

## FIFTY YEARS ON A PRECIPICE

This is the story of the land wars of the second half of the 20th century, when we were fighting to save the farmland that had made Fauquier County one of the most productive and one of the most beautiful counties in Virginia.

Immediately after the end of World War II, the custom of building house by house, as populations grew, changed to building subdivision by subdivision. Since time immemorial, settlements had grown at the ford of a river, beside a harbor, or at a cross roads. After the war, subdivisions sprang up wherever a speculator could lay his hands on a piece of land — the cheaper the better — with no thought given for the consequences.

At that time we were all neophytes: developers, realtors, land speculators and those who were fighting to save the farmland — all of us fighting in unknown territory. There were no experts on either side. The battle for the land, whether it was for its development or for its preservation, had never happened before. Both sides were probing to see how far the law would permit them to go. In Virginia it did not let the preservationist go very far.

The county governments were caught in a bind. Virginia is a "Dillon's Rule" state, one of six in the nation, under which all power rests with the State Legislature. Counties have to obtain enabling legislation from the state for all local laws. We in Virginia coveted Maryland's "Adequate Public Facilities" ordinance, which gave a county the ability to deny a subdivision based on inadequate public facilities - particularly roads.. This ordinance was blocked in Virginia by the developers lobby, aided by the power of its purse at election time in Richmond.

We soon learned that the most important issues facing the County would be the use and misuse of the county's land, and that the most important elections would be to the County's Board of Supervisors.

Another lesson from the four- year fight to save the 4200 acre North Wales Estate, upon which a developer proposed to build 10,000 houses: there should be no place on either the Board of Supervisors or the Planning Commission for land speculators, builders or realtors in a county that was trying to control suburban sprawl.

"Real Estate" and those who practiced it — the land speculators, the land developers and their lawyers, and the realtors who sold the finished product— became the driving force in the economy. Where there had been three or four realtors in the County before the war— after it there were 300. The value of the best farmland in Fauquier County, which had remained steady for a hundred years at \$100 an acre for the most productive land, started an inexorable rise to where it is today— an average, covering the whole county, of \$7,700 an acre. Property taxes have risen in lock step with residential development.

In the early 1950's, a few small subdivisions began cropping up in the northeastern quadrant of the county, the area most accessible to people who worked in Washington D.C. (The term "commuter" was, at that time, a word totally unfamiliar to 90% of the country's population.) This growth was occurring in a part of the county that was not particularly good farmland and it was outside the territories of the five Fox Hunts in the County.

At that time, one of the new breed of “commuters”, William C. Burrage ( a city planner by profession) thought, as he made his daily three hour round-trip commute to his job at the Maryland National Capitol Planning Commission in Silver Spring, that there would be thousands like him, willing to trade inconvenience for the pleasure of living in the beautiful countryside of Fauquier County. He went to the County’s Board of Supervisors and shared with its members his concerns about the future of Fauquier’s farmland. Jack McCarty, the chairman of the Board, said: “I understand what that young man is saying”. As a result of that meeting, a planning commission was appointed, and its first action was to blanket the county with one acre zoning. This did not immediately meet with the 100% approval of the farmers in the county, who had never before had any restrictions put on their land.

In the early days of our war on suburban sprawl, the primary highways in Fauquier County were open for billboards and any and all commercial development. Loudoun County had led the country in eliminating its billboards, but Russell Arundel who worked tirelessly in the 1950’s to eliminate Fauquier’s many billboards, never quite succeeded. There are today, after almost 70 years, four billboards still standing.

In the late 50’s, Warrenton Lakes, a subdivision of 500 houses covering what had been the open fields of two farms between the Blackwell Road and Rt. 29, came as a shock to the nearby landowners, but was largely unnoticed by the rest of the county. Warrenton was happy to promise water from the reservoir it was about to build immediately upstream of the development.

Today, Warrenton Lakes with its winding roads lined with dissimilar houses could be a model for a small town built in a wood of full grown trees. However, unlike the towns of the past, but similar to post World War II subdivisions all over America, Warrenton Lakes has no center, no shops or side walks and no reason to be where it is.

Rt. 605 east of Rt. 29 marked the boundary between what is today the New Baltimore Service District and the rural southern half of the county. It still does. (On the last working day of 2017, Brian Cohn, the developer of Waterfield next to Vint Hill, put a Conservation Easement on his 300 acre Mt. Sterling farm, thereby plugging a hole in the south side of the Rt. 605 boundary.)

With pressure on the land mounting in the 1950’s, a couple of short- lived attempts were made to form land conservation associations, which were quickly taken over by the small pro-growth faction of local real estate investors led from behind the scene by Philip Nelson.( a contractor from Williamsburg, who had come to Warrenton to work for Walter Chrysler at North Wales.) Those early attempts to influence the pace of growth, taught us to keep tight control over the membership of organizations dedicated to the preservation of the county’s land.

Fauquier’s second wake-up call came from the 150 lot subdivision of the Bethel Military Academy property, at the western end of Rt. 605 at its intersection with the Blantyre Rd. This was serious business: 150 septic tanks on slightly less than 1/2 acre lots that would drain directly into the reservoir, a few feet down stream, for which the town of Warrenton was in the process of acquiring the land. The Bethel Academy subdivision passing the Planning Commission on a 2/1 vote, made it abundantly clear that Fauquier had no time to loose in securing the future of its farmland. (Dr. Murdock Head’s “Hog Farm” next door, designed to discourage the sale of lots, was criticized by the Fauquier Democrat and many local residents who thought it was unfair to the developer, but the Washington Post’s editorial, under the

heading “Oink Oink”, suggested: “ a few grunts today may save Fauquier County groans in the future”.)

