to the lack of repairs and ongoing property maintenance violations on the property, civil penalties were again issued to Mr. Gavis on July 12, 2012; the penalties were subsequently challenged in Winchester General District Court. The penalties were upheld in Winchester General District Court and were then appealed to Winchester Circuit Court. All the while no repairs are being made to the structure and it continues to deteriorate.

As a result of these neglected conditions, the property's conditions have continued to erode to the point where a significant portion of the north wall collapsed around March 4, 2013.

On March 4, 2013, Zoning and Inspections staff received a picture from a citizen noting a recent collapse of a portion of the north wall of the residence. The Building Official conducted a site inspection of the property from the public right-of-way and confirmed this condition. On March 5, 2013, an on-site inspection was conducted with the property owner's consent to observe the damage to the structure. As a result of the conditions observed during this inspection, a Notice of Unsafe Structure and Notice of Violation was issued to the property owner, Mr. Gavis, on March 20, 2013.

Included within the March 20<sup>th</sup> notice, were conditions and violations that led the Building Official to declare the structure as Unsafe. First, the north wall had an approximately 10-foot by 10-foot section fall out of place as well as numerous other missing and loose brick on this load bearing wall, these conditions are in violation of Sections 304.1, 304.5 and 304.6 of the Virginia Maintenance Code. It should be noted that this collapse did not take place during a unique weather event such as a windstorm or snowstorm; but rather was a sudden failure of this wall. Furthermore, there are numerous areas of deterioration of the exterior brick mortar joints contributing to the failing load bearing wall, in violation of Sections 304.1 and 304.6 of the VMC. Additionally, there has continued to be deterioration of the previously structurally damaged roof. As a result the roof is not protecting the structure, including the brick walls resulting in larger structural deterioration, in violation of Sections 304.4 and 304.7 of the VMC. When taken together, these violations of the Virginia Maintenance Code have resulted in an unsafe condition for the structure. With the continued deterioration of the exterior brickwork and damaged roof, it is likely that there will be continued structural failings in this portion of the structure.

In this Notice, a period of fourteen (14) days was given to either submit a detailed abatement plan and scope of work by the Virginia Licensed Design Professional, including milestones for stabilization and completion of work, or appeal the decisions to the local Board of Appeals. On April 2, 2013, the property owner filed an appeal of the March 20<sup>th</sup> Notice of Unsafe Structure and Violation. On April 18, 2013 Mr. Gavis submitted an abatement plan; however, the plan was minimal and inadequate. Additionally, the plan lacked the level of detail normally included in a sealed set of plans by a Virginia Licensed Design Professional as required by the Notice of Unsafe Structure and Notice of Violation.

On April 23, 2013, prior to the previous Board of Building Code Appeals meeting, the property owner submitted a cursory report from Structural Concepts, Inc. As noted in this report, SCI provides a brief recap of this history of the structure and lists some corrective actions required to repair the outside wall. Most importantly, it should be noted that this report states that corrective actions are required to make the home "structurally stable" and further action is required to prevent a roof collapse, thus confirming the determination of the Winchester Building Official.

On May 7, 2013, the City of Winchester and Ruckman Engineering executed an administrative search warrant to conduct a structural site inspection. This detailed report further confirms the determination that the structure at 414 South Braddock Street is unsafe. In Mr. Ruckman's conclusion, he states the following:

"The extent of the structure's deterioration has become greater than was previously observed in our April 2010 cursory inspection. Significant structural repairs to the floors, roof, and walls need to be completed to stabilize this portion of the residence. The structural repairs must occur as soon as possible to prevent a collapse of the roof and/or and overall collapse of the north end of the structure."

“If the Gavis’s are to remain in the newer southeast addition to the dwelling, we would recommend that the roof and third floor wall framing, which has been covered with drywall on the south end of the original house, be completely examined to insure its overall structural stability. After the drywall is removed and the structural elements evaluated for damage, repairs should be performed as necessary to restore the overall structural integrity of the home. In addition, the roof and third floor walls on the south end need to be enclosed/waterproofed on the exterior to prevent further deterioration and damage due to exposure to the elements.”

On May 22, 2013, the Winchester Local Board of Building Code Appeals (LBBCA) met to hear the appeal of the March 20, 2013 Notice of Unsafe Structure and Notice of Violation. After hearing the case, the LBBCA unanimously upheld Mr. Knight’s determinations. Furthermore the LBBCA members believed that the City has been overly patient with the property owner, in providing ample time and opportunities for Mr. Gavis to correct the violations over the last several years.

Mr. Gavis had an ability to appeal this decision to the State Technical Review Board, but failed to do so by the June 18, 2013 deadline. As a result, the decisions provided in the Building Official’s March 20, 2013 notice are no longer subject to appeal.

The property owner finally submitted a building permit application on June 3, 2013; however, it was an incomplete application. Mr. Knight provided a written response on June 11, 2013 to Mr. Gavis, outlining the reasoning that the building permit was not acceptable was due to the lack of any detailed structural plans by a licensed design professional addressing the code violations in the March 20, 2013 notice, as well as the additional concerns identified as part of the Ruckman Engineering report.

#### STAFF RECOMMENDATION

Zoning and Inspections staff has consulted with an outside contractor to provide rough estimates of the value of work to either complete repairs of the deficiencies outlined in the Ruckman Engineering report or demolish the structure. An estimate of \$250,000-\$300,000 was provided to complete the repairs and make the property structurally safe. However, as noted in the Ruckman Engineering report, not all areas of the interior of the structure were accessible or visible during the inspection, resulting in a best guess approximation of the amount of work that needs to be completed. There remains the possibility that there are additional issues and concerns that were not readily visible and therefore not included in the structural report nor the contractor cost estimate. It is very likely that there remains additional concerns that would need to be included and corrected as part of the nuisance abatement.

Alternately, the contractor did also provide a rough estimate for the cost of demolition for the property: \$28,000-30,000. This option is likely the least drastic means to abate the nuisance. Absent the property owner consenting to allow for a professional contractor to enter the property and do a substantive analysis of the full conditions of the property, it is difficult for a professional contractor or engineer to fully assess the amount of work that is needed to completely stabilize the structure.

As noted above there are effectively two options to abate the nuisance:

**Alternative #1:** Correct all the issues that cause the structure to be unsafe and a public nuisance. This abatement option would be based upon the required repairs outlined in the Ruckman Engineering report, dated May 13, 2013. A rough cost estimate of this solution was provided by Kee Construction at

an approximate cost of \$250,000-300,000. With this proposal, it is very likely that there are still requirements that were not observed and easily identifiable during the May 7, 2013 administrative inspection of the property. In fact, the report outlines that additional exploratory inspections should be conducted in order to fully understand the situation:

“[W]e would recommend that the roof and third floor framing, which has been covered by drywall on the south end of the original house, be completely examined to insure its overall structural stability. After the drywall is removed and the structural elements evaluated for damage, repairs should be performed as necessary to restore the overall structural integrity of the home.”

As noted in this report, staff has numerous concerns that the amount of work needed to fully stabilize the property and abate the public nuisance may greatly exceed the amount of work that is currently understood to be required. As a result, the current cost estimate of \$250,000-300,000 may be significantly lower than the actual time and costs associated with the nuisance abatement. This alternative not only includes a large cost that carries the risk of being much higher than anticipated, but also as a result of the severely deteriorating conditions of the property, staff cannot be reassured that the proposed corrective actions proposed by the structural engineer will result in a completely structurally-safe property due to the fact that there are likely additional hidden structural issues that are obscured and have not been identified. *This option does not appear to be the least drastic means to abate the nuisance.*

**Alternative #2:** Demolish the structure. This option would involve razing the entire structure in order to eliminate the unsafe conditions on the property and abate the public nuisance. As noted above, there are several outstanding questions about the hidden structural issues that have yet to be identified in the roof and third floor walls. This City solicited a rough estimate of the cost for this alternative, with Kee Construction providing an estimate of \$28,000-\$30,000 to complete. After weighing the hidden unknowns with the amount of repairs and associated costs with alternative #1 against the known abatement of alternative #2, *it appears that alternative #2 is the least drastic means to abate the nuisance.*



Attn: John Knight  
Winchester City  
15 North Cameron Street  
Winchester Va 22601

Mr. Knight,

After review of Ruckman Engineer site inspection report for Gavis residence on South Braddock Street I feel a budget number of \$250,000.00 to \$300,000.00 will repair this home. Demo of the home I would use a budget number of \$28,000.00 to \$30,000.00. An Asbestos report will need to be preformed to determine the cost of that work.

Thanks

A handwritten signature in black ink, appearing to read "Kenny McKee", is written over a horizontal line.

Kenny McKee  
KEE Construction Services Inc  
420 West Jubal Early Drive  
Winchester Va. 22601  
540-723-0585



# RUCKMAN ENGINEERING, PLC

Structural + Geotechnical + Dams + Inspections

May 13, 2013

Mr. John Knight, Building Official  
City of Winchester  
15 North Cameron Street  
Winchester, VA 22601

RE: Structural Inspection  
North End of Gavis Residence  
414 South Braddock Street  
Winchester, Virginia

Dear Mr. Knight,

This report summarizes our findings with regard to the cursory structural inspection of the north end of the Gavis residence on South Braddock Street. It is our understanding that the Gavis residence was damaged due to a fire in 1984 and that minimal repair and upkeep have been performed since our previous inspection in April 2010. The fire damage was reportedly limited to the north end of the dwelling. As a result, the north end of the dwelling was the primary focus of our walk-through structural inspection.

## SITE INSPECTION

Our site inspection of the north end of the Gavis residence was performed on May 7, 2013. Representatives from the City of Winchester and Mr. Gavis were present during this inspection. The following is a summary of our site observations from that inspection:

1. The Gavis residence is a relatively large historic brick home, constructed in 1881, which faces in a westerly direction along Braddock Street. The exterior brick walls of the residence are solid brick construction with limestone foundation walls. The interior floors and roof are all wood frame construction. Overall views of the residence are seen in photographs 1, 2, and 4. The north (left) end of the residence did experience significant fire damage in 1984.
2. On the exterior of the residence, the third floor rear wall and the second floor left wall have partially collapsed, as seen in photographs 4 through 7. Portions of the wood framing are still suspended at the third floor level. Portions of the collapsed brick wall are located on the ground below, adjacent to the left wall of the residence. Tarps and plastic have been installed to help prevent water infiltration into the residence in the areas of collapse. The majority of the wrap around porch had been removed from the residence. The front portion of the wrap around porch is still in place. Water was observed to be saturating the exterior brick beneath the front porch roof, as seen in photograph 8. The front bump-out's

Winchester City/Gavis Res.

May 13, 2013

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roof framing was observed to be exposed to the elements, as seen in photograph 3.

3. On the interior of the third floor, approximately 60-percent of the rear wall was observed to have collapsed and/or pulled away from the structure, leaving the interior and structural framing exposed to the elements, as seen in photographs 9 and 13. The front and left wall framing in the left portion of the residence's third floor were observed to have shifted significantly inward, as seen in photographs 14 through 16. It should be noted that the front wall framing was observed to not be connected to the residence's roof framing, as seen in photograph 14.

4. Newer drywall material has been installed throughout the majority of the third floor, replacing the original plaster and lathe finishing and likely concealing charred wood framing from the 1984 fire. Water leaks and staining are present in the third floor ceiling and walls, as seen in photograph 10. Several areas on the left and middle portions of the residence's third floor were observed to have charred wood framing, as seen in photographs 11, 14, and 16. The right portion of the residence was also observed to have some charred wood framing, located in the exposed window dormers. Water leaks and holes were observed at several of the window dormers, as seen in photographs 17 through 19. These windows also appeared to have come loose from their framing. The wall and roof framing of the front bump-out also appeared to be exposed to the elements, as seen in photographs 11 and 12, with sheets of plywood having been placed above the framing.

5. On the interior of the second floor, approximately 40 to 50-percent of the left brick wall was observed to have collapsed, leaving the interior and structural framing exposed to the elements, as seen in photographs 21 and 25. The third floor floor joists, which were supported by this exterior brick wall, are being temporarily supported by several 4x4 wood posts, as seen in photographs 20 and 25. Cracking was observed in the plaster finishing on the interior wall between the two rooms on the left portion of the residence, as seen in photograph 24. On the interior of the front second floor room, approximately 25-percent of the front brick wall was observed to have collapsed, as seen in photograph 23. Portions of the collapsed brick wall are piled in the front left room. In the areas of the collapsed brick wall, the third floor framing and some portions of the second floor framing were observed to be saturated, water stained and deteriorated, with some signs of mold growth present, as seen in photographs 22, 23, 25, and 26.

6. Approximately one third of the rear wall has been replaced, on the rear left portion of the residence with a masonry block wall with a brick veneer, as seen in photographs 27, 28, 29, 34, and 35. It could not be directly determined at the time of our inspection as to how the newer masonry wall had been tied in and connected with the surrounding, older brick walls. The top of the masonry wall was observed to be exposed to the elements with the blocks and the wood framing being completely saturated, as seen in photograph 29. At the time of our inspection, rain water was visibly pouring into the residence at this location.

7. On the interior of the first floor, cracking was present in the brick wall between the left room and the hallway. The cracking was fairly significant in size and appeared to be present on both sides of the wall, as seen in photographs 32 through 34. Water dripping and staining was observed on the interior of the left room on the first floor of the residence, as seen in photograph 35. The front window lintel, on left room on the first floor of the residence, was observed to be crushed and deflecting under the brick wall above, as seen in photograph 36.

8. The residence's main stairway, located in the middle of the structure was observed to have been damaged by the fire, with charred material present, as seen in photographs 30 and 31. During our inspection, the most of the stair framing was found to be fire and water damaged to the point of being unstable. The stairway landings also appeared to be unstable with large holes present. Lastly the stairway's railing was found to be unstable and easily shifted, or missing altogether.

### **CONCLUSIONS AND RECOMMENDATIONS**

Based on the observations from our recent site inspection and past experience with similar situations, we offer the following conclusions and recommendations:

1. The north end of the residence did experience significant fire damage in 1984. It is possible that the structural collapse of the third floor rear wall could have occurred as a result of the fire. However very little work has been performed to stabilize the structure or to protect it from the elements and it is likely that the collapse resulted from a weakened structural integrity of the structure's framing due to prolonged exposure to the elements. The collapse has exacerbated the residence's exposure to the elements, subjecting more of the third floor framing and the second floor framing below to moisture and thermal related conditions. Furthermore, with the extent of our inspection limited by the newer drywall present on the interior of the residence, it is questionable how much of the original fire damage was repaired or the framing replaced. Based on the conditions visible in the third floor front wall of the left half of the residence, it should be noted that an additional collapse of the third floor framing is likely. The drywall throughout the third floor should be removed to expose the framing for further inspection. It is likely that the entire left half of the third floor and roof framing should be replaced as a means to properly support the roof of the structure and protect the remainder of the residence from exposure to the elements. Depending on the results of further inspection upon the removal of the third floor drywall, it may be necessary for repairs or replacement of the right half of the third floor framing and roof as well. Care should be taken to repair any water leaks or infiltration present to prevent further deterioration of the residence's structural framing.

2. It is not likely that the structural collapses of the second floor front and left walls could have occurred as a result of the fire. However, similarly to the third floor collapse, it is likely that the collapse resulted from a weakened structural integrity of the structure's framing due to prolonged exposure to the elements. The collapse of the left wall was not present at the time of our previous inspection in April 2010. Additionally, with the left collapsed wall having been a load bearing wall, and the third floor framing now being supported by posts that are bearing on water damaged second floor framing, a further significant

structural collapse is likely. Given the condition of the large cracking observed in the plaster finishing of the interior wall between the two left rooms, it is likely that deflections have occurred in the second floor floor framing. Furthermore the collapses, on both the front and left walls, have exacerbated the residence's exposure to the elements, subjecting more of the second floor framing and the first floor framing below to moisture and thermal related conditions. The exterior brick walls should be replaced or repaired as a means to properly support the third floor framing and roof framing of the structure and protect the remainder of the residence from exposure to the elements. It will be necessary to replace portions of the third floor and second floor floor framing due as a result of water damages that have occurred due to their exposure to the elements.

3. The rear wall was likely replaced as a result of the fire or deteriorating conditions due to prolonged exposure to the elements. It is questionable as to how the replaced section of the wall was secured to the previously existing solid brick walls. It will be necessary to perform additional repairs to the replaced portion of the wall to properly anchor the block to the surrounding brick exterior walls. The repairs should coincide with the repairs to the third floor framing to prevent any water infiltration and possible further deterioration of the residence's rear wall.

4. The cracking in the interior brick wall on the first floor of the residence, given its location near the rear wall of the residence, is likely a result of deterioration of the brick, water infiltration, and differential expansion and contraction between the masonry exposed to the elements and the masonry protected from the elements. As this is a structural (load bearing) wall, this wall should be replaced. The window lintels observed to be deteriorated and crushed should be replaced to properly support the brick wall loading above. As stated previously, water infiltration has occurred on the first floor level due to the collapsed portions of the second floor front and left walls and the third floor rear wall.

5. The residence's main stairway, located in the middle of the structure was observed to have been originally damaged by the fire. However, it was also in a deteriorated condition due to the prolonged exposure to the elements. The stairway framing should be repaired or replaced to provide a structurally sound access to the upper floors of the residence.

6. It should be noted that given the conditions of the structure and the personal property stored within the structure our structural inspection was limited. It is our recommendation that the damaged portions of the residence be further exposed in order to perform a more in depth review of the structural integrity of the residence.

In summary, as similarly stated in our April 2010 report, the north end of the Gavis residence has experienced significant deterioration and damage. The extent of the structure's deterioration has become greater than was previously observed in our April 2010 cursory inspection. Significant structural repairs to the floors, roof, and walls need to be completed to stabilize this portion of the residence. The structural repairs must occur as soon as possible to prevent a collapse of the roof and/or an overall collapse of the north end of the structure. Until those structural repairs are completed and approved by your office, we do

Winchester City/Gavis Res.  
May 13, 2013  
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not recommend that the original front section of the dwelling be occupied. All of the structural repairs or replacement should be in accordance with the recommendations provided by a licensed structural engineer.

If the Gavis's are to remain in the newer southeast addition to the dwelling, we would recommend that the roof and third floor wall framing, which has been covered with drywall on the south end of the original house, be completely examined to insure its overall structural stability. After the drywall is removed and the structural elements evaluated for damage, repairs should be performed as necessary to restore the overall structural integrity of the home. In addition, the roof and third floor walls on the south end need to be enclosed/waterproofed on the exterior to prevent further deterioration and damage due to exposure to the elements.

#### LIMITATIONS

This engineering letter report has been prepared by Ruckman Engineering, PLC for the exclusive use of the City of Winchester Building Department for specific application to the evaluation of the structural conditions present at the Gavis residence, 414 South Braddock Street, Winchester, Virginia 22601. The work on the project has been carried out in accordance with reasonable and acceptable engineering practices. No other warranty, either written or implied, is applicable to this project. The opinions and conclusions in this letter report are based solely on the information available at the time the letter report was prepared.

I hope the information provided meets your needs at this time. If I can be of any further assistance in this matter, please do not hesitate to call.

Sincerely,  
RUCKMAN ENGINEERING, PLC



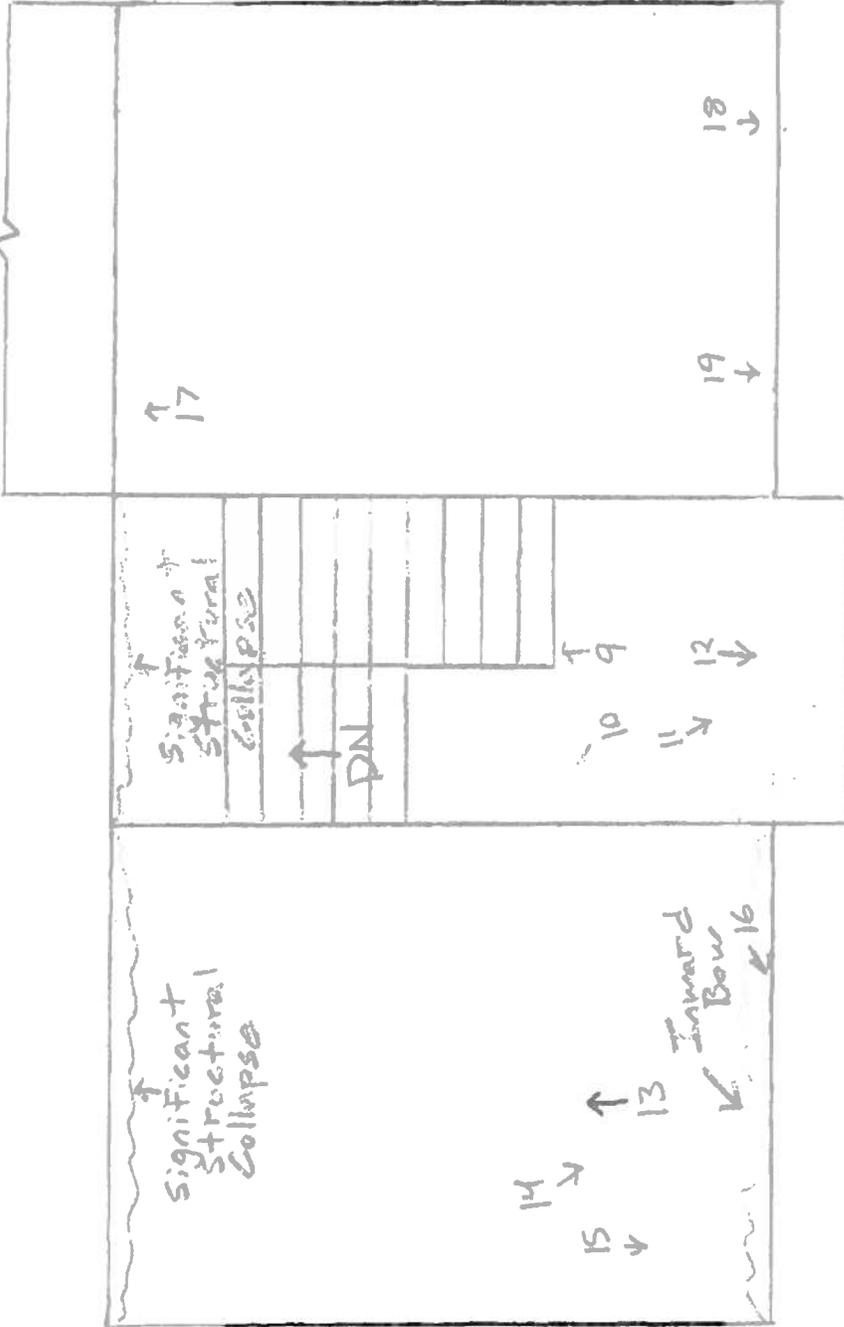
Richard A. Ruckman, P.E.



#### Enclosures:

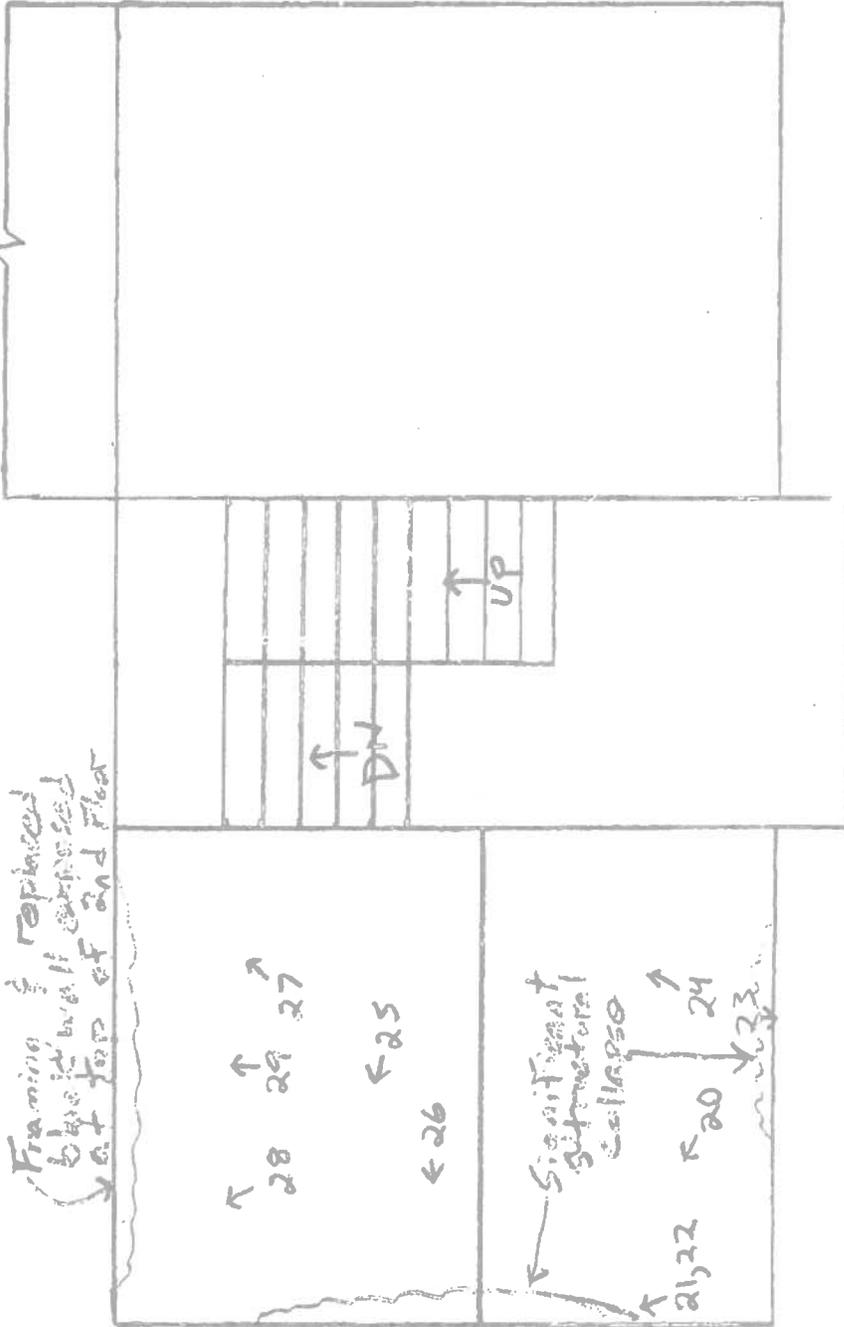
1. Photograph Location Plan – 3 sheets
2. 36 Photographs – 9 sheets
3. Key to Photographs – 3 sheets

W. Leicester St.



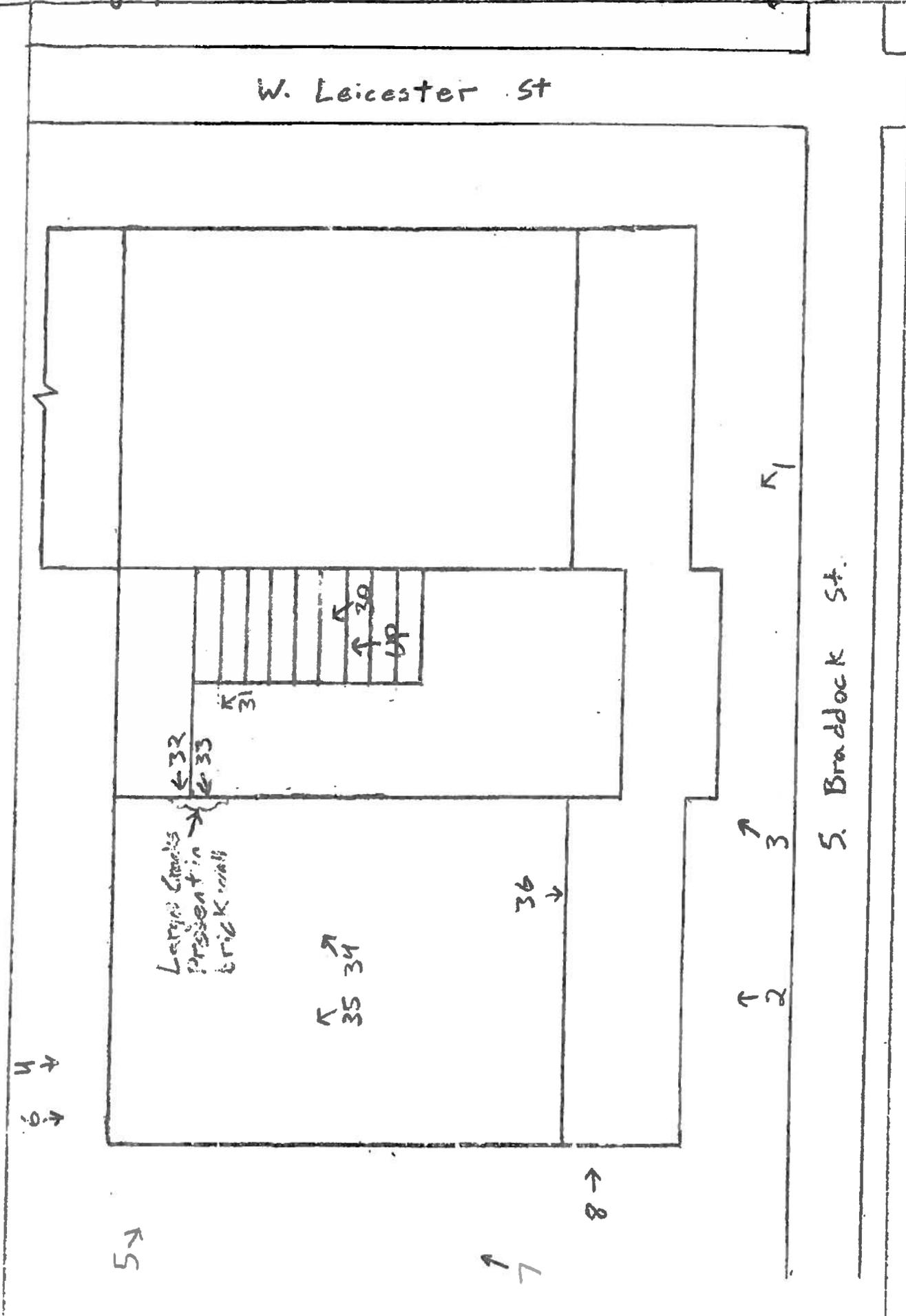
S. Braddock St.

W. Leicester St



5. Braddock St.

Photograph Location Plan - 1ST FLOOR EXTERIOR Pg 73



**Photographs**



1



2



3



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20



17



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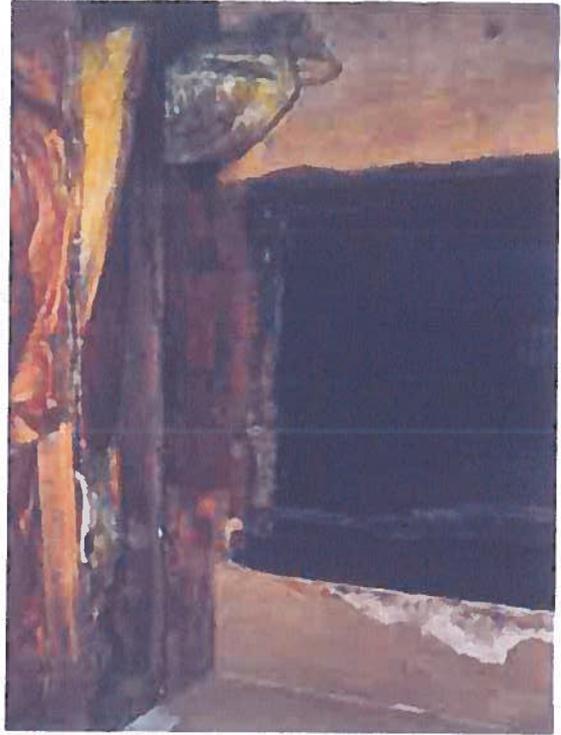
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## **Key to Photographs**

- 1) An overall view of the front right corner of the residence.**
- 2) An overall view of the front left corner of the residence. Note the collapse of the front wall is covered by tarps and plastic. This area has been exposed to the elements for a number of years and has significantly deteriorated.**
- 3) A close up of the exposed roof framing at the front middle portion of the roof.**
- 4) An overall view of the rear left corner of the residence. Note the significant damage to the third floor rear wall. This area has been exposed to the elements for a number of years and has significantly deteriorated.**
- 5) A close up of the left wall of the residence. Note the collapse of the left wall is covered by tarps and plastic. This area has been exposed to the elements for a number of years and has significantly deteriorated.**
- 6) A close up of the collapsed third floor rear wall.**
- 7) A close up of the left wall, crumbling and missing brick, collapsed section of the left wall covered by tarps and plastic.**
- 8) A close up of the front porch, with damp brick beneath the porch roof present.**
- 9) A view of the significantly damaged rear wall in the middle portion of the residence, with structural framing sagging to the left. Note the newer drywall installed.**
- 10) A view of water staining and leaks present in the middle portion of the residence on the third floor. Note the charred wall framing beneath the drywall with plastic present between the drywall and framing.**
- 11) A view of charred and fire damaged stud framing in the front middle portion of the residence on the third floor. Note the missing roofing in the third floor bump-out portion, which has been filled with plywood.**
- 12) A view of gaps in the exterior framing in the front middle portion of the residence on the third floor, exposing the framing to exterior.**
- 13) A view of the significantly damaged rear wall in the left portion of the residence. Note the exposed ceiling framing to the rear of the room is slightly sagging at its mid span.**
- 14) A view of significant inward bowing and lack of connections present in the front left wall of the residence's third floor framing. Note that charred and fire damaged material is present beneath the newer drywall.**

- 15) A view of significant inward bowing present in the front left wall of the residence's third floor framing.
- 16) A view of significant inward bowing present in the front left wall of the residence's third floor. Note the charred framing present in the front wall.
- 17) A close up of water leakage and staining to the window framing and the newer roof trusses of the rear right addition below the window.
- 18) A close up of a window in the third floor front right wall separating from framing, with a hole in the dormer roofing, with some charring present. Note that charring is present at other third floor windows on the right end of house as well.
- 19) A close up of a window in the third floor front right wall. Note the water staining and the hole in dormer roofing.
- 20) A view of the collapsed section of the second floor left wall. Tarps and plastic have been installed to help stop water infiltration. The third floor framing supported with 4 new wood posts, which are being supported by the second floor floor joists. Note that water is still entering the residence despite the tarps and plastic present.
- 21) A close up of the collapsed section of the second floor left wall. The tarps and plastic present are not preventing water infiltration
- 22) A close up of the third floor framing above the collapsed section of the second floor left wall. Note the third floor framing is saturated, discolored, and rotting, with some mold growth present.
- 23) A close up of the third floor framing above the collapsed section of the second floor front wall. Note that some mold growth is present.
- 24) A view of the large (1½" to 2" wide) crack present in second floor interior wall, up middle wall and along the ceiling to the left wall. Several smaller cracks also present in the plaster.
- 25) A view of the collapsed section of the second floor left wall. Note the deteriorated third floor framing. The third floor framing is supported with 5 wood posts, which are being supported by the second floor floor joists. Note that water is still entering the residence despite the tarps and plastic present.
- 26) A close up of the collapsed section of the second floor left wall. The bottoms of the 5 wood posts are bearing on the second floor floor joists. Note the deterioration of flooring from water saturation and the movements of the floor mounted radiator visible.
- 27) A close up of the second floor rear brick wall replaced with newer block wall on the left portion of the residence. Note that the newer block does not appear to be connected to the older brick walls.

- 28) A close up of the second floor rear brick wall replaced with newer block wall on the left portion of the residence. Note that the newer block does not appear to be connected to the older brick walls.
- 29) A close up of the top of the second floor rear brick wall replaced with newer block wall on the left portion of the residence. The block and adjacent floor framing are exposed to the exterior at the top of the wall, with significant water infiltration. The wood framing and block wall are significantly saturated and stained.
- 30) A view of the deteriorated and charred stairway framing. The stairway railing is fire damaged and unstable. Note that the stairway landings are deteriorated with holes present. The stairway framing overall is unstable.
- 31) A view of the deteriorated and charred stairway framing.
- 32) A close up of a large (1½" to 2" wide) crack present in the left interior brick wall.
- 33) A close up of large cracks present in the left interior brick wall.
- 34) A view of large cracks present in the left interior brick wall, corresponding to the cracks seen in the hallway
- 35) A view of the first floor rear brick wall replaced with newer block wall on the left portion of the residence. The block wall is saturated and stained with signs of some mold growth present in the older portion of the wall.
- 36) A close up of the shifting brick wall above a deteriorating first floor front wall window/lintel. Sounds of dripping water and water infiltration were evident at this location.

R-2013-31

**CITY OF WINCHESTER, VIRGINIA**

**PROPOSED CITY COUNCIL AGENDA ITEM**

**CITY COUNCIL/COMMITTEE MEETING OF:** June 25, 2013 **CUT OFF DATE:** June 18, 2013

**RESOLUTION** x **ORDINANCE**    **PUBLIC HEARING**   

**ITEM TITLE:** Schedule of Council Meetings and Work Sessions

**STAFF RECOMMENDATION:** Adoption to set the schedule for regular meetings and work sessions.

**PUBLIC NOTICE AND HEARING:** Not required

**ADVISORY BOARD RECOMMENDATION:** Not required

**FUNDING DATA:** Not required

**INSURANCE:** Not required

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The Director's initials for approval or disapproval address only the readiness of the issue for Council consideration. This does not address the Director's recommendation for approval or denial of the issue.

| <u>DEPARTMENT</u>   | <u>INITIALS FOR APPROVAL</u> | <u>INITIALS FOR DISAPPROVAL</u> | <u>DATE</u>      |
|---------------------|------------------------------|---------------------------------|------------------|
| 1. _____            | _____                        | _____                           | _____            |
| 2. _____            | _____                        | _____                           | _____            |
| 3. _____            | _____                        | _____                           | _____            |
| 4. _____            | _____                        | _____                           | _____            |
| 5. City Attorney    | <i>[Signature]</i>           | _____                           | <u>6/17/2013</u> |
| 6. City Manager     | <i>[Signature]</i>           | _____                           | <u>6-18-13</u>   |
| 7. Clerk of Council | _____                        | _____                           | _____            |

Initiating Department Director's Signature: *[Signature]* 6/14/13  
Date



**APPROVED AS TO FORM:**  
*[Signature]* 6/17/2013  
**CITY ATTORNEY**

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Kari Van Diest, Deputy City Clerk  
**Date:** June 14, 2013  
**Re:** Schedule of Council Meetings

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## **THE ISSUE:**

Is it the desire of Council to set a schedule for its regularly held meetings?

## **RELATIONSHIP TO STRATEGIC PLAN:**

Develop a high performing City organization

## **BACKGROUND:**

In the past, the City Council has adopted a resolution at the beginning of each fiscal year to set the meeting dates for the regular meetings according to City Code Section 2-24 and for the work sessions. This eliminates the need to advertise each meeting separately making a more efficient use of staff time.

## **BUDGET IMPACT:**

None

## **OPTIONS:**

1. Continue with the current practice of adopting the resolution at the beginning of each fiscal year.
2. Advertise each meeting separately as scheduled.

## **RECOMMENDATIONS:**

It is recommended the Council adopt the resolution setting the schedule for regular meetings and work sessions.



# THE COMMON COUNCIL

Rouss City Hall  
15 North Cameron Street  
Winchester, VA 22601  
540-667-1815  
TDD 540-722-0782  
www.winchesterva.gov

*I, Kari J. Van Diest, Deputy Clerk of the Common Council, hereby certify on this 9<sup>th</sup> day of July 2013 that the following Resolution is a true and exact copy of one and the same adopted by the Common Council of the City of Winchester, assembled in regular session on the 9<sup>th</sup> day of July 2013.*

## RESOLUTION

**WHEREAS**, the Common Council of the City of Winchester, Virginia, finds it desirable to establish a schedule of its Regular Meetings for the period beginning July 9, 2013, and concluding June 30, 2014; and

**WHEREAS**, Section 15.2-1416 of the Code of Virginia, 1950, as amended, allows the said Council to also establish a schedule of alternate dates for each of said Regular Meetings so that in the event the Mayor (or Vice-Mayor, in the absence of the Mayor) declares that weather or other conditions are such that it is hazardous for the members to attend a scheduled Regular Meeting, then all hearings and other matters shall be conducted at the continued meeting with no further advertisement required.