A **comprehensive plan** to guide the future development of the county and the zoning ordinances to enforce it, had top priority. Rosser Payne, the head of the Master Plan Division of the Fairfax Planning Department, took on the job in his spare time at a salary of \$5000 a year - all that the supervisors felt the county could afford - a penny wise, pound foolish decision, which all too soon, would become apparent.

The Comprehensive Plan, which would have to go through a revision by the Planning Commission and the Board of Supervisors every five years, was based on the county’s geology. Fauquier’s 50 mile length divides roughly in the middle, between the northwestern half with steep slopes, erodible red clay soils and under- ground water flowing through crevices, and southeastern half with relatively flat land, sandy soils and underground water in aquifers. The northwestern half, needing more protection, was to be zoned 5 acres and southeastern, 2 acres.

To accommodate the residential needs for Rosser Payne’s prediction of a population of 235,000 by the year 2000, approximately 1/3 of the county was designated “Service District” and zoned 1 acre.

The Warrenton Service District almost joined the Marshall / The Plains Service District. The Rt 28 corridor including Catlett, Calverton, Midland, Bealeton and Remington was one continuous district to the border with Culpepper County and the New Baltimore Service District connected the Warrenton Service District with Prince William County.

In the seven years that it took Payne to produce his plan, many regional meetings were held throughout the county to familiarize the public with the Plan and its progress. Supervisors, when confronted by an application for a subdivision, relied on the basic premise of the Comprehensive Plan in making decisions, even though the plan would have no legal validity until the map and the ordinances to undergird it were adopted. The planning staff would be asked: “does this subdivision comply with the Plan?” The supervisors would base their decision on the answer.

Rosser Payne completed the Comprehensive Plan in a dead heat with the arrival in the county of John Cooper, a wealthy developer from Arkansas, with plans to build a community of 31,400 people, to live in 10,000 houses, on 4200 acres of North Wales, lying between the fringes of Warrenton and the Rappahannock River. ( For four years, the Fauquier Democrat, used the entirely fictitious population figure of 11,400 as part of the conspiracy to hoodwink the county into accepting Cooper’s preposterous proposal.)

Cooper was alarmed when he saw that North Wales was located in the Northwestern 5 acre Conservation Zone in the soon to be adopted Comprehensive Plan. The vice-chairman of the Planning Commission, the realtor involved in the sale of North Wales, told Cooper not to worry - the matter would be taken care of. And it was. When the long awaited Plan was unveiled at a public hearing, Rt. 211 rather than Rt. 17 had become the boundary between the Northwestern Conservation and the Southeastern Agricultural Zones - a change that no one at the public hearing noticed.

North Wales went from five acre zoning to two acre zoning— not nearly enough for Mr. Cooper, but that was probably the most Rosser Payne felt he could do for the developers, without risking his reputation as a city planner.

There were red faces and a lot of reasons given for the change in the zoning map, but the public accepted it as a mistake, which was soon rectified on the map, but the Planning Commission, under the influence of Philip Nelson, persisted for several years to try to return the Springs Valley to the two acre zone.

Mr. Cooper's plans for North Wales were not made public until January of 1968, coinciding with the adoption of the County's Comprehensive Plan and the seating of a new Board of Supervisors, of which John Adams, formerly chairman of the Planning Commission, became chairman, and Hunter deButts, former chairman of the BOS, became chairman of the Planning Commission.

At that time, little or no thought had been given to the financial burden that residential growth would place on the county's property tax payers. The North Wales developers had found a county that was willing to believe that 10,000 houses, valued at \$28,000, would create a financial bonanza for the county's real estate taxpayers, and for that reason alone, the North Wales development was welcomed by a large segment of the population.

It was easy to believe in those early days that a 100 acre farm divided into 100 one acre lots would produce far more in real estate taxes than a 100 a. farm in one piece — with no thought given to the costs of educating the children who would live in those 100 houses.

Research in the County's Property Tax books in the Commissioner of Revenue's office and in the county's budget for schools and other services, revealed a very different picture. What is recognized today as fact, in those days seemed counter-intuitive .

Rosser Payne's prediction of a population of 235,000 by the year 2000 played into the developers plans for North Wales. In the minds of many people, who did not live in the Warrenton area, there lurked the thought that 31,500 people living at North Wales would mean that many fewer people living in their back yards.

Thanks to North Wales we came to understand the price of growth, but Fauquier County, at that time, was faced with a recently adopted a Comprehensive Plan in which one third of the county was available for suburban growth. It was a Plan upon which the public had grown to accept and rely.

Over the years, the Service Districts have been whittled down in size and the County, thus far, has not given in to the incessant demands from the pro-growthers for the tax- payers to foot the bill for installing sewer and water in the Service Districts. 50 years later the same demands are still being made.

In his population prediction, Rosser Payne failed to take into consideration the depth of feeling for the county and the commitment to the county of people like John Adams, Walter Munster, Jimmy Green, Georgia Herbert, Harry Atherton, Boots Ritchie, Sue and Julian Scheer Kay Hayes, Janice Traver and the list goes on.

From the perspective of 2018, Payne's 235,000 does not seem so outlandish, when one considers that Prince William County has just edged out Newport News, and now has the second highest population in the state and Loudon County is the fastest growing county in the U.S.

The Board of Supervisor's election in 1968 marked the end of our "age of innocence," a time when it had been inconceivable that anyone would want the job of supervisor for personal gain. Before the rush to build houses on every available acre, and the change of a line on a map could spell profit over loss, there had been no possible pecuniary advantage to be gained by serving on a county's Board of Supervisors or on the Planning Commission. In the long history of this county before World War II, the five seats on Fauquier's Board of Supervisors were occupied by altruistic men, who met once a month in the afternoon to do their civic duty.

From his home in Culpepper Co. where he had moved after the North Wales affair, Rosser Payne would applaud developments in Fauquier Co. that might help to validate his population prediction. At that time the county's population was about 26,000 - up from 21,000 in the time it took to create his plan and adopt it.

It has been the role of the Mid-fauquier Assoc. (today's CFFC), formed during the North Wales battle, to make sure that Rosser Payne's prediction of 235,000 people living in the county by the year 2000 did not come true. Today, 50 years later, the county's population is 69,069..

At that time, we did not realize that our main antagonists came from within the county - not from the Arkansas developer, who was, however, eager to accept any local help offered.

Help for the developer of North Wales came primarily from one man, who, like a puppeteer, controlled key people in the planning department, on the Planning Commission, on the Board of Supervisors and, perhaps most importantly, the editor of the Fauquier Democrat, the only source of news in the county. Philip Nelson, with no official status in the county government at that time, was that man.

We lost the battle for North Wales in a 3 to 2 vote at the Board of Supervisors. The one term supervisor who represented Cedar Run District, later testified in court that his motion to accept the Cooper Co.'s proposal had been written by Cooper Co. lawyers.

The Mid Fauquier Assoc. played only a minor role in the North Wales affair. The heavy lifting was done by Bill Backer, Francis Greene and Prentice Porter, under the name of the Fauquier Protective Assoc. Those three men carried the day to day burden of saving this county in its time of greatest peril, aided first by the Hon. Armisted Booth, and after he fell ill, by Hugo Blankingship and William Koontz, attorneys from Fairfax.

Before the attack on North Wales, Bill Backer, a new-comer to the county, recognizing the threat to northern Fauquier from residential development, had organized the Upper Fauquier Assoc. with Evelyn Baird as its secretary. He understood the political danger from having most of the county's population concentrated at North Wales.

After the North Wales crisis finally receded - it was years before it ended - the Upper Fauquier Assoc. retreated to upper Fauquier, where it almost perished from lack of anything to do - all the land-problems occurring in central and southern Fauquier, as is the case today.

When Hubert Phipps, the owner of the Fauquier Democrat died, the paper fell into the hands of Helmi Carr, a developer from Loudoun County.

Having experienced at first hand the damage that can be done by the only source of news in the wrong hands, Bill Backer, John Warner, George Ohrstrom and Prentice Porter published a rival paper, The Piedmont Virginian, in The Plains for the next seven years. It served as a

counter balance to the Fauquier Democrat, until Russell Arundel bought that paper and turned it over to his son, Arthur (Nick) Arundel.

In about 1972, concerned land-owners in the seven counties of the Piedmont joined forces to form the **Piedmont Environmental Council** whose first home was in an office on the second floor over Jimmie's Market on Main St. in Warrenton. Powell Harrison and Ambassador George McGee were in at the birth and were instrumental in guiding PEC through its formative years. Mid Fauquier shared its membership list with PEC, a favor that has been returned many times over in the past 50 years.

In 1966, the Virginia legislature, prodded by Senator Jerry Bemiss had enacted the enabling legislation for the creation of **Conservation Easements**. In the early 70's a number of land owners in the northern half of the county applied. The program proceeded apace until the IRS declared that the difference in value, between a property's fair market value before and after the imposition of development restrictions, could not be taken as a tax deduction. The Hon. Jimmy Symington took the IRS to court and won. Had he not done that, the easement program would have died aborning, and the protection that exists today, on 97,153 acres under Conservation Easements in Fauquier County, would never have happened.

A crucial step towards saving Virginia's farm land was taken by the Virginia Legislature in April of 1969, when it created the **Land Use Tax**, whereby land is taxed by what it will earn as farmland, as opposed to what it would be worth for development.

The assessment of farmland by "its highest and best Use" had worked well for a hundred years or more, until subdivisions began to spring up, helter-skelter, in its midst .

From the tax assessor's point of view, the "highest and best use" for a farm in the vicinity of a subdivision, was for its potential value as another subdivision. With the post war explosion of residential development, farmland near metropolitan regions was in danger of being taxed out of existence.

In a three to two vote, the Fauquier Board of Supervisors adopted the Land Use Tax, making Fauquier one of the first four counties in the state to do so. However, in Fauquier it was a contentious issue, strongly opposed by the Chamber of Commerce which threatened to sue both the Board of Supervisors and the State Legislature.

Without the Land Use tax, farming in counties near metropolitan centers would have ceased to exist. To qualify for the tax reduction under the Land Use tax, the land had to be farmed.

In an unanticipated way and peculiar to Fauquier County, the Land Use Tax benefitted both the farmers in the southern half of the county, who might need more land to farm and the landowners in the northern half who needed their land to be farmed in order to qualify for the Land Use tax.

## 1972

The winners in the 1972 election to the Board of Supervisors were: Jimmy Austin, Jason Paige, Sam Butler, David Botts and John Adams, who had been challenged by Buddy Yurgaitis, the developer of the Bethel subdivision. According to the Fauquier Democrat, if candidates Long, Carter & Yurgaitis had been elected, there would have been no land-use tax, no capital Improvements or orderly development ordinance. and no building moratorium.

That election was the first in which the “slow-growthers “ participated. Bill Backer sent ads down from his office at McCann Erickson in New York: “Some of our best friends are developers, but we don’t think they should serve on the Board of Supervisors” . This was accompanied by a picture of Mannassas' sprawl and was aimed at Yurgaitis, the developer of the Bethel Academy subdivision.