**NOW THEREFORE, BE IT RESOLVED** that all meetings hereinafter described shall be conducted in the Council Chambers at Rouss City Hall, 15 North Cameron Street, Winchester, Virginia, beginning at 7:00 P.M. for the Regular Meeting and 6:00 P.M. for the Work Sessions; and

**BE IT FURTHER RESOLVED** that the following schedule of Regular Meetings is, hereby, adopted with the alternate or continued date appearing in parenthesis beside the date for each Regular Meeting:

### Schedule of Regular Meetings

|                    |                     |
|--------------------|---------------------|
| July 9, 2013       | (August 6, 2013)    |
| August 13, 2013    | (September 3, 2013) |
| September 10, 2013 | (October 1, 2013)   |
| October 8, 2013    | (November 5, 2013)  |
| November 12, 2013  | (December 3, 2013)  |
| December 10, 2013  | (January 7, 2014)   |
| January 14, 2014   | (February 4, 2014)  |
| February 11, 2014  | (March 4, 2014)     |
| March 11, 2014     | (April 1, 2014)     |
| April 8, 2014      | (May 6, 2014)       |
| May 13, 2014       | (June 3, 2014)      |
| June 10, 2014      | (July 1, 2014)      |

## Schedule of Work Sessions

|                    |                     |
|--------------------|---------------------|
| July 16, 2013      | (August 6, 2013)    |
| July 23, 2013      | (August 6, 2013)    |
| August 20, 2013    | (September 3, 2013) |
| August 27, 2013    | (September 3, 2013) |
| September 17, 2013 | (October 1, 2013)   |
| October 1, 2013    | (October 1, 2013)   |
| October 15, 2013   | (November 5, 2013)  |
| October 22, 2013   | (November 5, 2013)  |
| November 19, 2013  | (December 3, 2013)  |
| November 26, 2013  | (December 3, 2013)  |
| December 17, 2013  | (January 7, 2014)   |
| January 7, 2014    | (January 7, 2014)   |
| January 21, 2014   | (February 4, 2014)  |
| January 28, 2014   | (February 4, 2014)  |
| February 18, 2014  | (March 4, 2014)     |
| February 25, 2014  | (March 4, 2014)     |
| March 18, 2014     | (April 1, 2014)     |
| March 25, 2014     | (April 1, 2014)     |
| April 15, 2014     | (May 6, 2014)       |
| April 22, 2014     | (May 6, 2014)       |
| May 20, 2014       | (June 3, 2014)      |
| May 27, 2014       | (June 3, 2014)      |
| June 17, 2014      | (July 1, 2014)      |
| June 24, 2014      | (July 1, 2014)      |

**BE IT FURTHER RESOLVED** that all advertisements for Public Hearings should reflect the alternate date.

**Resolution No. 2013-XX.**

**ADOPTED** by the Common Council of the City of Winchester on the 9<sup>th</sup> day of July 2013.

*Witness my hand and the seal of the City of Winchester, Virginia.*

*Kari J. Van Diest  
Deputy Clerk of the Common Council*

# CITY OF WINCHESTER, VIRGINIA

## PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: 06/11/2013 CUT OFF DATE: \_\_\_\_\_

RESOLUTION \_\_\_ ORDINANCE X PUBLIC HEARING \_\_\_

ITEM TITLE: Code Amendments to Real Estate Tax Relief for the Elderly and Disabled

STAFF RECOMMENDATION: Approve

PUBLIC NOTICE AND HEARING:

ADVISORY BOARD RECOMMENDATION:

FUNDING DATA:

INSURANCE:

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The Director's initials for approval or disapproval address only the readiness of the issue for Council consideration. This does not address the Director's recommendation for approval or denial of the issue.

| <u>DEPARTMENT</u>         | <u>INITIALS FOR APPROVAL</u> | <u>INITIALS FOR DISAPPROVAL</u> | <u>DATE</u> |
|---------------------------|------------------------------|---------------------------------|-------------|
| 1. Finance _____          | B                            |                                 | 5-16-13     |
| 2. Treasurer _____        | RMA                          |                                 |             |
| 3. _____                  |                              |                                 |             |
| 4. _____                  |                              |                                 |             |
| 5. City Attorney _____    | [Signature]                  |                                 | 6/10/2013   |
| 6. City Manager _____     | [Signature]                  |                                 | 5-16-13     |
| 7. Clerk of Council _____ |                              |                                 |             |

Initiating Department Director's Signature: [Signature] 05/16/13  
Date



APPROVED AS TO FORM:  
[Signature] 6/10/2013  
 CITY ATTORNEY

# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Ann T. Burkholder, Commissioner of the Revenue  
**Date:** May 16, 2013  
**Re:** Real Estate Tax Relief for the Low-Income Elderly and Disabled

**THE ISSUE:** Update Code of the City of Winchester pursuant to Code of Virginia and update program qualifying levels equivalent to those of comparable localities and reflective of our own community.

**RELATIONSHIP TO STRATEGIC PLAN:** This is a matter of fair and equitable distribution of the tax burden, which relates to Goal 2: Create a high-performing City organization.

**BACKGROUND:** The City of Winchester offers a program of real estate tax relief to elderly and handicapped homeowners who meet certain low income qualifications. This program is a local option which the City has consistently chosen to offer. Certain aspects of the program are specifically outlined in the Code of Virginia, but the legislature has adopted changes to provide localities with increasing flexibility in other aspects. The Code of Virginia also specifies an option for tax deferral rather than direct tax relief, but that option has not been explored in this study.

NOTE: This optional program is in no way related to the constitutional amendment and corresponding state and local code regarding real estate tax exemption for 100% permanently and totally disabled veterans. There are no proposed code changes regarding the disabled veteran exemption.

For 2013, the City has awarded full or partial exemption to almost 400 homeowners at a cost of approximately \$500,000.

2013 Averages for residential property in City:

Assessment: \$198,400

Real estate tax bill: \$1,885

2013 Averages for property receiving tax relief:

Assessment: \$142,200 (Range from \$35,600 to \$404,000)

Real estate tax bill: \$1,351 (if not receiving relief)

Current criteria for qualification:

- Net combined financial worth, excluding the primary dwelling, furnishings and land up to one acre, not to exceed \$200,000
- Annual income limits
  - \$0 - \$40,000 100% tax relief
  - \$40,001 - \$45,000 75% tax relief
  - \$45,001 - \$50,000 50% tax relief

Comparing the City of Winchester to similar regional cities:

| Locality     | Maximum Income | Maximum Assets (excluding dwelling) | Tax Relief Cap |
|--------------|----------------|-------------------------------------|----------------|
| Harrisonburg | \$30,000       | \$75,000                            | \$1,000        |
| Staunton     | \$30,000       | \$62,500                            | N/A            |
| Waynesboro   | \$27,500       | \$60,000                            | N/A            |
| Lexington    | \$30,000       | \$70,000                            | N/A            |
| Winchester   | \$50,000       | \$200,000                           | N/A            |

The “tax relief cap” refers to the maximum amount of tax relief given, regardless of qualifying level. This comparison does not include Frederick County because of the inherent differences between typical county and city properties and thus differences in qualifying criteria.

At current levels, the City provides real estate tax relief to homeowners who are well above the City’s median income and asset levels. Thus the program significantly exceeds the “low income” tax relief intended by state and local code.

**OPTIONS:** The real estate tax relief program is a local option under State Code. Options are to

- Eliminate the program altogether
- Continue the program at current levels but with City Code changes to remain consistent with the Code of Virginia
- Implement changes to both City Code and to qualifying levels. Options from the City management team include:

- Option 1, implement the Harrisonburg model
  - Net financial worth not to exceed \$75,000
  - Annual income limits

|          |   |          |                |
|----------|---|----------|----------------|
| \$0      | - | \$15,000 | 80% tax relief |
| \$15,001 | - | \$20,000 | 60% tax relief |
| \$20,001 | - | \$25,000 | 40% tax relief |
| \$25,001 | - | \$30,000 | 20% tax relief |

- Maximum relief (cap) \$1,000

- Option 2
  - Net financial worth not to exceed \$75,000
  - Annual income limits

|          |   |          |                 |
|----------|---|----------|-----------------|
| \$0      | - | \$15,000 | 100% tax relief |
| \$15,001 | - | \$20,000 | 80% tax relief  |
| \$20,001 | - | \$25,000 | 60% tax relief  |
| \$25,001 | - | \$30,000 | 40% tax relief  |

- Maximum relief (cap) \$1,500

- Option 3
  - Net financial worth not to exceed \$75,000
  - Annual income limits

|          |   |          |                 |
|----------|---|----------|-----------------|
| \$0      | - | \$30,000 | 100% tax relief |
| \$30,001 | - | \$35,000 | 75% tax relief  |
| \$35,001 | - | \$40,000 | 50% tax relief  |

- Maximum relief (cap) \$1,500

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**RECOMMENDATION:** The Commissioner of the Revenue recommends Council adopt the code changes as presented. The City management team recommends adoption of the code changes along with changes to the qualifying levels similar to the options presented. With updates to the program, the City can assist those elderly and disabled homeowners in our community most in need of real estate tax assistance while also remaining sensitive to the corresponding burden borne by the remaining taxpayers. This is precisely expressed in the City’s mission “to be a financially sound city providing top quality municipal services.”

### DIVISION 3. EXEMPTION FOR ELDERLY AND DISABLED.

#### SECTION 27-19. GENERAL PROVISIONS.

(a) The commissioner shall, upon application made upon the terms hereinafter provided, order exemption of tax on real property owned and occupied as the sole dwelling house of a person or persons either (i) at least sixty-five (65) years of age as of December 31st of the year preceding the year applied for; or (ii) permanently and totally disabled as defined in §58.1-3217 of the Code of Virginia, such exemption to be granted only upon the restrictions and conditions hereinafter established.

~~(b) Any owner receiving a permanent or temporary disability benefit may claim an exclusion for up to five thousand and 00/100 dollars (\$5000.00) for any permanent or temporary disability benefit, from whatever source, received by an owner. In addition, any owner who can prove to the satisfaction of the Commissioner by a preponderance of the evidence that he or she is permanently and totally disabled as defined under §58.1-3217 of the Code of Virginia may claim an exclusion of up to ten thousand and 00/100 dollars (\$10,000.00) of said owner's income. (Ord. No. 2007-30, 9-11-07; Ord. No. 2010-45, 11-9-10)~~

~~(c)~~

(b) Subject to subdivision (c) of this section, the total combined income received from all sources during the preceding calendar year by: (i) owners of the dwelling who use it as their principal residence and (ii) owners' relatives who live in the dwelling and (iii) nonrelatives of the owner who live in the dwelling except for bona fide tenants or bona fide paid caregivers of the owner, shall not exceed ~~Fifty Thousand Dollars (\$50,000.00)~~ *Recommendation of Council to be inserted here.. Six Thousand Five Hundred Dollars (\$6,500.00)* of income of each relative who is not the spouse of an owner living in the dwelling and who does not qualify for the exemption provided by subdivision (c) hereof, and ~~Six Thousand Five Hundred Dollars (\$6,500.00)~~ of income of each nonrelative who is not the bona fide tenant or bona fide paid caregiver of an owner living in the dwelling and who does not qualify for the exemption provided by subdivision (c) hereof, is excluded from the total combined income calculation. (Ord. No. 017-2004, 4-28-04; Ord. No. 2010-45, 11-9-10)

~~(d) Notwithstanding subdivision (b) of this section, if a person qualifies for an exemption or deferral under this article, and if the person can prove by clear and convincing evidence that after so qualifying the person's physical or mental health has deteriorated to the point that the only alternative to permanently residing in a hospital, nursing home, convalescent home or other facility for physical or mental care is to have a relative move in and provide care for the person, and if a relative does then move in for that purpose, then none of the relative's income shall be counted towards the income limit provided that the owner of the residence has not transferred to the relative assets in excess of Five Thousand Dollars (\$5,000.00) without adequate consideration within a three-year period prior to or after the relative moves into the residence. (Ord. No. 027-93, 10-12-93)~~

(e)(c) The net combined financial worth, including the present value of all equitable interests, as of December 31 of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling, furnishings, and the land, not exceeding one acre, upon which it is situated shall not exceed the following amounts effective on the stated dates:

|   |                |                         |
|---|----------------|-------------------------|
| Effective January 1, 2006                           | \$150,000      |                         |
| Effective January 1, 2007 <del>and thereafter</del> | \$200,000      |                         |
| <u>Effective January 1, 2014 and thereafter</u>     | <u>xxx,xxx</u> | <i>(Recommendation)</i> |

Such furnishings shall include furniture, household appliances and other items typically used in a home.

~~(d)~~ For purposes of this article, any reference to real estate shall include manufactured homes.

(Note: The effective date of this Ordinance shall be January 1, 2006)

(Ords. of 1-14-75, 4-13-76, 12-14-76; Ord. Nos. 017-80, 10-14-80; 011-82, 7-13-82; 004-84, 3-14-84; 003-88, 1-12-88; 018-91, 4-23-91; 044-91, 11-12-91; Ord. No. 017-92, 11-10-92; Ord. No. 046-2001, 12-11-01-effective 1-1-02; Ord. No. 017-2004, 4-28-04; Ord. No. 015-2005, 5-10-05; Ord. No. 2007-30, 9-11-07)

**State Law References**--Code of Virginia, §58.1-3210, §58.1-32111, §58.1-3212.

## **SECTION 27-20. ANNUAL APPLICATION AND AFFIDAVIT.**

- (a) The person claiming such exemption shall file annually with the commissioner on forms supplied by the City, an affidavit setting forth (i) the names of the related persons occupying such real estate and (ii) that the total combined net worth, including equitable interests and the combined income from all sources, of the persons specified in Section 27-19 do not exceed the limits prescribed in that section.
- (b) If such person is under sixty-five years of age such form shall have attached thereto a certification by the Social Security Administration, the Department of Veterans Affairs or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies, a sworn affidavit by two medical doctors who are either licensed to practice medicine in the Commonwealth or are military officers on active duty who practice medicine with the United States Armed Forces, to the effect that the person is permanently and totally disabled, as defined in Virginia Code §58.1-317; however, a certification pursuant to 42 U.S.C. 423 (d) by the Social Security Administration so long as the person remains eligible for such social security benefits shall be deemed to satisfy such definition in Virginia Code Ann. §58.1-3217. The affidavit of at least one of the doctors shall be based upon a physical examination of the person by such doctor. The affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability as defined in Code of Virginia, §58.1-3217.

(c) Such application with affidavit shall be filed no later than the first day of April of each year, except that the Commissioner may accept up until April 15, later filings from owners otherwise meeting the provisions of this section who are unable to file by the first day of April due to personal or family illness or other ascertainable hardships, provided that such real estate tax exemption affidavit is accompanied by a sworn affidavit of a licensed medical doctor or other documentation deemed satisfactory by the Commissioner. ~~The Commissioner may also accept later filings from owners and at the time of a purchase of a house. Any false statements made in connection with the filing of an application under this section shall constitute a misdemeanor, punishable by a fine not exceeding one hundred dollars (\$100.00).~~ (Ord. No. 044-88, 11-15-88; Ord. No. 044-91, 11-12-91; Ord. No. 017-92, 11-10-92; Ord. No. 2010-45, 11-9-10)

**State Law Reference--** Code of Virginia, §58.1-3213-F.

#### **SECTION 27-21. INQUIRIES BY THE COMMISSIONER.**

The Commissioner shall make further inquiry of persons seeking such exemption as may be reasonably necessary in determining the qualifications therefor. The Commissioner may require production of certified tax returns to establish the financial worth or income of any applicant. Such further inquiries shall be answered under oath. (Ord. No. 044-88, 11-15-88; Ord. No. 044-91, 11-12-91; Ord. No. 017-92, 11-10-92)

**State Law Reference--**Code of Virginia, §58.1-3213-F.

#### **SECTION 27-22. NOTICE OF LOCAL REAL ESTATE TAX EXEMPTION OR DEFERRAL PROGRAM FOR THE ELDERLY AND DISABLED.**

The Treasurer shall enclose written notice, in each real estate tax bill, of the terms and conditions of the real estate tax exemption program established in this article. The Treasurer shall also employ any other reasonable means necessary to notify residents of the City about the terms and conditions of the real estate tax exemption program for elderly and disabled residents of the City. (Ord. No. 017-92, 11-10-92)

**State Law Reference--** Code of Virginia, §58.1-3213.1.

#### **SECTION 27-23. AMOUNT OF EXEMPTION.**

For eligible claimants, the amount of exemption from real estate tax for any taxable year shall be as follows:

|                     |      |
|---------------------|------|
| \$ 0 - \$25,000     | 100% |
| \$25,001 - \$30,000 | 80%  |
| \$30,001 - \$35,000 | 60%  |
| \$35,001 - \$40,000 | 40%  |
| \$40,001 - \$50,000 | 20%  |

Beginning January 1, 2007, and thereafter, the following shall apply:

| <u>Income Level</u> | <u>Exemption</u> |
|---------------------|------------------|
| \$ 0 - \$30,000     | 100%             |
| \$30,001 - \$35,000 | 75%              |
| \$35,001 - \$40,000 | 50%              |
| \$40,001 - \$50,000 | 25%              |

Proposed eEffective January 2008

| <u>Income Level</u> | <u>Exemption</u> |
|---------------------|------------------|
| \$ 0 - \$35,000     | 100%             |
| \$35,001 - \$40,000 | 75%              |
| \$40,001 - \$45,000 | 50%              |
| \$45,001 - \$50,000 | 25%              |

Proposed eEffective January 2009

| <u>Income Level</u> | <u>Exemption</u> |
|---------------------|------------------|
| \$ 0 - \$40,000     | 100%             |
| \$40,001 - \$45,000 | 75%              |
| \$45,001 - \$50,000 | 50%              |

Effective January 2014 and thereafter

Recommendation by Common Council to be inserted here

**(Note: The effective date of this Ordinance shall be January 1, 2008)**

(Ords. of 1-14-75, 4-13-76, 12-14-76; Ord. No. 018-80, 10-14-80; Ord. No. 011-82, 7-13-82; Ord. No. 004-84, 3-14-84; Ord. No. 003-88, 12-12-88; Ord. No. 018-91, 4-23-91; Ord. No. 044-91, 11-12-91; Ord. No. 017-92, 11-10-92; Ord. No. 046-2001, 12-11-01-effective 1-1-02; Ord. No. 017-2004, 4-28-04; Ord. No. 015-2005, 5-10-05; Ord. No. 2007-20, 6-26-07)

**State Law Reference--** Code of Virginia, §58.1-~~3210~~3212.

**SECTION 27-24. EXEMPTION CERTIFICATE, WARRANT OR DRAFT.**

~~An exemption certificate, warrant or draft shall be in the amount of the exemption and mailed with the real property tax bill. The tax bill shall be in the full amount of the taxes before any exemption. The certificate, warrant or draft shall expire at 5:00 P.M. on the last day to pay such taxes without penalty. (Ord. No. 044-88, 11-15-88; Ord. No. 044-91, 11-12-91; Ord. No. 017-92, 11-10-92)~~

#### **SECTION 27-25. PROCEDURES.**

The Commissioner shall indicate on the land books of the City of Winchester the amount of tax exempted pursuant to the provisions of this article. He shall adopt and promulgate rules and regulations not inconsistent with the provisions of this article, as deemed necessary for the effective administration of this article. (Ord. No. 044-88, 11-15-88; Ord. No. 004-91, 11-12-91; Ord. No. 017-92, 11-10-92)

#### **SECTION 27-26. ABSENCE FROM RESIDENCE.**

The fact that persons who are otherwise qualified for tax exemption by this article are residing in hospitals, nursing homes, convalescent homes or other facilities for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which tax exemption is sought does not continue to be the sole dwelling of such persons during such extended periods of other residence so long as such real estate is not used by or leased to others for consideration. (Ord. No. 017-92, 11-10-92)

**State Law Reference--** Code of Virginia, §58.1-3214.

#### **SECTION 27-27. CHANGE IN CIRCUMSTANCES.**

- (a) Changes in income, financial worth, ownership of property or other factors occurring during the taxable year for which an affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided herein shall nullify any exemption for the remainder of the current taxable year and the taxable year immediately following.
- (b) A change in ownership to a spouse, when such change resulted solely from the death of the qualifying individual, or a sale of such property shall result in a prorated exemption for the then current taxable year. The proceeds of the sale which would result in the prorated exemption shall not be included in the computation of net worth or income as provided in subsection (a). Such prorated portion shall be determined by multiplying the amount of the exemption or deferral by a fraction with the number of complete months of the year such property was properly eligible for such exemption or deferral as the numerator and the number twelve as the denominator. (Ord. No. 017-92, 11-10-92)

**State Law Reference--** Code of Virginia, §58.1-3215.

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL/COMMITTEE MEETING OF: June 18, 2013 CUT OFF DATE: \_\_\_\_\_

RESOLUTION \_\_\_ ORDINANCE X PUBLIC HEARING X

ITEM TITLE: Delivery Vehicles on the Walking Mall

STAFF RECOMMENDATION: Change Section 26-33 (a) 1. Special Provisions Relating to Loudoun Street Mall to further prohibit Vehicle Traffic on the Walking Mall

PUBLIC NOTICE AND HEARING: Second Reading: July 9, 2013 Hearing: August 1, 2013

ADVISORY BOARD RECOMMENDATION: OTDB recommends: – Continue to restrict deliveries on the mall other than special permits issued by the Downtown Manager. The Committee also recommends strict enforcement of existing loading zones and exploring additional loading zone options and recommends amending the existing ordinance to permanently restrict delivery vehicles.