Two very good things happened in 1972: Zoning administrator Harry Morris, following in the footsteps of Rosser Payne, quit the county to work for developers. Morris was replaced by **Dick McNear**, who turned out to be the right person in the right place at a crucial time. County consultants, Rivkin Carson, had warned the county: *“development proceeds as if the Plan was nonexistent: the county should tighten up and free loopholes in zoning and subdivision laws. Make soil studies, and decide exactly where development should and should not occur....”* Dick McNear always claimed he was “a Country Planner— not a City Planner.”. A role he fulfilled at a crucial time.

That same year, 36 members of county governments, mostly from Fauquier and Loudoun, were taken to England to be shown how that country had managed to retain its farmland. The trip was sponsored by the National Trust, and the Piedmont Environmental Council and made possible by Paul Mellon- and vociferously opposed by Jason Paige of Markham who was soon to become a member of the Board of Supervisors. The fact that England does not tax its farm land did not seem to have made an impression.

The Virginia Dept. of Transportation, VDOT, recommended **eight 4-lane highways** in the New Baltimore Service District, which the Planning Commission tabled a month later. Skeins of VDOT told the planners that the Comprehensive Plan did not show roads in an area which it indicated would be heavily developed. *“605 will be the county's major secondary road,”* said Mr.Skeens.

In 1973, a **Capital Improvement** and an **Orderly Development Ordinance** were adopted; building permits hit a record; the average price of a house was \$33,000; the new courthouse was nearing completion; there were rumors of the army closing Vint Hill; Parks and Recreation Authority was organized with Charlie Seilheimer as its first chairman, and Gen. Frank Norris was appointed to the Planning Commission.

In September, Robert Bartenstein, an engineer, graduate of VMI, who came from a local well respected family, asked the BOS to instruct the Planning Commission to review plats behind closed doors.

At the same time that North Wales was being attacked, Bartenstein had been the engineer for a group of prominent Washingtonians who had bought land in the Carter's Run valley on which they proposed a very large development adjacent to land the county had acquired for a reservoir for Marshall.

Bobby Batrtenstein's was an example of how the Fauquier community was split on the growth issues. In many cases life-long friendships did not survive, but on the other hand, new and lasting friendships were forged, often from the "Letters to the Editor " column in the Fauquier Democrat.

Jason Paige, who took the Marshall District seat, occupied for over 30 years by Jack McCarty, thought the county should have an Economic Development Committee to promote business and industry. This was to be a recurring theme for the next 45 years. Sam Butler, the dairy farmer representing Lee District, said : "I wouldn't want to see it get to where there was an office or a secretary."

For many years Sally Murray, sec. of the Chamber of Commerce filled the position of promoter in chief of economic development for the county. At the end of her tenure she said she had not been able to add one job to help Fauquier's economy . Fauquier's economy has had a consistent unemployment rate of about 4% and has had no need of help.

When Jimmy Austin, Center District, became chairman of the BOS in 1973, one of his first acts was to appoint Philip Nelson, his confederate from the North Wales days, to the Planning Commission.

Nelson, had not let the grass grow beneath his feet In the short time he had lived in Fauquier County. Besides the real estate company in which he was involved with key county officials, he had started a Savings and Loan Company and a company that manufactured concrete septic tanks that became the only septic tanks that the Building Inspector would approve.

Major 5 year revisions to the Comprehensive Plan were begun in December of 1975.

## 1976

The Board of Supervisor election of 1976 was a disaster. John B. Adams, the strongest proponent of all that was good for Fauquier County, was beaten by young, inexperienced, Steve McIlvain by 81 votes. Adams had angered his erstwhile supporters in Scott District by declining to vote on the Rt. 66 interchange at The Plains, for the valid reason that his family owned the adjacent land. Jason Paige became the chairman of possibly the worst- ever Board of Supervisors whose other members were David Botts and Sam Butler from Cedar Run and Lee Districts and Bob Gilliam from Center. Fortunately, for the county, Gilliam was to serve only one term. The next four years were a nightmare.

At that time of unusually harsh discord between the public and the majority on the Board of Supervisors, official minutes of the meetings contained little more than a tally of the votes. Steve McIlvain's motion to tape the meetings had been voted down. It was only after the BOS found, to its chagrin, that members of Mid Fauquier, armed with tape recorders, had the only accurate record of what was said and done, that meetings were taped.

**Philip Nelson** became the chairman of the Planning Commission - the fox in charge of the hen house, and in those days there were lots of chickens predicting the end of farming in Fauquier County - a prophesy that Philip Nelson spent many years trying to fulfill.

Realtors' attorney, H. Ben Jones was appointed County Attorney by the pro-growth Board of Supervisors - a post he held for only a couple of years. As a member of the Northern Virginia Builders Industry Assoc. (NVBIA), he was to beat a path to Richmond to trash the county on its behalf.

The county's population had grown by 11.7% between 1970 and June of 1976. As development pressures mounted in Lee district, Janice Traver emerged as the leader of southern Fauquier. She took on Vepco in a power line dispute, founded the Southern Fauquier Citizens Assoc. and in 1976 became the first woman to be appointed to the Planning Commission, on which she served for ten years.

June of 1976 Fauquier Democrat: "*It took five years and many consultants to rewrite the Comprehensive Plan*" The Service Districts were greatly reduced in size, but room for expansion was left in the Plan, which was to be the source of contention until it was finally eliminated.

In Feb. of 1977, Partridge Run, a subdivision in Cedar Run District of 36 five and ten acre lots, was denied by the Planning Commission, but passed by the Board of Supervisors in a 3-2

vote. Mid-Fauquier and several neighbors filed a suit against the county, which was rejected by Judge Snead.

In 1977, the focus of Mid Fauquier's (CFFC) attention was on eliminating the proposed **Thoroughfare Gap interchange** on Rt 66 at its intersection with the Blantyre Rd. The fact that Fauquier County had more interchanges on an interstate highway than any other county in the U.S. was due to Howard Smith, Fauquier's very powerful representative in congress. It was said that he had been handed a map of the highway as it was to cross the county and a red pencil to mark where he wanted interchanges.

Don Patterson, who succeeded Bill Backer as the head of the Upper- Fauquier Assoc., and the Currier girls of Kinlock, Andrea and Lavinia, were our very effective allies in eliminating the interchange.

Our main opponent was the chairman of the Planning Commission, Philip Nelson, who wrote a letter to the Virginia Department of Highways on Planning Commission stationery, advising VDOT to disregard the Mid-Fauquier Assoc.

Mid-Fauquier's petition to the Board of Supervisors, with over 1000 signatures, asking for Nelson's resignation from the Planning Commission was ignored.

**Julian and Sue Scheer** had moved to the county in the midst of the North Wales affair. Before even being aware of Mid-Fauquier's existence, in 1972-3, Sue, with her friend and neighbor Nel Gulick, took up the fight to save the county's farmland and persuaded the Board of Supervisors to put a ban on building for a year. It lasted about six months.

On Mid- Fauquier's board, Sue has spent many years defeating the County's and the Corps of Engineer's plan to build the Auburn dam, one of seven impoundments planned for flood control in the Cedar Run watershed below the Warrenton reservoir. In her spare time, Sue saved Civil War battlefields at Auburn near Casanova, ran for the House of Delegates, and served as the planning commissioner for Cedar Run district. Today, Sue is one of the longest serving members of Mid-Fauquier / CFFC board.

Julian Scheer, though never on Mid -Fauquier's Board, was the brains behind The Bugle: "*All the news that causes a fit*", published in times of emergency, of which there were many in the turbulent 1980's and 90's.

When needed, Julien produced our ads for the Democrat, and he made us laugh when laughing was all that kept us going in those days of constant conflict.

In 1977, the farmers, particularly the dairy farmers, under the leadership of Supervisor Sam Butler of Lee District, sought relief from **personal property taxes** on farm animals and farm machinery. Research in the county's tax books, during the North Wales controversy, showed that many farmers were paying more in personal property taxes than the Safeway, the largest store in the county. Unlike the farmers, the Safeway was able to reduce its taxable property at year-end sales.

Failing septic tanks, and grey water in the gutters of Catlett, Midland and Calverton have been a seemingly impossible problem for the county to solve for the past half century. A **regional sewer**, with a pipeline from Catlett to the Rappahannock was opposed by Mid-Fauquier (CFFC) in June of 1978, from fear of accelerating growth in a farming area. Mid Fauquier sent several of its directors to Richmond to oppose the project.

Eight years of Jason Paige representing Marshall District on the Board took its toll. His was a vote upon which the pro-growth faction in the county could always depend. It was not easy to understand the positions he took on the land issues. He lived on a lovely farm in the mountains of Markham — one of the most protected areas in the county. His closest friends were in the first ranks of those fighting to protect the county. He had been appointed by Mr. McCarty as head of the newly formed Water and Sanitation Authority during the North Wales affair and was eager to do his bit to help the Cooper Co.

When Chairman of the BOS, if he detected a reluctance on the part of supervisors Butler and Botts to vote his way, he would say, "Well, let's come back to this after lunch." "Lunch" at a restaurant near New Baltimore seemed to have a miraculous effect on the vote of those two supervisors from Lee and Cedar Run districts. Paige's system worked well until a couple of Mid-Fauquier board members followed the supervisors to the restaurant, sat down at their table and ordered lunch.

On what became known as "**Black Saturday**," the Board of Supervisors, led by Lee district's Sam Butler, with McIlvaine in the minority, voted to expand the Service Districts with a buffer zone (Rural Residential District), making the Service Districts the same size as in the original plan.

*"Acting on Butler's motion, seconded by Botts, the BOS voted 4-1 (McIlvaine) calling for 2 acre zoning in the Ag districts. The revised Plan had called for 3 acre zoning. Butler: "Farmers want to maintain optimal use".*

The Board of Supervisors rejected Mid-Fauquier's request for another public hearing on the five year mandated revision of the plan.

Supervisor Steve McIlvaine said that changes made by the Board of Supervisors on Oct 12th (Black Saturday) were not discussed at any public hearing. Paige had, allegedly, received a petition with 600 names against 5 acre zoning. That petition had disappeared. There was considerable doubt that it had ever existed.

The Planning Commission was split at this time, with Davenport, Nelson and often Thorpe voting for everything that met the technical requirements of the county ordinances. Janice Traver and Walter Munster of Scott District voted against developments, if they did not meet the goals of the Comprehensive Plan, even if they had met the technical requirements.

It was fortunate that the terms of the Board and the Planning Commission did not coincide. More often than not, there would be a pro-growth board and a slow-growth commission or visa versa.

The March 30th., 1978 Democrat reported that the Planning Commission criticized the BOS for *"casting aside their recommendations, specifically, revisions of the Comprehensive Plan,*

which the Commission and staff had spent 2 years updating. The Commission had recommended:

- . reduction in the size of the service districts,
- . that those lands, no longer qualifying for conservation, be designated agricultural,
- . that all agricultural land be zoned 3-acre throughout the county.”