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The Director's initials for approval or disapproval address only the readiness of the issue for Council consideration. This does not address the Director's recommendation for approval or denial of the issue.

| <u>DEPARTMENT</u>             | <u>INITIALS FOR APPROVAL</u> | <u>INITIALS FOR DISAPPROVAL</u> | <u>DATE</u>      |
|-------------------------------|------------------------------|---------------------------------|------------------|
| 1. <u>Old Town Winchester</u> | <u>JEB</u>                   | _____                           | <u>6/11/13</u>   |
| 2. _____                      | _____                        | _____                           | _____            |
| 3. _____                      | _____                        | _____                           | _____            |
| 4. _____                      | _____                        | _____                           | _____            |
| 5. City Attorney              | <u>[Signature]</u>           | _____                           | <u>6/11/2013</u> |
| 6. City Manager               | <u>[Signature]</u>           | _____                           | <u>6-11-13</u>   |
| 7. Clerk of Council           | _____                        | _____                           | _____            |

Initiating Department Director's Signature: [Signature] Date 6/11/13

APPROVED AS TO FORM:



[Signature] 6/11/2013  
CITY ATTORNEY



# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Old Town Winchester  
**Date:** June 19, 2013  
**Re:** Follow up from June 18 Discussion of Delivery Vehicles on the Walking Mall City Code Article III, Division 1, Section 26-33 (a) 1.

## **THE ISSUE:**

City Code Article III, Division 1, Section 26-33 (a) 1. Special Provisions Relating to Loudoun Street Mall - allowing motor vehicles with a gross weight of less than 24,000 pounds during the hours of 6 a.m. – 11 a.m. and 4:00 p.m. – 6:00 p.m. for commercial pickup, commercial delivery, and utility or maintenance services.

## **ADDITIONAL INFORMATION:**

Loading Zone Proximity – see attachment for distances for delivery to buildings from loading zones, see also number of loading zones and proximity to mall

Image attached – sign from pedestrian mall in Cape May, NJ – sample of type of sign which could be used at the entrance way of the Loudoun mall.

See attachment for additional information addressing Council questions.

## **POSSIBLE OPTIONS:**

- I. The ordinance could remain as is resulting in expensive maintenance due to increased wear and tear on the mall and ongoing safety concerns with emergency vehicles (the fire department responded to 220 calls on the mall in the last 2.5 years) and concerns with pedestrian safety, continuing to allow delivery noise and pollution in a prime outdoor dining time (4 – 6 p.m.). This option would be the most convenient for businesses and delivery staff. Ordinance would remain:

*1. Motor vehicles, other than tractor-trailers, having a gross weight of less than twenty-four thousand (24,000) pounds and using the Mall between the hours of 6:00 A.M. and 11:00 A.M. and 4:00 P.M. and 6:00 P.M. of any day for commercial pickup, commercial delivery, and utility or maintenance services.*

- II. The ordinance could be changed to completely ban commercial vehicles regular pickup and delivery increasing the safety of the mall, creating less convenience for commercial deliveries and a few downtown businesses, limiting wear and tear on mall surface and features and increasing enjoyment of pedestrians. This still allows regular utility, maintenance, funerals, weddings, and attendees to church service to use the mall under guidance from the police department or designee. – **option recommended by OTDB, Police Department, Fire Department and Public Works.**

~~1. Motor vehicles, other than tractor-trailers, having a gross weight of less than twenty-four thousand (24,000) pounds and using the Mall between the hours of 6:00 A.M. and 11:00 A.M. and 4:00 P.M. and 6:00 P.M. of any day for commercial pickup, commercial delivery, and utility or maintenance services.~~

- III. Hours could be restricted to just morning hour delivery and pick up – which addresses the issue of greatest impact to pedestrian safety and reduces the noise and air pollution during the busiest time of day but does not address the overall safety, wear on the mall and quality of life issues.

~~1. Motor vehicles, other than tractor-trailers, having a gross weight of less than twenty-four thousand (24,000) pounds and using the Mall between the hours of 6:00 A.M. and 11:00 A.M. and 4:00 P.M. and 6:00 P.M. of any day for commercial pickup, commercial delivery, and utility or maintenance services.~~

- IV. The delivery hours could be limited further to 6 a.m. – 10 a.m. ensuring vehicles are removed by the busier lunch time which can start as early as 11 a.m.

~~1. Motor vehicles, other than tractor-trailers, having a gross weight of less than twenty-four thousand (24,000) pounds and using the Mall between the hours of 6:00 A.M. and 11:00-10:00 A.M. and 4:00 P.M. and 6:00 P.M. of any day for commercial pickup, commercial delivery, and utility or maintenance services.~~

- V. The delivery hours for commercial pickup and delivery could be eliminated but the utility and maintenance services for downtown businesses could be permitted during 6 a.m. – 11:00 a.m. This would eliminate the volume of routine deliveries from hurried delivery companies reducing the safety risks but allow business and property owners to conduct simple utility and maintenance services during the 6 – 11 a.m. time frame without needing to request special permission from the police or designee. **This position allows the greatest flexibility for downtown businesses while increasing safety.**

~~1. Motor vehicles, other than tractor-trailers, having a gross weight of less than twenty-four thousand (24,000) pounds and using the Mall between the hours of 6:00 A.M. and 11:00 A.M. and 4:00 P.M. and 6:00 P.M. of any day for commercial pickup, commercial delivery, and utility or maintenance services.~~

**Businesses consulted or which have commented to date:**

|                                   |   |
|-----------------------------------|---|
| Snow White Grill                  | Door Mouse  |
| Swirl's Grill                     | Old Town Stained Glass  |
| 147 Restaurant                    | 161 N Loudoun Bldg. Owner   |
| Dollar General                    | Senzel Signs  |
| Abija Blue                        | The Polka Dot Pot   |
| The Potomac Bead Company          | Discovery Museum  |
| Thai Winchester                   | The Hair Company  |
| Incredible Flying Objects         | Beyond the Fringe   |
| Once Upon a Find                  | Godfrey Miller Home   |
| Brewbaker's Restaurant            | Runner Retreat  |
| Espresso Bar & Cafe               | First Presbyterian Church   |
| Village Square                    | Sanaa   |
| Village Market & Bistro           | Patton's Furniture  |
| Eugene B. Smith                   | Old Warsaw Gallery  |
| Main Street Fare Consignment Shop | Swirl's Grill   |
| Wilkins' Shoe Center              | Make Nest   |
| Old Town General Store            | Richard's Jeweler   |
| Posh Pets Boutique                | James Riley   |
| Bell's                            | Studio 125  |
| Union Jack Pub                    | RBC Wealth Management   |
| Impact Church                     | AATR Video  |
| Bright Center                     | Blind Faith Enterprises   |
| Wire and Web                      | Patsy Pastry Pizzas   |
| Murphy Beverage Company           | US Post Office  |
| Winchester Book Gallery           | Violino Ristorante Italiano   |
| OTWBA President                   | Virginia National Bank  |
| Luciole                           | Old Town Silversmiths   |
| Dharma Studio                     | The Floor Shop  |
| Realiteaze Hair Design            | Awabi Sushi bar   |
| Handworks Gallery                 | Scarpa Alta   |
| Harrison & Johnston               | Red Fox Creamery & Country Store  |
| Old Towne Armory & Heirlooms      |   |
| Full Frame Photography            | VRSI, Black Rose, Second Skin, Giovanni's –<br>contacted but no response received |
| Tech Team Solutions               |   |
| Certified Mediator                |   |

**Current Hours of Operation:**

Public Restroom:

Mon – Thursday 8:00 am – 9:00 pm

Fri & Sat 8:00 am – 11:00 pm

Sun 10:00 am – 9:00 pm

Splash Pad:

Sun – Thursday 8:00 am – 10:00 pm

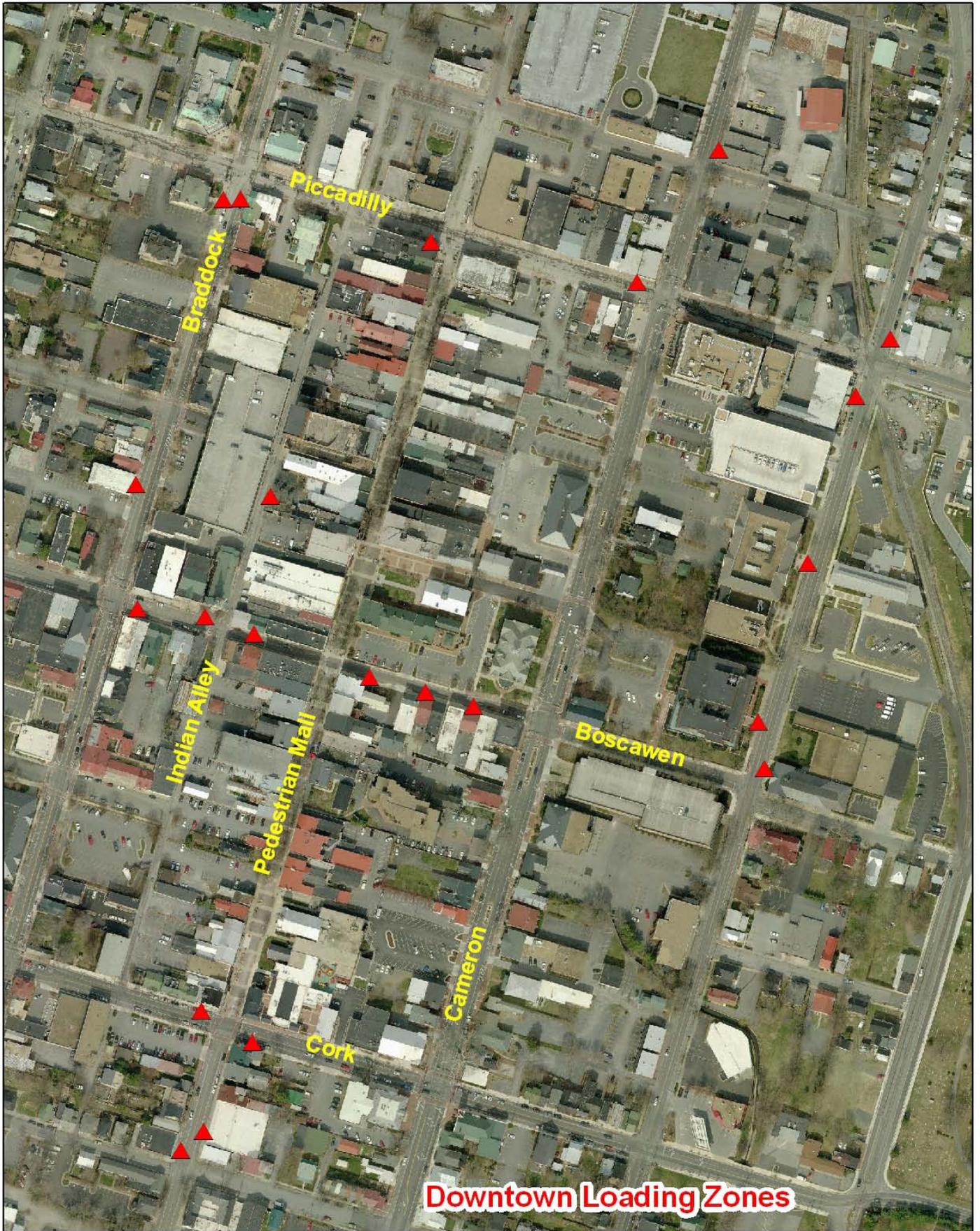
Fri & Sat 8:00 am – 12:00 pm

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Sample sign design used in Cape May, NJ on entrance to the Walking Mall. Bollard is centrally located in the middle of the walkway.







# CITY COUNCIL ACTION MEMO

**To:** Honorable Mayor and Members of City Council  
**From:** Old Town Winchester  
**Date:** June 11, 2013  
**Re:** Section 26-33 (a) 1. Special Provisions Relating to Loudoun Street Mall

## **THE ISSUE:**

City Code Article III, Division 1, Section 26-33 (a) 1. Special Provisions Relating to Loudoun Street Mall - allowing motor vehicles with a gross weight of less than 24,000 pounds during the hours of 6 a.m. – 11 a.m. and 4:00 p.m. – 6:00 p.m. for commercial pickup, commercial delivery, and utility or maintenance services.

## **RELATIONSHIP TO STRATEGIC PLAN:**

Goal 3 – Continue Revitalization of Historic Old Town  
Goal 4 – Create a More Liveable City for All

The recommended code change would prohibit commercial delivery on the Loudoun Walking Mall reducing the number of vehicles on the newly renovated mall, making it safer for pedestrians, allowing greater access for emergency vehicles, reducing noise and vehicle pollution, and contribute to the overall enjoyment of the Walking Mall for residents and patrons.

## **BACKGROUND:**

**During the Loudoun Walking Mall revitalization project delivery vehicles have been prohibited from the Walking Mall.**

**Whereas the OTDB passed the following Recommendation June 6, 2013 – *Continue to restrict deliveries on the mall other than special permits issued by the Downtown Manager. The Committee also recommends strict enforcement of existing loading zones and exploring additional loading zone options and recommends amending the existing ordinance to permanently restrict delivery vehicles.***

City Code Article III, Division 1, Section 26-33 (a) Special Provisions Relating to Loudoun Street Mall stipulates that: (a) The Loudoun Street Mall shall extend one-way south, between Piccadilly Street and Boscawen Street and Boscawen Street and Cork Street, and it shall be unlawful for any person to operate, drive, ride, push, or park any vehicle thereon. The operation and use of bicycles, skateboards, scooters, and roller skates, to include in-line skates, is prohibited. This subsection shall not apply to:

*1. Motor vehicles, other than tractor-trailers, having a gross weight of less than twenty-four thousand (24,000) pounds and using the Mall between the hours of 6:00 A.M. and 11:00 A.M. and 4:00 P.M. and 6:00 P.M. of any day for commercial pickup, commercial delivery, and utility or maintenance services.*

**Research:** In researching this issue OTW attempted to get feedback from every business owner on the Walking Mall, comments from over 40 businesses were recorded.

- A majority of comments were favorable to further restricting vehicle access on the mall.
- Some were against making a change but did not indicate any direct hardship to them as a business.
- Some businesses were unaware that vehicular access can be permitted through the OTW for purposes which include: weddings, funerals, residence relocation, and general business maintenance and repairs. This seemed to address most business owner concerns.
- Several businesses cited specific hardship – Snow White Grill due to the regular delivery of meat and Co2 tanks by the owner and Old Town Stained Glass due the difficulty of moving glass pieces on a hand truck. The Impact Church was concerned over losing the ability to drop off elderly church attendees on Sundays.

In addition to business owners, the Winchester Police Department, Winchester Fire Department, the Parking Authority and Public Works Departments were consulted. Several memos are attached.

Chief Sanzenbacher supports prohibiting vehicular deliveries due to pedestrian safety and concerns over police and fire emergency access. He cited new mall design features which have changed the way pedestrians utilize the mall and increased the possibility for injury. (See the attached memo)

Perry Eisenach, Public Services Director fully supports prohibiting regular vehicular deliveries on the Mall to increase pedestrian safety, and reduce wear and tear on the mall which will greatly increase the life of the bricks. (current replacement costs for the bricks is \$400,000)

Jeremy Luttrell, Fire Marshall stated that from an emergency response perspective the fire and rescue department would support any decision that would be made to eliminate vehicular traffic on the downtown mall area. Eliminating any potential for congestion and apparatus accidents would be positives for emergency operations. Since January of 2010, the fire and rescue department has run 220 emergency incidents on the Old Town Mall between Cork and Piccadilly Streets at all hours of the day. Emergency apparatus must be able to gain quick access to the mall businesses in the event of an emergency and in the safest manner possible.

The Parking Authority listed 20 loading zone locations just outside the Walking Mall area. They reported giving approximately 30 tickets for improper loading zone use similar to the number the Police Department cited for 2013 bringing the total of tickets for improper loading zone use to over 60.

#### **BUDGET IMPACT:**

There is no budget impact anticipated at this time except perhaps an increased number of loading zone violation tickets that might occur as a result of stricter enforcement of existing loading zones which could bring in additional revenue.

#### **OPTIONS:**

1. The city could leave things as they are resulting in expensive maintenance due to increased wear and tear on the mall and ongoing safety concerns with emergency vehicles and pedestrians however this would be more convenient for businesses and delivery staff.

2. The city could restrict the hours to just morning hours – which addresses the issue of greatest impact to pedestrian safety and reduces the noise and air pollution during the busiest time of day but does not address the overall safety, wear on the mall and quality of life issues.
3. The city could restrict all delivery vehicles while allowing utility or maintenance service during morning hours reducing the number of emergency repairs which would technically require a special permit. This would address most issues but be challenging to enforce.

The city could restrict all commercial pickup, commercial delivery, and utility or maintenance services leading to less vehicle traffic on the mall, fewer instances of restriction in the fire lane, increased pedestrian safety, reduced noise and air pollution and less general maintenance on the mall surface and the improvement of the overall experience on the Walking Mall for patrons and residents. This would be less convenient for businesses and delivery staff.

Old Town Winchester recommends that Council **AMEND AND RE-ENACT** City Code Article III, Division 1, Section 26-33 (a) 1. Special Provisions Relating to Loudoun Street Mall to strike the following language in its entirety:

1. ~~Motor vehicles, other than tractor-trailers, having a gross weight of less than twenty-four thousand (24,000) pounds and using the Mall between the hours of 6:00 A.M. and 11:00 A.M. and 4:00 P.M. and 6:00 P.M. of any day for commercial pickup, commercial delivery, and utility or maintenance services.~~

### **RECOMMENDATIONS:**

Should this action be taken it is recommended that further research go into the adequacy of loading zones and the possible need to further regulate Loading Zones to ensure appropriate turnover of delivery vehicles and ensure only delivery vehicles are truly using the zones. Explore need to add additional delivery zones or perhaps post them with limited times allowing parking after early morning delivery hours.

**An ordinance to amend and re-enact Section 26-33 of the Winchester City Code  
Pertaining to Special Provisions Relating to Loudoun Street Mall**

**Whereas**, the Chief of Police has indicated concerns with pedestrian safety and emergency vehicle access on the Loudoun Street Walking Mall.

**Whereas**, the Fire Chief and Fire Marshall have indicated public safety concerns with emergency response on the Loudoun Street Walking Mall.

**Whereas**, the Public Works Director indicates that vehicular deliveries increase wear and tear and maintenance of the Loudoun Street Walking Mall.

**Whereas**, the Parking Authority has identified alternative locations for vehicular delivery parking in close proximity to the Loudoun Street Walking Mall.

**Whereas**, the Common Council of the City of Winchester, Virginia, has determined that Continued Revitalization of Historic Old Town and Creating a More Liveable City for All are Strategic Plan Goals the ordinance should be amended to further restrict delivery vehicles on the Walking Mall.

Now, therefore, be it ordained that Section 26-33 of the Winchester City Code is hereby amended and re-enacted to read as follows:

City Code Article III, Division 1, Section 26-33 (a) Special Provisions Relating to Loudoun Street Mall stipulates that:

(a) The Loudoun Street Mall shall extend one-way south, between Piccadilly Street and Boscawen Street and Boscawen Street and Cork Street, and it shall be unlawful for any person to operate, drive, ride, push, or park any vehicle thereon. The operation and use of bicycles, skateboards, scooters, and roller skates, to include in-line skates, is prohibited. This subsection shall not apply to:

1. ~~Motor vehicles, other than tractor trailers, having a gross weight of less than twenty-four thousand (24,000) pounds and using the Mall between the hours of 6:00 A.M. and 11:00 A.M. and 4:00 P.M. and 6:00 P.M. of any day for commercial pickup, commercial delivery, and utility or maintenance services.~~
2. Passenger vehicles crossing the mall in a westerly direction between the alley on the north side of the Presbyterian Church and Winchester Parking Authority Lot No. 8 for the purpose of discharging and receiving passengers from the Presbyterian Church pre-school.

(b) The chief of police or his designee may issue a special use permit for vehicles using the Loudoun Street Mall for funerals, Sunday morning church services, weddings, other special events, construction, city maintenance and repair work.

(c) No vehicles permitted to use the Loudoun Street Mall shall be driven or operated at a speed in excess of ten (10) miles per hour, and all such vehicles shall be driven or operated one-way south, except as provided in (a)(2), above.

(d) A violation of this section through the use of a motor vehicle shall constitute a Class 4 misdemeanor. A violation of this section through the use of a bicycle, a skateboard, a scooter, or roller skates (to include in-line skates) shall be punishable as a civil penalty in an amount not to exceed \$50.