In May, one term Center District supervisor Bob Gilliam moved to double the size of the Planning Commission, because plats were being forwarded to the Board of Supervisors without recommendations. The BOS wrote the Commission asking that each member vote on each issue and explain their vote. Gilliam’s motion received no second. It had been directed at Walter Munster of Scott District and Janice Traver, who had been appointed by Sam Butler to fill the unexpired term of Bill Embry in 1977.

A Mid-Fauquier ad in the Democrat before the BOS election in 1980 stated: “By their actions on Oct. 10, 1978, the Board of Supervisors:

- . altered the Plan to allow a potential population increase of 35,000 people
- . overruled the Planning Commission’s effort to eliminate private streets
- . tried to strip the Planning Commission of its power
- . voted to deny citizens a public hearing on the Thoroughfare Gap interchange

“ For the first time, the appraised value of land was higher than that of buildings.” Fauquier Democrat 2/1/78

In July of 1979 the county’s first **Agricultural - Forestal District** was established near Upperville. By joining an Ag-Forestal district, for a specified number of years, a farm was committed to remain a farm (without necessarily having to be farmed) in exchange for the guarantee of the land-use tax .

By 1981 there were 8 Ag-Forestal districts with approximately 75,000 acres enrolled.

## 1980

Relief came in 1980 with John Adams’ return to the Board. Center District, usually represented by a pro-growther, elected Bob Kenefick, who, unfortunately, left the county after serving only three years of his term. Jimmy Austin, the genial proprietor of the Blue Ridge Hardware, appointed to fill Kenefik’s unexpired term, was returning to the seat he had occupied

for many years. Austin's had been the swing vote in the crucial Hinegardner motion in the North Wales affair. The developers could count on Jimmy's vote, but he was well liked in the community and his sins tended to be forgiven.

Jimmy Green had defeated Jason Paige by a handful of votes in Marshall District. He was to serve on the Board of Supervisors with the same devotion and tradition of public service as his uncle Jack McCarty had for 36 years. However, the job had become far more arduous and time consuming than in Mr. McCarty's time of half day meetings once a month, when the most pressing decision might be whose road would be paved.

In February of 1980, **Legality In Land Use** was created to undo all the good measures taken by the county to protect its farmland. LILU's ad against the 5 acre zoning in both the north and the south predicted: *"this ordinance will drastically reduce land values throughout the county, will prevent local business expansion and limit future earning power for everyone, especially our children.. Make a stand against snob zoning in Fauquier."*

In 1981, the county's consultant to the Planning Commission, **Grayson Haynes**, told the county that similar land should be zoned similarly. At that time, farmland in the north was zoned 5 acres and in the south 2 acres. The question became: should the North go down to two or the South go up to five?

The Mid-Fauquier Assoc. circulated a petition asking for five acres throughout the county, which twenty-five of the most influential farmers in the southern half of the county had signed. James Ott, a leading dairy farmer, presented a petition, which was signed by 127 farmers also asking for uniform 5 acre zoning.

When Mr Ott stood up to speak at a public hearing, everyone listened and usually laughed, because he had an unerring ability to hit the nail on the head with as few words possible.

The Democrat reported on May 21, 1981 that the BOS had rezoned all of **North Wale's** 4000 plus acres to Rural Agriculture 5 a. It had taken 14 years to right a wrong that had been committed by a small group of men out to make themselves rich.

It was also in 1981 that the Board of /Supervisors adopted the **Special Exception Ordinance** which allowed the county to require certain concessions from the developers of subdivisions of more than 50 lots in the Service Districts, in order to make their developments more compatible with their neighbors. The Special Exception Ordinance or the "S E" was to be the subject of numerous battles between the County and the Northern Virginia Building Industries Association. ((NVBIA).

#### VIRGINIA'S PROPERTY TAX RATES

Rappahannock.....\$152

Warren.....\$368

Fauquier..... ..\$376  
 Clarke.....\$364  
 Culpepper.....\$392  
 Stafford.....\$736  
 Loudoun.....\$800  
 Fairfax.....\$980  
 Prince William.....\$976  
 Manassas Park....\$1656

Donna Cutt's proposal to build a shopping center on her farm on Rt 17 opposite the Gold Cup course was denied. Except for Bealeton and Opal, Rt 17's 50 miles from Goldvein to Paris, is today unblemished. 60 years ago, bill boards lined the highway.

While Janice Traver had been appointed to the Planning Commission by Sam Butler, theirs had not been a happy relationship. In 1983, when her term was up, it took a petition with 542 signatures to induce Butler to reappoint her. He had intended to replace her with developer/ realtor Dell Ennis. In June, she announced she would run for Sam Butler's seat on the Board of Supervisors in the 1884 election.

## 1984

In the election of 1984, Madge Eicher was defeated by Jimmy Green. The new Board was comprised of John Adams, Sam Butler, David Botts, Jim Rankin in Center District and Jimmy Green- a challenge for John Adams, but one he was well equipped to handle.

The following are some headlines in the early months 1984

- \* *HOME BUILDERS OFF TO A QUICK START (Jan.)*
- \* *\*HOUSING MARKET EXPLODING HERE" (Feb.)*
- \* *"HOME BUILDING SURGE CONTINUES" (March)*
- \* *"LOCAL BOOM DEFIES LOCAL AND VIRGINIA TRENDS" (April)*
- \* *"BUILDING PERMITS SET RECORD" (May)*
- \* *"BOOM CONTINUES" ( June)*

Menlough, a small farm with a large handsome Old house at the end of Culpepper St. in Warrenton, sold for \$1,100,000 in 1984.