(Ord. No. 2011-09, 5-10-11)

**Current Loading Zones near the Walking Mall  
Survey completed by the Parking Authority Staff**

Within the downtown area there are 20 loading zones:

2 North Kent St. - Winchester Star

5 North Kent St. – Judicial Center

107 North Kent St. – Frederick County Office  
North Kent St. – Piccadilly Brew Pub

302 North Cameron St. – (Old Valley Lumber)

32, 38, 40 East Piccadilly St. – Piccadilly Printing

7 West Piccadilly St. – (across from Wells Fargo)

136 North Braddock St. – Tropical Island Café

135 North Braddock St. – Kimberly's

21 North Braddock St. - Snelling Florist

45-47 West Boscawen St. – Winchester Exchange

26 West Boscawen St. – Grace Lutheran Church

14 West Boscawen St. – Hope Again Care Center

9 East Boscawen St. – Hall, Monahan, Engle, Mahan & Mitchell Attorneys at Law

15, 17, 19 East Boscawen St. – Rhythm Studio & Dance Wear

33 East Boscawen St. – (Old Winchester Social Services)

2 East Cork St. – (Across from 2 East Cork at White House Country Store)

4, 8 West Cork St. – Luciole, Cork Street Tavern

224 South Loudoun St. – Wisecarver Communications

229 South Loudoun St. – Italian Touch

Indian Alley - (just off the alley behind Union Jack)



Rouss City Hall  
15 North Cameron Street  
Winchester, VA 22601

Telephone: (540) 667-1815  
FAX: (540) 662-3351  
TDD: (540) 722-0782  
Website: [www.winchesterva.gov](http://www.winchesterva.gov)

## MEMORANDUM

**TO:** Dale Iman, City Manager  
Jennifer Bell, Downtown Manager

**FROM:** Perry Eisenach, Public Services Director

**DATE:** June 7, 2013

**SUBJECT:** Consideration of Restricting Delivery Vehicles on Pedestrian Mall

As requested, this memorandum provides input regarding the consideration that is being given to restrict routine delivery vehicles on the Pedestrian Mall. In short, the Public Services Department fully supports restricting regular vehicular traffic on the Mall for the following reasons:

1. While the Mall reconstruction is capable of handling vehicle loads from a structural perspective, the more vehicular traffic that is present, the more deterioration there is on the surface of the bricks (small cracks and chips). Restricting regular vehicular traffic will significantly extend the life of the bricks and also prolong the time in which they will need to be replaced in the future. The estimated cost to replace all the bricks in the center of the Mall, based on current costs, would be approximately \$400,000.
2. Restricting regular vehicular traffic will reduce the amount of oil (or other fluid) spills and will help preserve the visual appearance of the Mall.
3. One of City Council's primary goals is to increase the amount of pedestrian activity on the Mall. Restricting regular vehicular traffic will greatly increase pedestrian safety.

In recognition of these factors and in an effort to be proactive, the Public Services Department has already modified the standard operating procedure for collecting trash and recycling on the Mall. We have eliminated driving trucks down the Mall and now all collection is completed by our employees on foot. We have found that this new procedure works very well.

Thank you for the opportunity to provide input on this issue. Please let me know if you have any questions or need any additional information.

*"To be a financially sound City providing top quality municipal services while focusing on the customer and engaging our community."*



---

**A Virginia Accredited Law Enforcement Agency**

Timbrook Public Safety Center  
231 East Piccadilly Street  
Winchester, VA 22601

Telephone: (540) 662-4131  
FAX: (540) 542-1314  
Website: [www.winchesterva.gov](http://www.winchesterva.gov)

**TO:** Jennifer Bell  
**FROM:** Chief Kevin L. Sanzenbacher  
**DATE:** June 10, 2013  
**SUBJECT:** Vehicle restrictions DTM

I believe from a public safety point of view it would be best to continue the current restrictions of no vehicles on the Loudon St. portion of the DTM for the following reasons:

1. Pedestrians, especially children, are not expecting to encounter vehicles on the mall. They rush out of stores and do not look for traffic as they would on traveled roadways. This is why several years ago, at the request of City Council, we restricted the operation of our police vehicles to emergency situations and late night only.
2. The new landscaping has really narrowed the drivable area on the mall in a number of locations. I am concerned that drivers, especially drivers of the large panel type delivery trucks, may not realize there is someone sitting on the planter/bench next to their vehicle and pull away. This could result in significant injuries. In addition, it is much more difficult for vehicles to pass pedestrians at these points in a safe manner.
3. The new splash pad area has created a "playground" quality to that portion of the DTM. Children are darting in and out of the splash pad without thinking to look for any kind of traffic.
4. With the narrower streets it will be impossible for police cars or fire apparatus to get through if delivery vehicles are parked in the areas of the planter/benches. This could delay emergency response.

It is for these reasons that the WPD supports making the current vehicle restrictions on the DTM permanent.

The following are the stats for the issuance of Loading Zone citations for the last 3 years in the area of the DTM:

2010- 43

2011- 60

2012-33

2013 to-date 15



**Businesses consulted or which have commented to date:**

- |                              |                           |
|------------------------------|---------------------------|
| Snow White Grill             | Luciole                   |
| Swirl's Grill                | Dharma Studio             |
| 147 Restaurant               | Realiteaze Hair Design    |
| Dollar General               | Handworks Gallery         |
| Abija Blue                   | Old Towne Armory          |
| Beadworks                    | Harrison & Johnston       |
| Thai Winchester              | Full Frame Photography    |
| Incredible Flying Objects    | Tech Team Solutions       |
| Once Upon a Find             | Certified Mediator        |
| Brewbaker's                  | Door Mouse                |
| Espresso Bar                 | Old Stained Glass         |
| Village Square               | 161 N Loudoun Bldg. Owner |
| Village Bistro               | Sensel Signs              |
| Eugene B. Smith              | Polka Dot Pot             |
| Main Street Fare Consignment | Discovery Museum          |
| Wilkins' Shoe Center         | The Hair Company          |
| Old Town General Store       | Beyond the Fringe         |
| Posh Pets                    | Godfrey Miller Home       |
| Bell's                       | Runner Retreat            |
| Union Jack                   | First Presbyterian Church |
| Impact Church                | Sanaa                     |
| Bright Center                | Patton's Furniture        |
| Wire and Web                 | Old Warsaw Gallery        |
| Murphy's                     |                           |
| Winchester Book Gallery      |                           |
| OTWBA President              |                           |

**Pedestrian Malls Vehicle Policy Survey:**

|                     |   |
|---------------------|---|
| Charlottesville, VA | Completely closed to traffic  |
| Helena, Montana     | Closed to traffic - except police vehicles and during parades                             |
| Cumberland, MD      | Deliveries not allowed difficulty enforcing   |
| Salem, MA           | Deliveries allowed 8 - 10 a.m.  |
| Burlington, VT      | Allow vehicle deliveries Monday-Saturday from 7:00am to 10:30am. No deliveries on Sunday. |

## Vehicles on the Mall

June 2013

### Comments

#### Negative:

**Snow White Grill** - Rick Childs We would love to be able to drive and drop off our meat order. Right now we are lugging 120+ pounds of meat from the 2nd floor of the parking garage! Also, need to personally deliver heavy Co2 tanks.

**Impact Church** - affected on Sunday when elderly or disabled try to get to church

**IFO** - Drew Van Laeken does not have a back entrance and really hopes that delivery drivers are allowed back on the mall soon. I can't imagine the UPS or Fedex drivers lugging all of my orders thru the snow this winter when I am bulking up my store for Christmas. All of my inventory is shipped UPS or FedEx and there is no easy way to get inventory to me with the mall closed to drivers. Also we have old fixtures, and large trash that I've been waiting to haul away once they re-open to cars in the morning. Sometimes I need to load up my personal vehicle with items or bring supplies down and carrying everything from or to the parking garage is not always easy. What about maintenance vehicles for repairs to buildings? Broken windows, gutters, or painting? Would we need to get the city permission every time some small thing needs to be fixed?

**Tech Team Solutions** – Todd Drunagel- If I have a right to express my opinion about deliveries, put me in the very much IN FAVOR of this. UPS and FedEx bring me large and/or heavy deliveries regularly and occasionally LTL freight. Even with the previously wider path, they would have blocked emergency vehicles. I don't recall this possibility mentioned during the "sales pitch" part of this project. How many more handicaps of location will the merchants be asked to endure? (When asked if it would really impact his business negatively - Mainly we'd have a grouchy delivery guy. I can't quantify that, and I guess I wouldn't have a financial burden as a result. It just seems like a bad policy to force on us(them). We've already inconvenienced them a lot for 5 months. We don't have great rear entrance parking options for them so for that part you could get some input from First Presbyterian Church.)

**Old Stained Glass** – Nancy Divine - I personally would like for vehicles to be permitted on the mall in the mornings at least. Being in the glass business, I do a lot of repairs on stained glass windows and doors. A stained glass door is quite heavy for people to have to carry from the street to my store. Also, when I pick up glass, it's a real pain to have to lug it to the store with a hand cart from my car. Again, it's heavy and it's glass - the more I have to handle/move it, the more likely it is something will get broken. I do not have back door access to Indian Alley, so in the past I would have customers drive up with their repairs prior to 11am, and help them

unload. Basically, not allowing vehicles on the mall just makes doing business more difficult for me. I've been here for 15 years, and part of what has made that possible is the fact that I could have people drive down to pick up heavy items. (Property owner also said he is in favor of keeping the mall open for deliveries especially in the morning. His property does not have direct access to Indian Alley.)

**Certified Mediator** – Bob Carpenter Restricting delivery vehicles will have no impact on our business. After the huge investment in improvements I would hate to see deliveries returned via the mall. It seems a distraction in many ways, not to mention wear and tear on the surface from continuous vehicle use. I regularly use the Braddock Street garage to access our office in the Bright Center. It seems that access to a great number of businesses can be attained via Indian Alley as well as some spot locations that could be designated from the Cameron Street side. Why could not Rouss Avenue and other locations be used as a drop off point up until about 10 am for businesses that could not be served from Indian Alley. I realize a business such as a restaurant would like deliveries brought to the door, but some consideration should be given to pedestrians who use the mall at all hours of the day. As for UPS and Fed Ex, I have on numerous occasions seen their drivers use dollies to transport large numbers of packages in shopping malls and large office complexes. If they can do it in those situations, why can't they do it for an outdoor mall? If the drop off concept is adopted, careful thought should be given as to gain as many locations as feasible and restrict the hours to not interfere with businesses in close proximity to any drop off zone.

**Door Mouse** - It would have been very beneficial if this issue had been addressed before they spent the money they spent on the way it has been finished; This is a working mall, not Disneyland. And while it is nice for there to be so many things for people to do down here, meeting the bottom line is for those of us in business the most important part. Events do not necessarily translate into increased business; I think the delivery vehicles should be able to come down the mall, as long as they are off by 11 a.m., the way it was before; Skateboards and bicycles shouldn't be down here; The tops of the flower boxes look like grease has been pored on them; Trees and flower pots are dying; The sand makes it look unkempt. I know that it sounds like I disapprove of everything. I don't. But I do think some common sense needs to be put into use here. The bottom line is you can't make everybody happy. It can't be done. But this was in the first place a street of businesses, and I think that should still be the first priority.

**Beyond the Fringe** - In all honesty, I'm not in favor of this. It would be tough on the delivery guys carting large deliveries and tough on people with no back doors. I have talked to UPS and they say the loading zones are usually taken by sheriffs and police. I'm concerned about the repairs I will have coming up on my building I just bought and tenants in apartments needing to move in and out. Does the surface they put down not accommodate vehicles since it was done in sand? Drew told me they are replacing the pavers because they were done wrong. I also

think the barricades they put up portray an unfriendly image. I am also one of many hosting music events and musicians need to load in equipment.

**Patton's Furniture** - We at Patton's furniture would like to access to the mall for our trucks during certain times. We have items weighing up to 500 Pounds that is a lot easier for us to load from the front of our store than the back. I also feel that a policy of no traffic on the mall could be a deciding factor for some new business on whether they would locate on the Mall or not. I have been told that the weight of our trucks would not be damaging to the bricks. If city is concerned about oil leaks a policy could be put in place that any truck using the mall would have to place a protective barrier under the engine.

**Runners Retreat** - I can get deliveries in the front or back but would prefer the front door. My back area is a bit tricky to negotiate with a dolly full of boxes. Also, the problem I have with no delivery trucks on the mall is that since not everyone has a back door, some of their deliveries are coming through my door, whether I have a delivery or not. This is a hassle (see above) and causes extra wear and tear on my floor. The sand already finished off my carpet! While I don't like seeing a bunch of trucks on the mall at once, things go more smoothly and on-time when deliveries are in the front.

**Sanaa** - I think further restriction of vehicles on the mall will make businesses with no back entry have a harder time loading and unloading. I used to be on 139 N Loudoun Street and the only way to load my stuff was from the Mall. I think the 6 am to 11am or evening rule was good. Can still work as before.

### **Neutral/Positive:**

**Old Town General Store** - Amy Helmick I am for it as far as our store is concerned we can get deliveries in our back door from Cameron St but I don't know how it would work for other businesses that don't have that luxury.

**Posh Pets** - Lanette Orduna yes as long as no one parks in the loading zones on Boscawen most of our delivery trucks have to park there as they are too big to come on the mall anyway, but occasionally there is a sheriff car in the loading zones and that becomes a problem.

**Murphy's** - Charlie Fish No need for Murphys to have deliveries driven to us on the mall. And Lanette's point should be STRONGLY stressed. Drivers are always telling me they can't park because a regular car is parked in the loading zones & they have to circle the mall constantly, waiting to park. Some sort of different fine maybe be considered. I hear it all the time from my drivers. They also claim the police say there's nothing they can do about people parking in loading zones. I don't know if it's true, but I've heard it multiple times. The drivers get admonished for taking up several spots when they can't park in their designated areas which I've actually witnessed once.

**Sensel Signs** - I don't mind vehicles on the mall before 10am. It is too dangerous after that.

**Handworks Gallery** - It doesn't really make any difference either way to us at Handworks. Our shipments always come in boxes small enough to be brought in on a dolly. I feel a little sorry for the delivery guys but they are always in such good shape right? :) I do hope something other than those ugly orange sawhorses will be used as barriers, I'd assume this is the case.

**First Presbyterian Church** - For us, the main concerns are weddings and funerals, and if the special permit process is still in effect, it should be fine. There are deliveries, but they can be made to the Cork St. entrance.

**OTWBA President, Dorian Brown** - I think it would be lovely to keep delivery vehicles off of the Walking Mall. As stated above, everyone has come up with an alternate plan during the construction period, so it seems that we can keep it going. Two things come to mind however. 1) Not only making sure that the current "delivery only" spaces be maintained as open and available, but also consideration be made if additional space will be necessary in other locations. 2) Special arrangements be made for large pick-up/delivery such as furniture or when businesses and residents are moving in our out.

**Dharma Studio** - Vehicles? What vehicles? Do you mean when folks drop stuff off? If so, I recognize it as just a function of business. Not a big deal to me.

**Discovery Museum** - Since the museum has multiple back entrances, we have alternatives for delivery. This makes a difference. Personally, as a newcomer here I was surprised by the volume of utility traffic on the mall and by its potential hazards. Since that has been reduced, it's been a real boon. Perhaps a permitting system or restricted hours (before 8:30 a.m. and after...?) might help.

**Once Upon A Find** - not directly impacted by vehicles on the mall. They have a back entrance and so it was not essential to their business to get Loudoun Street deliveries. She was concerned how it might impact other businesses and so felt it should be up to them.

**Realiteaze hair design** – Tammy Whetstone I am for it. We don't get huge deliveries but the more we take care of the mall the better it will be.

**Polka Dot Pot** – Emily Rhoads When I moved in to our space we used the alley for most of it. When we couldn't use the alley we hand trucked and carried it in from the streets. Regarding car shows, can't they get some sort of drop cloth/mat they can park their car on? Food vendors can be just as oily as cars. Sometimes it may be best to have a strict policy in place to start with that can be tweaked and relaxed as needed versus making changes after the fact. Just my two.... I'm weighing in here. I enjoy the vehicles not being allowed on the mall but can understand how some will need access. My concern is that the policy be consistent. If vehicles are not allowed then the city cannot make exceptions for events, such as Apple Blossom, as it

would not be fair to the merchants who will be dealing with any closure on a regular basis. Oil can leak from any vehicle and anything with tires can leave marks. And frankly, UPS and FedEx will keep better maintenance on their vehicles than others.

**Old Towne Armory** - Sarah Valentine There is a big problem with people parking in the loading zones on Indian Alley too. I have been late too many times because someone is parked in the loading zone, and the truck making deliveries has to sit on Indian Alley. I don't blame the truck driver, I blame the cars that always park in a no parking zone!

**Winchester Book Gallery** - Brian Patrick Allow the delivery vehicles, my opinion, and get rid of those unwelcoming orange barricades.

**Swirl's Grill** – not directly impacted but questioned if the mall were built poorly so that it was not strong enough to sustain deliveries, wondered if this had been the plan all along or if the narrow fire lanes and big planters were just poor planning.

**Dollar General** – they get thousands of items delivered every week, huge soda deliveries and others and not having deliveries to their front door would be very inconvenient. However, she said she understood why we were considering restricting delivery vehicles and could make it work.

**Village Square and Bistro** - John David Smith We have a rear entrance so all deliveries go there. I am supportive of no vehicles on the mall. As before any special cases need to get a permit before 10.00am. So I guess no car shows on the mall?? Or am I wrong on this? My thoughts are simple, for me and others on Indian Alley side who have rear entrances for deliveries should not have a voice in this or the survey. We are already being served and don't need access of truck traffic, deliveries and such. (However, myself and Union Jack would need access at least once a month of a smaller truck on the mall to deliver nitrogen to our beer systems. There is a spout for filling on our frontage outside trap doors) we could work out with the company to do it on pick up trucks if needed. With the few on Indian Alley side of the mall and the many on Bell's side of the mall, they are the ones who would be affected the most with no truck access deliveries. Many of the smaller businesses do not deal with the big purveyors, thereby dependent on UPS, FedEx, and their own pick ups. Also, trash pick up will be difficult as well. I guess the city would use a small pick and make several trips for their refuse. Also, tenants who have no rear access to their apartments for moving in or just purchasing new furnishings that need to be delivered. I know initially we thought that there would be more traffic on the mall, except the strict enforcement of the times that deliveries were being made...So finally, you would probably have to manage a timeframe for truck access and pounds per vehicles. Check with Perry and HRI on what they think is safely allowable. Maybe, the ERC could come up with a survey.☐

**Union Jack Pub** - Susan Touchette Can I mention..... We were looking at repairing and painting our building and were told we might not even be able to use a lift to reach the building because of this possible rule. How the heck do you limit a lighter weight lift that would be used to...See More

**Bright Center**, owner Marilyn Finnemore - Just wanted to give you my input in writing about traffic on the newly renovated mall. Unless people get a special permit/exception or there is an emergency, traffic (especially general deliveries) should not be allowed on the mall. We have a pedestrian mall to be proud of, and it's important that we protect our investment and keep pedestrians safe.

**Wilkin's Shoe Center** – do not receive deliveries in their front door so not an issue for them.

**The Hair Company** - I personally don't have an issue because I can park in the rear to load and unload. I also never receive large shipments, although if I did it would be impossible to bring a large truck to my rear parking lot. I can see where it's an inconvenience to other businesses in that respect. I also think it's a shame and a disservice to fellow businesses and the community to not allow the farmers to sell produce out of their trucks during the season. Is there another plan or place to set up the produce sellers?

**Godfrey Miller Historic Home and Fellowship Center** - Restricting vehicles on the Mall will not impact Godfrey Miller Historic Home and Fellowship center. However, I am interested in where these loading zones might be located and hope no additional parking places in the Hable or Palace lot will be lost. Although we rent 10 parking spaces from the Braddock Street Methodist Church, we still have a significant number of people parking in these lots.

**Bells** - 1. Garbage trucks should definitely not be permitted back on mall if possible –the “drippings” leave an odor and stains. 2. Apple Blossom Vendors should stay on asphalt surfaces as well. The grease drippings after the event will be hard to clean with pressure washing due to the nature of the way the faux stone and brick pavers were laid---a high pressure washing will remove this grout and never get out all of the stains. 3. UPS and Fed X drivers have adjusted to the ban during construction and will continue to deliver the freight if the ban is kept in place. 4. Food delivery trucks that service the restaurants may be a different story. I would prefer for the delivery trucks to remain off of the mall, but I am not well enough versed with the difficulties imposed by the restriction on the restaurants.

**Wire and Web** - The impact on us is not as great as some. We have deliveries about once a week from FedEx or UPS. That said, the issues with our stuff getting wet (it does not tolerate water) as they have to park away from us is a concern. It is only a matter of time, if they cannot get to our front door, before I have to reject a shipment due to water damage. I think the FedEx, UPS and Mail deliveries should be allowed, with the larger trucks back to Indian alley.

**Brewbaker's** – not directly impacted by vehicles on the mall. They have a back entrance and so it was not essential to their business to get Loudoun Street deliveries.

**147 Restaurant** – not overly concerned with limiting vehicle delivery. He said they were able to receive deliveries in the back and even their musicians had been able to use the back entrance and walk through the restaurant to set up in the front.

**Thai Winchester** - We have seen no adverse effect to restricting delivery vehicles. It makes the Mall cleaner, safer, and will cause less wear and tear. We think it should continue. We would also like to see more enforcement on restricting bicycling and skateboarding on the Mall. Some people have suggested that some bicyclists should be welcomed on the Mall (a better class of cyclist?) but these people do not shop or eat while riding and would be better to ride in the park.

**Old Warsaw Gallery** – She believes vehicles should be kept off the mall. She does not want vehicles dirtying the mall or destroying the mall which looks so beautiful.

**HARRISON & JOHNSTON, PLC** - Stephen L. Pettler, Jr. It would not affect our business in any way. We support any decision which is in the best interest of preserving the investment made to beautify the mall.

**Full Frame Photography** – We have 7.1 million reasons to keep vehicles off the mall. She is in favor of keeping delivery vehicles off the mall.

**Main Street Fare Consignment, Eugene B Smith, Luciole, Beadworks, Abija Blue** - were in favor of keeping delivery vehicles off the mall. I spoke with them in person but I do not have specific comments recorded for them.

# Budget Summary

## July 1, 2012- May 31, 2013

### General Fund Revenue & Exp. Summary

To date in fiscal year 2013 (July 2012 through May 31, 2013) the G F revenues are \$68,425,944 representing 85.78% of the budget Prior period last year was \$58,843,250 or 81.50% Expenditures in the General fund are currently at \$64,911,500 representing 81.44% of the budget Last year, in FY 2012 for the same period, our expenses were at \$59,951,101 or 83.03% Sales Tax receipts for Mar. 2013 were \$693,081 Sales Tax receipts for Mar. 2012 were \$750,858

### Utility Fund Revenue & Exp. Summary

To date in fiscal year 2013 (July 2012 through May 31, 2013) the Utility fund revenues are \$16,548,494, representing 85.71% of the budget Prior period last year was \$14,482,213 or 79.12% Expenditures in the Utility fund are currently at \$19,471,259 representing 93.82% of the budget Last year, in FY 2012 for the same period, our expenses were at \$16,430,815 or 89.76%

#### Old Town Information      Apr-12      Apr-13

|                         |           |           |
|-------------------------|-----------|-----------|
| Meals tax Primary Dist. | \$ 30,349 | \$ 32,281 |
| Meals tax Second Dist   | \$ 13,284 | \$ 14,251 |

|              | Amended Bgt. (11 mos) | Actual       |
|--------------|-----------------------|--------------|
| Revenue      | \$73,219,663          | \$68,425,944 |
| Expenditures | \$73,219,663          | \$64,911,500 |

|         | Operating Bgt. (11 mos) | Actual       |
|---------|-------------------------|--------------|
| Revenue | \$24,671,604            | \$16,548,494 |
| Exp.    | \$24,671,604            | \$19,471,259 |

#### Highlights

#### Highlights

- 1 April Sales tax is \$710,254
- 2 Meals tax up \$122,567 from same period last year
- 3 Motel tax are up \$42,592 from last year

- 1 Water & Sewer collections up \$1,821,629 from the same period last year.
- 2 Availability fees down \$65,960 from same period last fiscal year.
- 3 Capital expenditures to date are \$14,915,692

#### Operating Cash

#### Cash & Investments

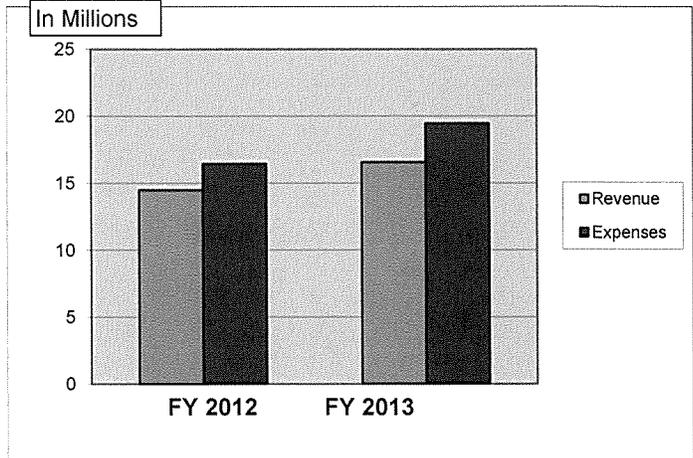
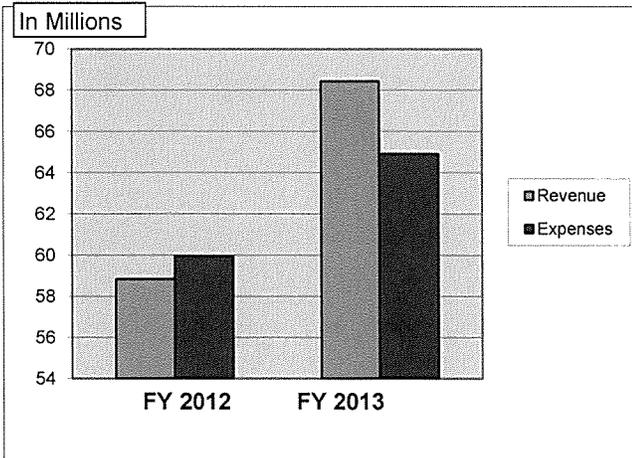
|  |   |
|--|---|
| * Total Cash:      \$21,334,943<br>Reserved<br>cash:                (619,537)<br>Available cash: <b>\$20,715,406</b> | Fund balance<br>Committed to date<br><br><b>\$2,000,000</b> |
|--|---|

|  |                |
|--|----------------|
| Operating Cash:      (\$423,813)<br>Reserves for CIP:      0<br>Bond Proceeds:        184,094<br>Total: <b>(\$239,719)</b> | As of May 2013 |
|--|----------------|

#### Period to Period Comparison FY 2012 to FY 2013

##### General Fund

##### Utilities Fund



PROGRAM GM601L

FOR FISCAL YEAR 2013

CRVPD11

JULY 1, 2012 - MAY 31, 2013

| ACCOUNT NUMBER                     | ACCOUNT DESCRIPTION    | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|------------------------------------|------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND    |                        |                              |                               |                               |                              |                              |                                    |
| BASIC 31 REVENUE FROM LOCAL SOURCE |                        |                              |                               |                               |                              |                              |                                    |
| SUB 1 GENERAL PROPERTY TAXES       |                        |                              |                               |                               |                              |                              |                                    |
| 111-0000-311.01-01                 | CURRENT                | 17,037,634                   | 23,540,111                    | 25,039,000                    | 25,039,000                   | 19,024,849                   | 75.98                              |
| 111-0000-311.01-02                 | DELINQUENT             | 718,899                      | 937,974                       | 850,000                       | 850,000                      | 1,033,166                    | 121.55                             |
| 111-0000-311.01-03                 | DELINQUENT-PRIM/SECOND | 0                            | 0                             | 0                             | 8,000                        | 9,688                        | 121.11                             |
| 111-0000-311.01-04                 | PRIMARY DISTRICT       | 0                            | 0                             | 0                             | 70,000                       | 64,348                       | 91.93                              |
| 111-0000-311.01-05                 | SECONDARY DISTRICT     | 0                            | 0                             | 0                             | 80,500                       | 67,620                       | 84.00                              |
| 111-0000-311.01-06                 | PENALTIES              | 66,177                       | 88,835                        | 80,000                        | 80,600                       | 96,410                       | 119.62                             |
| 111-0000-311.01-07                 | INTEREST               | 49,209                       | 56,611                        | 35,000                        | 35,400                       | 83,280                       | 235.25                             |
| 111-0000-311.02-01                 | REAL ESTATE            | 556,778                      | 556,778                       | 545,000                       | 545,000                      | 686,590                      | 125.98                             |
| 111-0000-311.02-03                 | PERSONAL PROPERTY      | 506                          | 506                           | 500                           | 500                          | 247                          | 49.45                              |
| 111-0000-311.03-01                 | CURRENT                | 6,695,319                    | 7,034,140                     | 7,300,000                     | 7,300,000                    | 6,738,248                    | 92.30                              |
| 111-0000-311.03-02                 | DELINQUENT             | 479,030                      | 497,108                       | 550,000                       | 550,000                      | 293,723                      | 53.40                              |
| 111-0000-311.03-03                 | MOBILE HOME TAXES      | 1,088                        | 1,088                         | 1,000                         | 1,000                        | 1,866                        | 186.61                             |
| 111-0000-311.03-04                 | MACHINERY & TOOLS      | 1,562,203                    | 1,562,203                     | 1,900,000                     | 1,900,000                    | 1,636,534                    | 86.13                              |
| 111-0000-311.03-06                 | PENALTIES              | 109,067                      | 116,366                       | 110,000                       | 110,000                      | 134,406                      | 122.19                             |
| 111-0000-311.03-07                 | INTEREST               | 42,695                       | 45,832                        | 50,000                        | 50,000                       | 27,832                       | 55.66                              |
| * GENERAL PROPERTY TAXES           |                        | 27,318,604                   | 34,437,552                    | 36,460,500                    | 36,620,000                   | 29,898,809                   | 81.65                              |
| SUB 2 OTHER LOCAL TAXES            |                        |                              |                               |                               |                              |                              |                                    |
| 111-0000-312.01-01                 | STATE SALES TAX        | 6,447,600                    | 8,485,685                     | 8,500,000                     | 8,500,000                    | 6,604,539                    | 77.70                              |
| 111-0000-312.01-02                 | COMMUNICATIONS TAXES   | 1,777,130                    | 2,142,639                     | 2,200,000                     | 2,200,000                    | 1,851,098                    | 84.14                              |
| 111-0000-312.02-01                 | ELECTRIC UTILITY       | 985,028                      | 1,192,290                     | 1,300,000                     | 1,300,000                    | 1,113,254                    | 85.63                              |
| 111-0000-312.02-03                 | GAS UTILITY            | 263,323                      | 263,323                       | 520,000                       | 520,000                      | 468,318                      | 90.06                              |
| 111-0000-312.02-51                 | ELECTRIC CONSUMPTION   | 101,165                      | 135,800                       | 121,000                       | 121,000                      | 115,489                      | 95.45                              |
| 111-0000-312.02-52                 | GAS CONSUMPTION        | 3,715                        | 25,352                        | 21,000                        | 21,000                       | 20,470                       | 97.47                              |
| 111-0000-312.03-01                 | CONTRACTING            | 405,437                      | 426,588                       | 300,000                       | 300,000                      | 344,683                      | 114.89                             |
| 111-0000-312.03-02                 | RETAIL                 | 1,922,776                    | 1,945,922                     | 2,000,000                     | 2,000,000                    | 2,060,363                    | 103.02                             |
| 111-0000-312.03-03                 | PROFESSIONAL           | 2,081,075                    | 2,106,288                     | 2,100,000                     | 2,100,000                    | 2,241,728                    | 106.75                             |
| 111-0000-312.03-04                 | REPAIR & PERSONAL      | 833,165                      | 848,553                       | 900,000                       | 900,000                      | 751,852                      | 83.54                              |
| 111-0000-312.03-05                 | WHOLESALE              | 198,354                      | 198,354                       | 200,000                       | 200,000                      | 183,012                      | 91.51                              |
| 111-0000-312.03-06                 | OTHER                  | 3,761                        | 3,791                         | 4,000                         | 4,000                        | 2,081                        | 52.03                              |
| 111-0000-312.03-07                 | PENALTIES              | 65,763                       | 75,340                        | 65,000                        | 65,000                       | 52,842                       | 81.30                              |
| 111-0000-312.03-09                 | TELEPHONE              | 73,488                       | 73,488                        | 90,000                        | 90,000                       | 80,321                       | 89.25                              |
| 111-0000-312.04-02                 | ELECTRICAL             | 164,449                      | 180,755                       | 230,000                       | 230,000                      | 184,015                      | 80.01                              |

| ACCOUNT NUMBER                     | ACCOUNT DESCRIPTION       | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|------------------------------------|---------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND    |                           |                              |                               |                               |                              |                              |                                    |
| BASIC 31 REVENUE FROM LOCAL SOURCE |                           |                              |                               |                               |                              |                              |                                    |
| SUB 2 OTHER LOCAL TAXES            |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-312.04-03                 | TELEPHONE ROW             | 54,440                       | 73,048                        | 70,000                        | 70,000                       | 78,588                       | 112.27                             |
| 111-0000-312.04-05                 | GAS                       | 48,750                       | 48,750                        | 50,000                        | 50,000                       | 48,750                       | 97.50                              |
| 111-0000-312.05-01                 | LICENSES                  | 485,872                      | 529,784                       | 550,000                       | 550,000                      | 473,803                      | 86.15                              |
| 111-0000-312.05-03                 | PENALTIES                 | 37,490                       | 41,172                        | 50,000                        | 50,000                       | 35,640                       | 71.28                              |
| 111-0000-312.06-01                 | BANK FRANCHISE            | 144,487                      | 144,487                       | 420,000                       | 420,000                      | 471,178                      | 112.19                             |
| 111-0000-312.07-01                 | RECORDATION               | 142,289                      | 184,177                       | 200,000                       | 200,000                      | 170,528                      | 85.26                              |
| 111-0000-312.07-02                 | WILL PROBATE              | 6,168                        | 7,571                         | 10,000                        | 10,000                       | 4,529                        | 45.29                              |
| 111-0000-312.08-02                 | CIGARETTES                | 533,800                      | 572,964                       | 530,000                       | 530,000                      | 480,792                      | 90.72                              |
| 111-0000-312.09-01                 | ADMISSIONS                | 27,611                       | 32,052                        | 30,000                        | 30,000                       | 4,674                        | 15.58                              |
| 111-0000-312.09-02                 | PENALTIES                 | 327                          | 327                           | 0                             | 0                            | 0                            | .00                                |
| 111-0000-312.09-03                 | INTEREST                  | 62                           | 62                            | 0                             | 0                            | 0                            | .00                                |
| 111-0000-312.10-01                 | MOTEL                     | 495,759                      | 621,844                       | 600,000                       | 600,000                      | 538,351                      | 89.73                              |
| 111-0000-312.10-02                 | PENALTIES                 | 807                          | 867                           | 0                             | 0                            | 507                          | .00                                |
| 111-0000-312.10-03                 | INTEREST                  | 2                            | 8                             | 0                             | 0                            | 71                           | .00                                |
| 111-0000-312.11-01                 | MEALS                     | 4,400,478                    | 5,356,600                     | 5,100,000                     | 5,100,000                    | 4,523,045                    | 88.69                              |
| 111-0000-312.11-02                 | PENALTIES                 | 11,517                       | 18,894                        | 15,000                        | 15,000                       | 15,231                       | 101.54                             |
| 111-0000-312.11-03                 | INTEREST                  | 1,108                        | 1,648                         | 600                           | 600                          | 709                          | 118.14                             |
| 111-0000-312.12-01                 | SHORT TERM                | 11,814                       | 17,278                        | 14,500                        | 14,500                       | 5,194                        | 35.82                              |
| 111-0000-312.12-02                 | PENALTIES                 | 6                            | 28                            | 0                             | 0                            | 26                           | .00                                |
| * OTHER LOCAL TAXES                |                           | 21,729,015                   | 25,755,729                    | 26,191,100                    | 26,191,100                   | 22,925,681                   | 87.53                              |
| SUB 3 PERMITS, PRIVILEGE FEES      |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-313.01-01                 | DOG                       | 11,727                       | 12,399                        | 11,000                        | 11,000                       | 12,199                       | 110.90                             |
| 111-0000-313.03-03                 | ON STREET PARKING         | 85                           | 90                            | 0                             | 0                            | 130                          | .00                                |
| 111-0000-313.03-05                 | TRANSFER FEES             | 524                          | 655                           | 1,000                         | 1,000                        | 521                          | 52.14                              |
| 111-0000-313.03-24                 | EROSION, SEDIMENT CONTROL | 5,750                        | 5,900                         | 6,000                         | 6,000                        | 3,400                        | 56.67                              |
| 111-0000-313.03-28                 | WEAPONS                   | 5,121                        | 6,219                         | 3,500                         | 3,500                        | 6,442                        | 184.05                             |
| 111-0000-313.03-30                 | RE TAX APPLICATION FEE    | 20                           | 20                            | 0                             | 0                            | 160                          | .00                                |
| 111-0000-313.03-31                 | RE PUBLIC HEARING FEE     | 370                          | 390                           | 0                             | 0                            | 0                            | .00                                |
| 111-0000-313.03-36                 | HAZARDOUS USE             | 1,100                        | 1,850                         | 1,000                         | 1,000                        | 700                          | 70.00                              |
| 111-0000-313.03-37                 | TAXI                      | 900                          | 972                           | 800                           | 800                          | 360                          | 45.00                              |
| 111-0000-313.03-50                 | STREET PERMITS            | 0                            | 0                             | 0                             | 0                            | 3,250                        | .00                                |
| 111-0000-313.04-08                 | BUILDING                  | 76,145                       | 83,899                        | 100,000                       | 100,000                      | 103,816                      | 103.82                             |

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FOR FISCAL YEAR 2013

CRVPD11

JULY 1, 2012 - MAY 31, 2013

| ACCOUNT NUMBER                     | ACCOUNT DESCRIPTION       | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|------------------------------------|---------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND    |                           |                              |                               |                               |                              |                              |                                    |
| BASIC 31 REVENUE FROM LOCAL SOURCE |                           |                              |                               |                               |                              |                              |                                    |
| SUB 3 PERMITS, PRIVILEGE FEES      |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-313.04-10                 | ELECTRICAL                | 742                          | 802                           | 600                           | 600                          | 633                          | 105.49                             |
| 111-0000-313.04-12                 | PLUMBING                  | 18,736                       | 19,625                        | 20,000                        | 20,000                       | 21,371                       | 106.86                             |
| 111-0000-313.04-14                 | MECHANICAL                | 21,079                       | 21,989                        | 25,000                        | 25,000                       | 26,090                       | 104.36                             |
| 111-0000-313.04-15                 | ELEVATOR                  | 3,220                        | 3,800                         | 3,000                         | 3,000                        | 3,200                        | 106.67                             |
| 111-0000-313.04-23                 | OCCUPANCY                 | 825                          | 825                           | 1,500                         | 1,500                        | 150                          | 10.00                              |
| 111-0000-313.04-32                 | FIRE PROTECTION           | 5,678                        | 5,826                         | 9,000                         | 9,000                        | 6,841                        | 76.01                              |
| 111-0000-313.04-35                 | GAS                       | 345                          | 345                           | 300                           | 300                          | 363                          | 121.00                             |
| 111-0000-313.04-37                 | BUILDING PERMITS - SIGNS  | 4,360                        | 4,680                         | 4,000                         | 4,000                        | 4,482                        | 112.05                             |
| 111-0000-313.05-04                 | LAND USE APPLICATION FEES | 25,275                       | 26,625                        | 30,000                        | 30,000                       | 23,675                       | 78.92                              |
| 111-0000-313.05-06                 | PLANNING ADVERTISING FEES | 3,975                        | 4,000                         | 600                           | 600                          | 625                          | 104.17                             |
| 111-0000-313.05-07                 | RE-ZONING & SUBDIV PERMIT | 9,400                        | 9,500                         | 12,000                        | 12,000                       | 16,600                       | 138.33                             |
| 111-0000-313.05-19                 | SIGNS, PERMITS & INSPECTI | 2,763                        | 3,065                         | 3,000                         | 3,000                        | 1,800                        | 60.00                              |
| 111-0000-313.05-33                 | ARCHITECTURAL REVIEW      | 600                          | 600                           | 600                           | 600                          | 900                          | 150.00                             |
| 111-0000-313.05-34                 | BOARD OF ZONING APPEALS   | 9,950                        | 11,050                        | 10,000                        | 10,000                       | 4,100                        | 41.00                              |
| 111-0000-313.05-40                 | MISC FEES                 | 3,200                        | 3,400                         | 2,500                         | 2,500                        | 2,000                        | 80.00                              |
| 111-0000-313.05-41                 | CIVIL PENALTIES           | 950                          | 950                           | 3,000                         | 3,000                        | 2,000                        | 66.67                              |
| 111-0000-313.06-02                 | RNTL HOUSING/INSPECTIONS  | 8,520                        | 8,640                         | 15,000                        | 15,000                       | 7,945                        | 52.97                              |
| 111-0000-313.06-03                 | RNTL HOUSING/PENALTIES    | 2,213                        | 2,213                         | 4,000                         | 4,000                        | 3,250                        | 81.25                              |
| 111-0000-313.06-05                 | MISC FEES                 | 11,947                       | 12,622                        | 10,000                        | 10,000                       | 1,973                        | 19.73                              |
| * PERMITS, PRIVILEGE FEES          |                           | 235,519                      | 252,951                       | 277,400                       | 277,400                      | 258,975                      | 93.36                              |
| SUB 4 FINES AND FORFEITURES        |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-314.01-01                 | COURTS                    | 235,821                      | 271,319                       | 300,000                       | 300,000                      | 155,784                      | 51.93                              |
| 111-0000-314.01-03                 | REGISTRAR                 | 0                            | 0                             | 0                             | 0                            | 100                          | .00                                |
| 111-0000-314.01-10                 | INTEREST                  | 2,067                        | 2,828                         | 2,000                         | 2,000                        | 3,221                        | 161.05                             |
| * FINES AND FORFEITURES            |                           | 237,889                      | 274,147                       | 302,000                       | 302,000                      | 159,105                      | 52.68                              |
| SUB 5 REVENUE-USE OF MONEY/PROP    |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-315.01-01                 | INTEREST EARNINGS         | 96,591                       | 132,253                       | 151,000                       | 151,500                      | 69,382                       | 45.80                              |
| 111-0000-315.02-01                 | RENTAL - GENERAL PROPERTY | 0                            | 0                             | 0                             | 0                            | 500                          | .00                                |
| 111-0000-315.02-02                 | RENTAL REC PROP/FACILITY  | 0                            | 0                             | 145,000                       | 145,000                      | 122,618                      | 84.56                              |
| 111-0000-315.02-03                 | CONCESSION RENTALS        | 0                            | 0                             | 1,000                         | 1,000                        | 50                           | 5.00                               |