*in 1920 it sold for .....\$35,000 with house, stables and land*

“ 1950 .....\$75,000 “ “ “ “ “  
“ 1981.....\$750,000 “ “ “ “ “  
“ 1984.....\$1,100,000 “ “ “ “  
“ 1989..... \$5,500,000 *without the house*  
“ 1993.....\$700,000 “ “ *on the court House steps to developer, Bob Sowder*

*The assessed value in 1993 ....\$1,800,000 Fauquier Democrat 1/24/84*

In August of 1985, the Board of Supervisors asked the Planning Commission to study ways of slowing growth. Four months later the PC presented Dick McNear’s proposal: a **sliding scale** of one house per 10 acres on lots of 100 acres or less, with decreasing density on larger lots, with 90% of the remainder of the land to be left in deeded open space. The idea was to preserve farmland in large enough tracts to be practical for farming.

The Planning Commission in concentrating on the farmland, had fulfilled only part of what the BOS had requested. Certain members of the Board were miffed and did not want to consider a piecemeal revision of the Plan - or that was what they said.

The Democrat of 12/19/85, under a banner headline announced “*DOWNZONING DEBATE BEGINS*. The debate, in letters to the editor, and in full page ads, raged until February of 1986. All through that time, the Democrat insisted that McNear’s “sliding scale zoning” was one house on a 10 acre lot, instead of a one to ten ratio. With the newspaper printing erroneous information, it was difficult for the public to understand, (especially when accosted by members of Mid-Fauquier soliciting signatures on a petition in a parking lot in the freezing cold after having been evicted from the Safeway.)

This is the relevant portion of a long letter, the chairman of the Planning Commission, Walter Munster sent to the BOS to explain why the Planning Commission was giving top priority to protecting the farm land: “*Were it not for the urgent need for action on the rural part of the zoning laws, and the fact that recommendations on the rural part of the plan can be made without jeopardy to the structure as a whole, we would be pleased to hold our recommendations on this matter until the work on the Service Districts is complete.*

In a 4-1 vote, the BOS refused to hold a public hearing on what was referred to as “piecemeal recommendation” from the Planning Commission. Butler wanted to tie down any rezoning of any agricultural land to putting water and sewer in the Service Districts and enlarging them

In a 4-1 vote the Planners recommended the downzoning of the farmland. County Administrator Steve Crosby wrote the Planning Commission a letter reiterating the Board’s request for only one document.

Supervisors Adams and Botts indicated they might consider the Planner's proposal in spite of Crosby's letter and the Board's action of the previous week. Sam Butler believed that Thorpe and Munster supported the changes because they wanted to be supervisors. (Fauquier Dem. 12/26/85.

According to Lee District's Sam Butler, the Planning Commission was responding to pressure from PEC and Mid-Fauquier- groups that represent the wealthy. Butler's memorable statement : "cows don't ride the school bus" notwithstanding, it was hard to understand his position on residential growth. The disappearance of Prince William's dairy herds, was too close to go unnoticed by a major dairy man in the next county. Both Mr. Botts and Mr. Butler appeared to be unusually susceptible to blandishments from the slick local lawyers representing the NVBIA.

Ad from Mid-Fauquier: *"Your Commission has acted responsibly on your behalf to save Fauquier's rural acres for all its citizens.* The following week another ad: *"Will Fauquier listen to the voice of the people or to the voice of the Board of Realtors?"*

"The Board of Realtors which could always be counted on to oppose any measure for controlling growth, published an ad which claimed: *"The Planning Commission's Sliding Scale proposal will cause virtually all development to be concentrated in already densely populated Service Districts, by ensuring that growth elsewhere will be impossible: all agricultural land to be downzoned by 50%, critically reducing farm equity, etc."*

At the public hearing before the BOS, at the Fauquier High School auditorium, on the Planning Commission's recommendation to down-zone the county's rural land, the Mid-Fauquier Assoc. rolled down the aisle a petition with 2,878 signatures, asking the county to adopt the ten acre zoning. 475 people attended that meeting.

The Board deferred action and sent the proposal back to the Planners, who slightly revised their proposal to require 85% open space, which could not be redivided for 25 years and to relax the Sliding Scale so that 0.99 acres would get one lot. 10 to 19.9 acres would get 2 lots.

Supervisor Sam Butler accused the Planning Commission of deliberately dragging their feet. He claimed politics were delaying the review.

The Realtors ad in the Feb. 6th Democrat: *"The Fauquier Board of Realtors firmly believes that to downzone our county without acting on the other issues addressed by Mr. Adams' letter (letter referring to the Planning Commission ) "would be an EXCLUSIONARY action by our supervisors and NOT to the overall benefit of our citizens."*

The Feb. 13th Fauquier Democrat published the following ads: from Opponents to Land Waste: *"Downzoning would reduce the value of your land by 1/3;"*

From PEC: Walter Munster's letter to the BOS in full, explaining why the Planning Commission had given priority to the study of the agricultural lands, and from Mid-Fauquier: *"To our children: this can be your future."*

The May 22, 1986 Fauquier Democrat reported that the downzoning amendments were adopted in a 3 to 2 vote. *"Last August the the Board of Supervisors asked the Planning Commission to make a comprehensive study of growth in the county. Instead the Planning Commission concentrated on methods to slow development of agriculturally zoned land and promised to follow up that effort with a study of the Service Districts that would be completed by August '86."*

In the six month period that the county grappled with the Special Exception ordinance, Mid-Fauquier had placed four full page ads in the Democrat; from the Fauquier Board of Realtors : 2 1/2 pages and from Opponents to Land Waste :1 and from PEC: 1.

At that time, the editor of the Democrat, Lou Emerson and the reporter, Don del Rosso were new at the job and new in the county. The sliding scale concept was also new and hard to understand. The Democrat got it wrong in 10 different articles between December of 1985 and February of 1986.