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JULY 1, 2012 - MAY 31, 2013

| ACCOUNT NUMBER                     | ACCOUNT DESCRIPTION       | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|------------------------------------|---------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND    |                           |                              |                               |                               |                              |                              |                                    |
| BASIC 31 REVENUE FROM LOCAL SOURCE |                           |                              |                               |                               |                              |                              |                                    |
| SUB 5 REVENUE-USE OF MONEY/PROP    |                           |                              |                               |                               |                              |                              |                                    |
| * REVENUE-USE OF MONEY/PROP        |                           | 96,591                       | 132,253                       | 297,000                       | 297,500                      | 192,551                      | 64.72                              |
| SUB 6 CHARGES FOR SERVICES         |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-316.01-03                 | SHERIFF FEES              | 2,949                        | 2,949                         | 3,000                         | 3,000                        | 2,949                        | 98.29                              |
| 111-0000-316.01-05                 | CASE ASSESSMENT           | 28,134                       | 33,625                        | 30,000                        | 30,000                       | 25,841                       | 86.14                              |
| 111-0000-316.01-09                 | COURTHOUSE SECURITY FEE   | 57,982                       | 67,461                        | 60,000                        | 60,000                       | 45,565                       | 75.94                              |
| 111-0000-316.01-11                 | MISCELLANEOUS FEES        | 5,978                        | 7,096                         | 6,000                         | 6,000                        | 7,132                        | 118.86                             |
| 111-0000-316.01-12                 | COURTHOUSE COMPLIANCE FEE | 38,695                       | 46,221                        | 50,000                        | 50,000                       | 35,705                       | 71.41                              |
| 111-0000-316.02-01                 | COMMONWEALTH ATTORNEY FEE | 5,304                        | 6,797                         | 2,500                         | 2,500                        | 6,238                        | 249.53                             |
| 111-0000-316.03-02                 | MISC POLICE FEES          | 7,262                        | 4,056                         | 3,000                         | 3,000                        | 3,355                        | 111.83                             |
| 111-0000-316.03-10                 | POLICE O/T REIMBURSEMENT  | 5,472                        | 15,505                        | 0                             | 0                            | 5,460                        | .00                                |
| 111-0000-316.04-03                 | HAZ/MAT                   | 2,385                        | 3,535                         | 5,000                         | 5,000                        | 51,676                       | 1,033.52                           |
| 111-0000-316.04-05                 | LEPC FUNDS                | 3,469                        | 5,538                         | 7,000                         | 7,000                        | 8,135                        | 116.21                             |
| 111-0000-316.04-06                 | ALARM FEES                | 2,950                        | 2,950                         | 5,000                         | 5,000                        | 3,000                        | 60.00                              |
| 111-0000-316.04-07                 | FALSE ALARM FEES          | 14,500                       | 17,500                        | 30,000                        | 30,000                       | 14,500                       | 48.33                              |
| 111-0000-316.06-01                 | ANIMAL IMPOUNDING FEES    | 1,405                        | 1,634                         | 1,000                         | 1,000                        | 1,604                        | 160.40                             |
| 111-0000-316.06-18                 | GAS INSPECTION            | 49,500                       | 54,000                        | 54,000                        | 54,000                       | 49,500                       | 91.67                              |
| 111-0000-316.08-02                 | WASTE COLL/DISPOSAL FEES  | 2,839                        | 2,977                         | 4,000                         | 4,000                        | 2,860                        | 71.50                              |
| 111-0000-316.08-05                 | SALE OF RECYCLE MATERIAL  | 42,893                       | 46,660                        | 50,000                        | 50,000                       | 25,684                       | 51.37                              |
| 111-0000-316.13-01                 | RECREATION ACTIVITIES     | 0                            | 0                             | 10,000                        | 10,000                       | 3,000                        | 30.00                              |
| 111-0000-316.13-02                 | INDOOR POOL               | 0                            | 0                             | 143,000                       | 143,000                      | 82,242                       | 57.51                              |
| 111-0000-316.13-06                 | OUTDOOR POOL              | 0                            | 0                             | 72,000                        | 72,000                       | 28,478                       | 39.55                              |
| 111-0000-316.13-21                 | ADMISSIONS & MEMBERSHIPS  | 0                            | 0                             | 120,000                       | 120,000                      | 91,263                       | 76.05                              |
| 111-0000-316.13-24                 | ATHLETICS                 | 0                            | 0                             | 88,000                        | 88,000                       | 42,275                       | 48.04                              |
| 111-0000-316.13-26                 | CHILD CARE                | 0                            | 0                             | 180,000                       | 180,000                      | 164,807                      | 91.56                              |
| 111-0000-316.13-28                 | CONCESSION SALES          | 0                            | 0                             | 20,000                        | 20,000                       | 21,775                       | 108.88                             |
| * CHARGES FOR SERVICES             |                           | 271,716                      | 318,504                       | 943,500                       | 943,500                      | 723,043                      | 76.63                              |
| SUB 8 MISCELLANEOUS REVENUE        |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-318.01-01                 | PAYMENT IN LIEU OF TAXES  | 800,260                      | 800,260                       | 805,000                       | 805,000                      | 800,175                      | 99.40                              |
| 111-0000-318.04-04                 | ARTSCAPE PROGRAM          | 0                            | 0                             | 0                             | 1,000                        | 2,550                        | 255.00                             |
| 111-0000-318.98-01                 | BAD CHECKS                | 450                          | 500                           | 1,000                         | 1,000                        | 380                          | 38.00                              |

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| ACCOUNT NUMBER                     | ACCOUNT DESCRIPTION       | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|------------------------------------|---------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND    |                           |                              |                               |                               |                              |                              |                                    |
| BASIC 31 REVENUE FROM LOCAL SOURCE |                           |                              |                               |                               |                              |                              |                                    |
| SUB 8 MISCELLANEOUS REVENUE        |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-318.98-02                 | ADMIN & COLLECTION FEES   | 46,313                       | 49,434                        | 30,000                        | 30,000                       | 45,177                       | 150.59                             |
| 111-0000-318.99-03                 | DONATIONS/SPEC GIFTS      | 0                            | 0                             | 5,000                         | 5,000                        | 0                            | .00                                |
| 111-0000-318.99-05                 | SALE OF SUPPLIES          | 672                          | 731                           | 1,000                         | 1,000                        | 686                          | 68.57                              |
| 111-0000-318.99-06                 | SALE OF SURPLUS PROPERTY  | 7,576                        | 17,647                        | 5,000                         | 5,000                        | 4,619                        | 92.39                              |
| 111-0000-318.99-14                 | SALE OF COPIES & DOCUMENT | 1,810                        | 1,831                         | 5,000                         | 5,000                        | 645                          | 12.89                              |
| 111-0000-318.99-22                 | DONATIONS-FIRE DEPT       | 824                          | 1,484                         | 0                             | 0                            | 500                          | .00                                |
| 111-0000-318.99-23                 | DONATIONS-POLICE DEPT.    | 3,185                        | 3,290                         | 0                             | 0                            | 2,625                        | .00                                |
| 111-0000-318.99-32                 | PARKS & RECREATION        | 0                            | 0                             | 0                             | 0                            | 2,455                        | .00                                |
| 111-0000-318.99-33                 | SHERIFF                   | 0                            | 0                             | 0                             | 0                            | 1,250                        | .00                                |
| 111-0000-318.99-99                 | MISCELLANEOUS             | 52                           | 58                            | 0                             | 0                            | 249                          | .00                                |
| * MISCELLANEOUS REVENUE            |                           | 861,142                      | 875,235                       | 852,000                       | 853,000                      | 861,310                      | 100.97                             |
| SUB 9 RECOVERED COSTS              |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-319.02-01                 | MISCELLANEOUS             | 1,192                        | 1,380                         | 0                             | 0                            | 1,852                        | .00                                |
| 111-0000-319.02-05                 | REBATES                   | 2,183                        | 2,183                         | 0                             | 0                            | 2,103                        | .00                                |
| 111-0000-319.02-19                 | SHERIFF                   | 122                          | 122                           | 0                             | 0                            | 0                            | .00                                |
| 111-0000-319.02-20                 | EXTERNAL RECOVERIES       | 19,791                       | 19,791                        | 0                             | 0                            | 0                            | .00                                |
| 111-0000-319.02-22                 | FIRE DEPARTMENT           | 0                            | 0                             | 1,000                         | 1,000                        | 186                          | 18.60                              |
| 111-0000-319.02-24                 | SOCIAL SERVICES           | 61,555                       | 61,555                        | 75,000                        | 75,000                       | 52,875                       | 70.50                              |
| 111-0000-319.02-34                 | CIRCUIT COURT             | 7,163                        | 66,439                        | 60,000                        | 60,000                       | 70,898                       | 118.16                             |
| 111-0000-319.02-35                 | JJC BUILDING              | 223,695                      | 364,256                       | 415,000                       | 415,000                      | 225,298                      | 54.29                              |
| 111-0000-319.02-39                 | INSPECTIONS/ZONING        | 6,250                        | 6,250                         | 0                             | 0                            | 0                            | .00                                |
| 111-0000-319.02-40                 | LANDFILL-RECYCLING        | 0                            | 164,334                       | 170,000                       | 170,000                      | 0                            | .00                                |
| 111-0000-319.02-43                 | POLICE DEPARTMENT         | 2,251                        | 3,008                         | 0                             | 0                            | 50,677                       | .00                                |
| 111-0000-319.02-45                 | PARKS & RECREATION        | 0                            | 0                             | 0                             | 0                            | 249                          | .00                                |
| 111-0000-319.02-51                 | DATA PROCESSING           | 170,150                      | 170,150                       | 170,000                       | 170,000                      | 0                            | .00                                |
| * RECOVERED COSTS                  |                           | 494,352                      | 859,468                       | 891,000                       | 891,000                      | 404,139                      | 45.36                              |
| ** REVENUE FROM LOCAL SOURCE       |                           | 51,244,827                   | 62,905,839                    | 66,214,500                    | 66,375,500                   | 55,423,613                   | 83.50                              |

BASIC 32 REVENUE FROM COMMONWEALTH

PROGRAM GM601L

FOR FISCAL YEAR 2013

CRVPD11

JULY 1, 2012 - MAY 31, 2013

| ACCOUNT NUMBER                     | ACCOUNT DESCRIPTION       | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|------------------------------------|---------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND    |                           |                              |                               |                               |                              |                              |                                    |
| BASIC 32 REVENUE FROM COMMONWEALTH |                           |                              |                               |                               |                              |                              |                                    |
| SUB 2 NON-CATEGORICAL AID          |                           |                              |                               |                               |                              |                              |                                    |
| SUB 2 NON-CATEGORICAL AID          |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-322.01-01                 | ABC PROFITS               | 0                            | 0                             | 0                             | 0                            | 524                          | .00                                |
| 111-0000-322.01-05                 | MOBILE HOME TITLING TAXES | 324                          | 609                           | 0                             | 0                            | 435                          | .00                                |
| 111-0000-322.01-06                 | TAX ON DEEDS              | 78,933                       | 101,129                       | 100,000                       | 100,000                      | 54,031                       | 54.03                              |
| 111-0000-322.01-08                 | RAILROAD ROLLING STOCK TX | 6,364                        | 6,386                         | 7,000                         | 7,000                        | 7,501                        | 107.15                             |
| 111-0000-322.01-10                 | GRANTOR'S TAX             | 143,158                      | 155,408                       | 75,000                        | 75,000                       | 56,949                       | 75.93                              |
| 111-0000-322.01-11                 | RENTAL CARS TAX           | 83,790                       | 121,467                       | 175,000                       | 175,000                      | 164,780                      | 94.16                              |
| 111-0000-322.01-12                 | PERSONAL PROPERTY REIMB.  | 2,622,084                    | 2,622,084                     | 2,633,000                     | 2,633,000                    | 2,622,084                    | 99.59                              |
| * NON-CATEGORICAL AID              |                           | 2,934,653                    | 3,007,083                     | 2,990,000                     | 2,990,000                    | 2,906,304                    | 97.20                              |
| SUB 3 SHARED EXPENSES              |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-323.01-01                 | COMMONWEALTH'S ATTORNEY   | 543,757                      | 581,189                       | 642,000                       | 642,000                      | 633,639                      | 98.70                              |
| 111-0000-323.01-03                 | WITNESS FEES              | 0                            | 108                           | 0                             | 0                            | 0                            | .00                                |
| 111-0000-323.02-01                 | SHERIFF                   | 261,875                      | 283,869                       | 313,000                       | 313,000                      | 300,364                      | 95.96                              |
| 111-0000-323.02-02                 | SHERIFF MILEAGE           | 1,571                        | 2,801                         | 3,000                         | 3,000                        | 2,836                        | 94.52                              |
| 111-0000-323.03-01                 | COMMISSIONER OF REVENUE   | 72,399                       | 85,635                        | 96,000                        | 96,000                       | 100,502                      | 104.69                             |
| 111-0000-323.04-01                 | TREASURER                 | 70,681                       | 83,856                        | 94,000                        | 94,000                       | 77,922                       | 82.90                              |
| 111-0000-323.06-01                 | REGISTRAR/ELECTORAL BOARD | 7,035                        | 57,768                        | 40,000                        | 42,730                       | 41,755                       | 97.72                              |
| 111-0000-323.07-01                 | CLERK OF CIRCUIT COURT    | 282,908                      | 307,433                       | 324,000                       | 324,000                      | 308,544                      | 95.23                              |
| 111-0000-323.07-02                 | JURY REIMBURSEMENT        | 1,980                        | 3,030                         | 15,000                        | 15,000                       | 4,620                        | 30.80                              |
| 111-0000-323.10-01                 | SHARED-VICTIM WITNESS     | 18,758                       | 25,010                        | 24,000                        | 24,000                       | 18,757                       | 78.15                              |
| * SHARED EXPENSES                  |                           | 1,260,965                    | 1,430,699                     | 1,551,000                     | 1,553,730                    | 1,488,939                    | 95.83                              |
| SUB 4 STATE CATEGORICAL FUNDS      |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-324.02-35                 | DEPT OF HEALTH            | 1,162                        | 1,162                         | 0                             | 0                            | 2,000                        | .00                                |
| 111-0000-324.04-02                 | EMERGENCY SERVICES GRANTS | 0                            | 0                             | 0                             | 0                            | 1,136                        | .00                                |
| 111-0000-324.04-04                 | JUV & DOMESTIC RELATIONS  | 8,603                        | 11,592                        | 8,000                         | 8,000                        | 8,518                        | 106.47                             |
| 111-0000-324.04-07                 | LITTER CONTROL            | 5,249                        | 5,249                         | 6,000                         | 6,000                        | 7,575                        | 126.25                             |
| 111-0000-324.04-12                 | FIRE PROGRAMS FUND        | 60,148                       | 70,046                        | 64,000                        | 64,000                       | 63,042                       | 98.50                              |
| 111-0000-324.04-13                 | TWO FOR LIFE GRANT        | 21,734                       | 21,734                        | 20,000                        | 20,000                       | 23,291                       | 116.45                             |
| 111-0000-324.04-15                 | COMMISSION OF ARTS GRANT  | 0                            | 0                             | 5,000                         | 0                            | 0                            | .00                                |
| 111-0000-324.04-17                 | HAZ MAT FUNDING           | 15,000                       | 15,000                        | 15,000                        | 15,000                       | 15,000                       | 100.00                             |

PROGRAM GM601L

FOR FISCAL YEAR 2013

CRVPD11

JULY 1, 2012 - MAY 31, 2013

| ACCOUNT NUMBER                     | ACCOUNT DESCRIPTION       | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|------------------------------------|---------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND    |                           |                              |                               |                               |                              |                              |                                    |
| BASIC 32 REVENUE FROM COMMONWEALTH |                           |                              |                               |                               |                              |                              |                                    |
| SUB 4 STATE CATEGORICAL FUNDS      |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-324.04-23                 | POLICE                    | 586,980                      | 767,557                       | 813,000                       | 813,000                      | 590,714                      | 72.66                              |
| 111-0000-324.04-25                 | JAIL                      | 27,981                       | 27,981                        | 28,000                        | 28,000                       | 21,327                       | 76.17                              |
| 111-0000-324.04-42                 | HEALTH DEPARTMENT         | 220,525                      | 241,014                       | 252,000                       | 252,000                      | 227,179                      | 90.15                              |
| 111-0000-324.04-44                 | GENERAL DISTRICT COURT    | 5,690                        | 7,779                         | 7,000                         | 7,000                        | 5,657                        | 80.81                              |
| 111-0000-324.04-51                 | GOVERNOR'S OPPORTUNITY FD | 0                            | 300,000                       | 0                             | 0                            | 0                            | .00                                |
| 111-0000-324.04-98                 | MISC STATE FUNDS          | 0                            | 0                             | 0                             | 0                            | 290                          | .00                                |
| 111-0000-324.05-23                 | ASSET FORFEITURE POLICE   | 5,077                        | 5,077                         | 0                             | 0                            | 5,332                        | .00                                |
| 111-0000-324.05-45                 | ASSET FORFEITURE COMM ATY | 233                          | 233                           | 0                             | 0                            | 4,785                        | .00                                |
| 111-0000-324.10-38                 | WIRELESS E911 SERVICE BD  | 32,828                       | 44,011                        | 45,000                        | 45,000                       | 74,324                       | 165.16                             |
| 111-0000-324.10-61                 | PUBLIC ASSISTANCE GRANT   | 5,084                        | 5,084                         | 0                             | 83,000                       | 61,947                       | 74.63                              |
| * STATE CATEGORICAL FUNDS          |                           | 996,295                      | 1,523,519                     | 1,263,000                     | 1,341,000                    | 1,112,117                    | 82.93                              |
| ** REVENUE FROM COMMONWEALTH       |                           | 5,191,912                    | 5,961,301                     | 5,804,000                     | 5,884,730                    | 5,507,360                    | 93.59                              |
| BASIC 33 REVENUE FROM FEDERAL GOVT |                           |                              |                               |                               |                              |                              |                                    |
| SUB 3 CATEGORICAL AID              |                           |                              |                               |                               |                              |                              |                                    |
| 111-0000-333.01-12                 | CONFICATED DRUG MONIES    | 4                            | 4                             | 0                             | 0                            | 0                            | .00                                |
| 111-0000-333.01-13                 | EMERGENCY SERVICE GRANT   | 0                            | 0                             | 0                             | 0                            | 8,905                        | .00                                |
| 111-0000-333.01-14                 | ASSET FORFEITURE FUNDS    | 17,478                       | 17,478                        | 0                             | 0                            | 636                          | .00                                |
| 111-0000-333.01-15                 | SAFE STREET ACT REIMBURSE | 2,186                        | 2,186                         | 0                             | 0                            | 0                            | .00                                |
| 111-0000-333.04-15                 | COMMISSION OF ARTS GRANT  | 5,000                        | 5,000                         | 0                             | 5,000                        | 0                            | .00                                |
| 111-0000-333.06-04                 | CHILD/ADULT CARE FOOD     | 0                            | 0                             | 0                             | 0                            | 4,402                        | .00                                |
| 111-0000-333.10-11                 | POLICE - DCJS GRANTS      | 17,710                       | 19,876                        | 0                             | 16,970                       | 6,486                        | 38.22                              |
| 111-0000-333.10-28                 | JUSTICE ASSISTANCE GRANTS | 888                          | 8,993                         | 0                             | 0                            | 0                            | .00                                |
| 111-0000-333.10-30                 | COPS                      | 163,450                      | 225,090                       | 100,000                       | 100,000                      | 105,270                      | 105.27                             |
| 111-0000-333.10-40                 | CDBG GRANT                | 316,460                      | 106,435                       | 460,000                       | 1,460,000                    | 932                          | .06                                |
| 111-0000-333.10-42                 | HAZ/MAT EMERGENCY PLANNIN | 0                            | 0                             | 0                             | 0                            | 2,476                        | .00                                |
| 111-0000-333.10-46                 | BALLISTIC VEST PROGRAM    | 0                            | 8,415                         | 0                             | 0                            | 0                            | .00                                |
| 111-0000-333.10-47                 | DEPT OF HISTORIC RESOURCE | 24,914                       | 24,914                        | 0                             | 0                            | 0                            | .00                                |
| 111-0000-333.10-49                 | VICTIM WITNESS            | 56,274                       | 75,032                        | 72,000                        | 72,000                       | 56,274                       | 78.16                              |
| 111-0000-333.10-55                 | DMV GRANTS                | 20,048                       | 30,466                        | 38,500                        | 38,500                       | 19,390                       | 50.36                              |
| 111-0000-333.10-61                 | PUBLIC ASSISTANCE GRANT   | 20,067                       | 20,067                        | 0                             | 311,000                      | 137,356                      | 44.17                              |

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FOR FISCAL YEAR 2013

CRVPD11

JULY 1, 2012 - MAY 31, 2013

| ACCOUNT NUMBER                     | ACCOUNT DESCRIPTION   | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|------------------------------------|-----------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND    |                       |                              |                               |                               |                              |                              |                                    |
| BASIC 33 REVENUE FROM FEDERAL GOVT |                       |                              |                               |                               |                              |                              |                                    |
| SUB 3 CATEGORICAL AID              |                       |                              |                               |                               |                              |                              |                                    |
| 111-0000-333.10-63                 | HOMELAND SECURITY/ODP | 114,138                      | 127,702                       | 0                             | 22,000                       | 30,019                       | 136.45                             |
| 111-0000-333.10-64                 | NVRDTF GRANT          | 38,118                       | 74,068                        | 80,000                        | 80,000                       | 37,802                       | 47.25                              |
| * CATEGORICAL AID                  |                       | 796,733                      | 745,726                       | 750,500                       | 2,105,470                    | 409,948                      | 19.47                              |
| ** REVENUE FROM FEDERAL GOVT       |                       | 796,733                      | 745,726                       | 750,500                       | 2,105,470                    | 409,948                      | 19.47                              |
| BASIC 34 OTHER FINANCING SOURCES   |                       |                              |                               |                               |                              |                              |                                    |
| SUB 1 NON-REVENUE RECEIPTS         |                       |                              |                               |                               |                              |                              |                                    |
| 111-0000-341.01-01                 | INSURANCE RECOVERIES  | 23,168                       | 23,168                        | 0                             | 0                            | 47,216                       | .00                                |
| 111-0000-341.02-04                 | BUILDINGS             | 386,296                      | 386,296                       | 0                             | 0                            | 0                            | .00                                |
| 111-0000-341.04-04                 | CDBG LOANS PRINCIPAL  | 236                          | 236                           | 0                             | 0                            | 1,000,051                    | .00                                |
| 111-0000-341.04-11                 | CDBG LOANS INTEREST   | 77                           | 77                            | 0                             | 0                            | 39                           | .00                                |
| 111-0000-341.04-20                 | PREMIUMS ON BONDS     | 3,995,350                    | 3,995,350                     | 0                             | 4,837,800                    | 4,837,787                    | 100.00                             |
| 111-0000-341.04-58                 | SALE OF BONDS         | 27,217,364                   | 27,217,364                    | 0                             | 22,125,300                   | 22,125,285                   | 100.00                             |
| 111-0000-341.05-27                 | UTILITIES FUND        | 1,200,000                    | 1,600,000                     | 1,600,000                     | 1,600,000                    | 1,200,000                    | 75.00                              |
| 111-0000-341.05-45                 | OTDB                  | 0                            | 79,817                        | 55,000                        | 0                            | 0                            | .00                                |
| 111-0000-341.06-01                 | FUND BALANCE          | 0                            | 0                             | 5,346,000                     | 5,346,000                    | 0                            | .00                                |
| 111-0000-341.07-01                 | SUPPLEMENTAL APPROP   | 0                            | 0                             | 0                             | 895,365                      | 0                            | .00                                |
| * NON-REVENUE RECEIPTS             |                       | 32,822,492                   | 33,302,308                    | 7,001,000                     | 34,804,465                   | 29,210,379                   | 83.93                              |
| ** OTHER FINANCING SOURCES         |                       | 32,822,492                   | 33,302,308                    | 7,001,000                     | 34,804,465                   | 29,210,379                   | 83.93                              |
| *** GENERAL OPERATING FUND         |                       | 90,055,964                   | 102,915,174                   | 79,770,000                    | 109,170,165                  | 90,551,299                   | 82.95                              |
|                                    |                       | 90,055,964                   | 102,915,174                   | 79,770,000                    | 109,170,165                  | 90,551,299                   | 82.95                              |

$\frac{-22,125,285}{68,425,944} = 85.78\%$

EXPENDITURES BY DIVISION  
 FOR FISCAL YEAR 2013  
 JULY 1, 2012 - MAY 31, 2013

| ACCOUNT DESCRIPTION               | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|-----------------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND   |                              |                               |                               |                              |                              |                                    |
| DEPT 11 LEGISLATIVE               |                              |                               |                               |                              |                              |                                    |
| * CITY COUNCIL                    | 77,231                       | 89,904                        | 95,400                        | 119,020                      | 92,107                       | 77.07                              |
| * CLERK OF COUNCIL                | 30,054                       | 32,213                        | 36,500                        | 36,500                       | 33,046                       | 82.90                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** LEGISLATIVE                    | 107,285                      | 122,117                       | 131,900                       | 155,520                      | 125,152                      | 78.44                              |
| DEPT 12 GENERAL & FINANCIAL ADMIN |                              |                               |                               |                              |                              |                                    |
| * CITY MANAGER                    | 207,287                      | 261,749                       | 246,100                       | 365,170                      | 251,688                      | 61.18                              |
| * CITY ATTORNEY                   | 275,553                      | 317,498                       | 351,000                       | 351,000                      | 254,023                      | 66.79                              |
| * INDEPENDENT AUDITORS            | 70,272                       | 81,727                        | 68,000                        | 68,000                       | 49,480                       | 72.76                              |
| * HUMAN RESOURCES                 | 340,516                      | 395,528                       | 451,800                       | 458,300                      | 317,856                      | 62.82                              |
| * COMMISSIONER OF REVENUE         | 301,395                      | 347,168                       | 565,000                       | 546,400                      | 445,728                      | 74.43                              |
| * EQUALIZATION BOARD              | 1,847                        | 0                             | 0                             | 0                            | 0                            | .00                                |
| * TAX FIELD OFFICE                | 48,575                       | 55,154                        | 0                             | 0                            | 100                          | .00                                |
| * PERSONAL PROPERTY OFFICE        | 77,674                       | 88,456                        | 0                             | 0                            | 0                            | .00                                |
| * TREASURER                       | 377,194                      | 425,811                       | 451,500                       | 451,500                      | 392,936                      | 79.91                              |
| * FINANCE                         | 525,901                      | 623,808                       | 650,500                       | 590,600                      | 447,161                      | 69.53                              |
| * INFORMATION TECHNOLOGY          | 858,051                      | 1,116,245                     | 1,525,100                     | 1,525,100                    | 952,184                      | 52.38                              |
| * RISK MANAGEMENT                 | 43,614                       | 46,114                        | 47,000                        | 47,000                       | 48,535                       | 103.27                             |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** GENERAL & FINANCIAL ADMIN      | 3,127,878                    | 3,759,258                     | 4,356,000                     | 4,403,070                    | 3,159,690                    | 64.07                              |
| DEPT 13 BOARD OF ELECTIONS        |                              |                               |                               |                              |                              |                                    |
| * ELECTORAL BOARD OFFICIALS       | 52,270                       | 68,834                        | 56,100                        | 62,275                       | 39,603                       | 62.79                              |
| * REGISTRAR                       | 89,669                       | 101,559                       | 122,700                       | 122,700                      | 93,420                       | 70.12                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** BOARD OF ELECTIONS             | 141,939                      | 170,393                       | 178,800                       | 184,975                      | 133,023                      | 67.66                              |
| DEPT 21 COURTS                    |                              |                               |                               |                              |                              |                                    |
| * CIRCUIT COURT                   | 68,355                       | 77,313                        | 79,800                        | 79,800                       | 69,087                       | 78.89                              |
| * GENERAL DISTRICT COURT          | 14,860                       | 16,610                        | 31,600                        | 30,350                       | 17,111                       | 51.84                              |
| * J & D RELATION DIST COURT       | 30,896                       | 36,790                        | 48,800                        | 48,800                       | 37,928                       | 69.45                              |
| * CLERK OF CIRCUIT COURT          | 411,572                      | 472,282                       | 496,800                       | 496,800                      | 439,953                      | 81.00                              |
| * CITY SHERIFF                    | 831,410                      | 957,101                       | 1,011,100                     | 1,012,350                    | 864,560                      | 78.14                              |
| * COURTHOUSE SECURITY             | 74,940                       | 84,664                        | 183,800                       | 183,800                      | 152,426                      | 75.55                              |
| * JUROR SERVICES                  | 20,000                       | 20,000                        | 23,000                        | 23,000                       | 20,000                       | 86.96                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** COURTS                         | 1,452,033                    | 1,664,760                     | 1,874,900                     | 1,874,900                    | 1,601,066                    | 78.13                              |
| DEPT 22 COMMONWEALTH'S ATTORNEY   |                              |                               |                               |                              |                              |                                    |

EXPENDITURES BY DIVISION  
FOR FISCAL YEAR 2013  
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| ACCOUNT DESCRIPTION               | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|-----------------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND   |                              |                               |                               |                              |                              |                                    |
| DEPT 22 COMMONWEALTH'S ATTORNEY   |                              |                               |                               |                              |                              |                                    |
| * COMMONWEALTH ATTORNEY           | 881,666                      | 1,002,030                     | 1,045,000                     | 1,045,000                    | 967,559                      | 84.74                              |
| * VICTIM WITNESS PROGRAM          | 120,589                      | 136,930                       | 139,900                       | 139,900                      | 123,531                      | 80.55                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** COMMONWEALTH'S ATTORNEY        | 1,002,254                    | 1,138,960                     | 1,184,900                     | 1,184,900                    | 1,091,091                    | 84.24                              |
| DEPT 31 LAW ENFORCEMENT & TRAFFIC |                              |                               |                               |                              |                              |                                    |
| * POLICE DEPARTMENT               | 4,873,050                    | 5,531,351                     | 7,426,700                     | 7,426,700                    | 6,205,584                    | 75.23                              |
| * INVESTIGATION DIVISION          | 1,157,461                    | 1,307,545                     | 0                             | 0                            | 0                            | .00                                |
| * POLICE GRANTS                   | 335,765                      | 385,547                       | 234,500                       | 261,965                      | 285,835                      | 105.60                             |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** LAW ENFORCEMENT & TRAFFIC      | 6,366,276                    | 7,224,443                     | 7,661,200                     | 7,688,665                    | 6,491,419                    | 76.26                              |
| DEPT 32 FIRE AND RESCUE SERVICES  |                              |                               |                               |                              |                              |                                    |
| * FIRE DEPARTMENT                 | 3,751,491                    | 4,331,668                     | 4,726,500                     | 4,701,910                    | 4,100,878                    | 79.77                              |
| * EMERGENCY MEDICAL               | 43,867                       | 48,645                        | 61,200                        | 61,200                       | 42,766                       | 65.26                              |
| * FIRE GRANTS                     | 147,206                      | 177,433                       | 0                             | 0                            | 51,764                       | .00                                |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** FIRE AND RESCUE SERVICES       | 3,942,565                    | 4,557,746                     | 4,787,700                     | 4,763,110                    | 4,195,408                    | 80.67                              |
| DEPT 33 CORRECTION AND DETENTION  |                              |                               |                               |                              |                              |                                    |
| * PROBATION OFFICE                | 1,729                        | 1,745                         | 3,200                         | 3,200                        | 2,392                        | 63.63                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** CORRECTION AND DETENTION       | 1,729                        | 1,745                         | 3,200                         | 3,200                        | 2,392                        | 63.63                              |
| DEPT 34 INSPECTIONS               |                              |                               |                               |                              |                              |                                    |
| * INSPECTIONS DEPARTMENT          | 386,688                      | 436,399                       | 489,700                       | 489,700                      | 394,131                      | 72.74                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** INSPECTIONS                    | 386,688                      | 436,399                       | 489,700                       | 489,700                      | 394,131                      | 72.74                              |
| DEPT 35 OTHER PROTECTION          |                              |                               |                               |                              |                              |                                    |
| * ANIMAL WARDEN                   | 114,555                      | 133,536                       | 135,800                       | 135,800                      | 117,563                      | 77.95                              |
| * EMERGENCY SERVICES CD           | 42,904                       | 49,575                        | 47,100                        | 69,100                       | 71,354                       | 95.54                              |
| * HAZARDOUS MATERIAL              | 32,587                       | 37,012                        | 41,800                        | 74,651                       | 61,892                       | 78.02                              |
| * COMMUNICATION OPERATIONS        | 749,357                      | 844,811                       | 993,700                       | 960,849                      | 805,979                      | 77.68                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** OTHER PROTECTION               | 939,404                      | 1,064,934                     | 1,218,400                     | 1,240,400                    | 1,056,787                    | 78.72                              |
| DEPT 41 MAINT HIGHWAY, STREET ETC |                              |                               |                               |                              |                              |                                    |
| * STREETS                         | 19,288                       | 23,133                        | 28,600                        | 28,600                       | 24,268                       | 83.80                              |
| * STORM DRAINAGE                  | 23,129                       | 39,245                        | 35,000                        | 35,000                       | 27,252                       | 77.86                              |
| * LOUDOUN MALL                    | 48,175                       | 54,795                        | 76,000                        | 76,000                       | 40,984                       | 48.85                              |

EXPENDITURES BY DIVISION  
 FOR FISCAL YEAR 2013  
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| ACCOUNT DESCRIPTION               | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|-----------------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND   |                              |                               |                               |                              |                              |                                    |
| DEPT 41 MAINT HIGHWAY, STREET ETC |                              |                               |                               |                              |                              |                                    |
| ** MAINT HIGHWAY, STREET ETC      | 90,592                       | 117,173                       | 139,600                       | 139,600                      | 92,504                       | 63.28                              |
| DEPT 42 SANITARY & WASTE REMOVAL  |                              |                               |                               |                              |                              |                                    |
| * REFUSE COLLECTION               | 1,073,186                    | 1,217,528                     | 1,295,800                     | 1,295,800                    | 1,142,926                    | 80.62                              |
| ** SANITARY & WASTE REMOVAL       | 1,073,186                    | 1,217,528                     | 1,295,800                     | 1,295,800                    | 1,142,926                    | 80.62                              |
| DEPT 43 MAINT GENERAL BLDG/GROUND |                              |                               |                               |                              |                              |                                    |
| * JOINT JUDICIAL CENTER           | 578,996                      | 685,664                       | 690,300                       | 690,300                      | 469,662                      | 59.42                              |
| * FACILITIES MAINTENANCE          | 1,015,585                    | 1,121,856                     | 1,162,800                     | 1,162,800                    | 1,000,004                    | 79.26                              |
| ** MAINT GENERAL BLDG/GROUND      | 1,594,581                    | 1,807,520                     | 1,853,100                     | 1,853,100                    | 1,469,666                    | 71.87                              |
| DEPT 53 WELFARE/SOCIAL SERVICES   |                              |                               |                               |                              |                              |                                    |
| * ELDERLY - PROP TAX RELIEF       | 0                            | 517,640                       | 520,000                       | 520,000                      | 0                            | .00                                |
| ** WELFARE/SOCIAL SERVICES        | 0                            | 517,640                       | 520,000                       | 520,000                      | 0                            | .00                                |
| DEPT 71 PARKS & RECREATION        |                              |                               |                               |                              |                              |                                    |
| * SUPERVISION PARKS & REC         | 0                            | 0                             | 470,700                       | 472,323                      | 406,085                      | 75.52                              |
| * MAINTENANCE                     | 0                            | 0                             | 825,310                       | 1,356,310                    | 1,232,237                    | 86.28                              |
| * RECREATION ACTIVITIES           | 0                            | 0                             | 83,400                        | 82,800                       | 66,841                       | 72.09                              |
| * OUTDOOR SWIMMING POOL           | 0                            | 0                             | 97,950                        | 97,950                       | 66,906                       | 64.44                              |
| * INDOOR POOL                     | 0                            | 0                             | 223,500                       | 222,850                      | 141,407                      | 56.99                              |
| * WAR MEMORIAL & ADDITIONS        | 0                            | 0                             | 420,900                       | 421,577                      | 326,530                      | 71.42                              |
| * SCHOOL AGE CHILD CARE           | 0                            | 0                             | 182,300                       | 182,300                      | 147,241                      | 74.18                              |
| * ATHLETIC PROGRAMS               | 0                            | 0                             | 193,040                       | 191,990                      | 146,743                      | 71.08                              |
| ** PARKS & RECREATION             | 0                            | 0                             | 2,497,100                     | 3,028,100                    | 2,533,990                    | 77.59                              |
| DEPT 72 CULTURAL ENRICHMENT       |                              |                               |                               |                              |                              |                                    |
| * APPLE BLOSSOM FESTIVAL          | 47,385                       | 47,389                        | 29,500                        | 29,500                       | 59,686                       | 60.00                              |
| ** CULTURAL ENRICHMENT            | 47,385                       | 47,389                        | 29,500                        | 29,500                       | 59,686                       | 60.00                              |
| DEPT 81 PLANNING & COMMUNITY DEVL |                              |                               |                               |                              |                              |                                    |
| * PLANNING DEPARTMENT             | 200,163                      | 229,089                       | 263,500                       | 275,800                      | 177,781                      | 58.93                              |
| * REDEVELOPMENT & HOUSING         | 357,629                      | 153,957                       | 460,200                       | 1,218,600                    | 1,087,168                    | 89.21                              |
| * ZONING DEPARTMENT               | 207,358                      | 234,445                       | 182,600                       | 180,825                      | 125,462                      | 64.16                              |
| * ECONOMIC DEVELOPMENT            | 211,794                      | 881,583                       | 736,000                       | 1,386,000                    | 1,102,587                    | 78.49                              |

EXPENDITURES BY DIVISION  
 FOR FISCAL YEAR 2013  
 JULY 1, 2012 - MAY 31, 2013

| ACCOUNT DESCRIPTION               | FY 2012<br>YTD<br>7/1 - 5/31 | FY 2012<br>Year-end<br>Actual | FY 2013<br>Original<br>Budget | FY 2013<br>Amended<br>Budget | FY 2013<br>YTD<br>7/1 - 5/31 | FY 2013<br>% of Budget<br>Realized |
|-----------------------------------|------------------------------|-------------------------------|-------------------------------|------------------------------|------------------------------|------------------------------------|
| FUND 111 GENERAL OPERATING FUND   |                              |                               |                               |                              |                              |                                    |
| DEPT 81 PLANNING & COMMUNITY DEVL |                              |                               |                               |                              |                              |                                    |
| * OLD TOWN WINCHESTER ADMIN       | 0                            | 0                             | 92,900                        | 317,100                      | 197,586                      | 53.40                              |
| * GIS                             | 83,686                       | 91,235                        | 90,300                        | 90,300                       | 73,673                       | 76.01                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** PLANNING & COMMUNITY DEVL      | 1,060,631                    | 1,590,309                     | 1,825,500                     | 3,468,625                    | 2,764,258                    | 77.60                              |
| DEPT 91 NONDEPARTMENTAL           |                              |                               |                               |                              |                              |                                    |
| * OTHER                           | 565,187                      | 252,364                       | 692,000                       | 587,000                      | 129,095                      | 20.02                              |
| * OUTSIDE AGENCIES                | 169,619                      | 192,713                       | 192,713                       | 182,713                      | 172,713                      | 100.00                             |
| * REGIONAL AGENCIES               | 4,856,850                    | 4,890,186                     | 4,805,285                     | 4,895,785                    | 4,765,405                    | 96.80                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** NONDEPARTMENTAL                | 5,591,656                    | 5,335,263                     | 5,689,998                     | 5,665,498                    | 5,067,213                    | 88.95                              |
| DEPT 93 TRANSFERS                 |                              |                               |                               |                              |                              |                                    |
| * INTERFUND                       | 24,627,869                   | 30,603,220                    | 34,503,202                    | 34,503,202                   | 24,506,102                   | 64.59                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** TRANSFERS                      | 24,627,869                   | 30,603,220                    | 34,503,202                    | 34,503,202                   | 24,506,102                   | 64.59                              |
| DEPT 95 DEBT SERVICE              |                              |                               |                               |                              |                              |                                    |
| * DEBT                            | 39,372,716                   | 40,050,727                    | 9,529,500                     | 36,678,300                   | 35,755,496                   | 96.70                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| ** DEBT SERVICE                   | 39,372,716                   | 40,050,727                    | 9,529,500                     | 36,678,300                   | 35,755,496                   | 96.70                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
| *** GENERAL OPERATING FUND        | 90,926,667                   | 101,427,524                   | 79,770,000                    | 109,170,165                  | 91,642,000                   | 79.59                              |
| -----                             |                              |                               |                               |                              |                              |                                    |
|                                   | 90,926,667                   | 101,427,524                   | 79,770,000                    | 109,170,165                  | 91,642,000                   | 79.59                              |

(26,730,500)  
 64,911,500      81.44