Rosser Payne from his home in Culpepper County, *"faults Fauquier's attitude toward growth. He urged builders, developers, planners, realtors and other county officials to work together on the issue of growth."* Fauquier Democrat: Nov. 13, 1986.

The March 19th, 1987 Democrat quoted McNear: *"The ability to provide sewer" (in the Service Districts) "is the biggest factor in determining what the county can do with the Service Districts. "*

David Botts, who had represented Cedar Run district on the Board of Supervisors for 16 years, retired. Circumstances beyond his control had prevented him from obtaining the sewer systems for Catlett, Calverton and Midland which had been his main objective.

The Planners, Walter Munster, Harry Atherton and for shorter periods, Norman Pearson, Tom Thorpe, Janice Traver and Sue Scheer, working with Dick McNear, did their utmost, often against impossible odds, to set Fauquier on the right path and keep it there. They were willing to experiment and try to compensate for the Virginia legislature's persistent refusal to grant the counties the tools they needed to control suburban sprawl.

An adjunct to the "Sliding Scale ordinance" was the "**Special Exception**" provision which provided a way for a landowner to apply for as many as 10 lots per 100 acres, and a reduction of the open space requirement, without going through the rezoning process.

Sliding scale zoning, an idea that had originated in Clarke County, turned out to be an effective tool for controlling population growth.

Tiny Clarke County, nestled behind the Blue Ridge Mountains - out of reach of commuters from Washington and with an homogenized population, had the time and the expertise under the very able direction of Bob Lee, its Director of Planning, to become an incubator of innovative ways to control growth. A few years later, it would be Fauquier County's good fortune to have Bob cross over the Blue Ridge Mts. and become Fauquier's County Administrator. Later, he became the head of the Virginia Outdoors Foundation, and today Bob Lee is a member of Fauquier's Planning Commission.

Fauquier County, 50 miles in length from north to south, in the direct path of suburban sprawl, and with a distinctly unhomogenized population, was fortunate to have had, at this very difficult time, John B. Adams and later Jimmy Green and Georgia Herbert serving on the BOS and Walter Munster for 16 years on the Planning Commission and Harry Atherton for a total of 26 years divided between the BOS and the Planning Commission.

SOBER ADVICE FROM MC NAER *"Before the county planners can recommend changes" (to the Service Districts), "they first must receive a study evaluating the feasibility of providing sewerage to the Service districts. The study was originally to have been finished by the end of December, but planning officials now expect the study will be done in mid-April (William Overman Assoc). "The study will report in which Service Districts sewerage is most economically feasible. The ability to provide sewerage is the biggest factor in determining what the county can do."*(Democrat)

**THE OVERMAN'S ASSOC.'S STUDY** came out in May of 1987. Sewer expansion could cost \$55 million. The study recommended a sewer plant that could treat 4.5 millions of gallons of sewerage a day, west of Warrenton, and should be built by 1997. It would serve the New Baltimore Service Districts and Warrenton, if Warrenton joined the project.

It also recommended doubling the size of the Remington plant to at least 640,000 gals. a day. That expansion would cost \$1,75 million. Within 20 years, the report said, a new treatment plant at Remington, with a 3 million gallon capacity, should be built to serve Remington, Bealeton, Midland, Calverton and Catlett Service District.

*Overman Associates recommends no sewerage facilities be built in the Catlett, Calverton, Midland Service Districts in the next 10 years, because the population density is too sparse to make sewerage economical."* (from the Democrat)

In August of '87, three members of the Planning Commission, Thorpe, Tapscott, and Molloy considered enlarging the Service Districts. Rosser Payne, ever watchful of what Fauquier County was doing to his Plan, wrote from his home in Culpepper Co. that he was very grateful that "somebody in officialdom has decided to think about long-term planning again".

In September, of 1987, Til Hazel was quoted in the Democrat: *"The raging problem for the next decade, and probably for the decade after that, will be affordable housing."*

At the end of December, the Planning Commission finally sent the revisions of the Comprehensive Plan to the supervisors. *"Future areas" were to be made available for development, basically any time a developer could find the money to run a sewer there. It means the areas aren't future any more. according to planner, John Moore. Chairman Walter Munster and Harry Atherton voted against the plan.*

When John Adams retired in 1987, after 24 years of dedicated service on the Planning Commission and the BOS, **Georgia Herbert** made the difficult decision to give up the security of her job at PEC and start her own legal practice, in The Plains in order to run for the Scott District seat on the BOS

## 1988

In the 1988 election to the BOS, Georgia Herbert won 72% of the vote over Richard Galecky. It was the largest majority on record at that time. Rankin won by 7 votes; Wilbur Burton, in Cedar Run District, beat Lesley Jean Hinegardner of North Wales fame; Wilbur Heflin, the pharmacist in Remington, replaced Sam Butler. Jimmy Green was the only hold-over.

It was not easy for the first woman to have served on the BOS, ( particularly so as she was smarter than most of the men on the Board), but Georgia's was the iron fist in the velvet glove and she came equipped with all the requisite attributes. Her keen sense of decorum only failed her once, when she scolded her colleagues for " spending money like drunken sailors." Georgia's never failing sense of humor helped her, and many of us, to get through a very trying time.

Early in her first term, she made the decision to never meet in private with anyone who had an application before the Board —a common practice with other board members.

One of her many accomplishments was to get the Special Exception Ordinance applied to subdivisions in the Service Districts. This gave the county the benefit of an Adequate Facilities Ordinance, which allowed denying an application for lack of water, sewer, school seats, etc.. An Adequate Facilities ordinance had been long denied the county by the General Assembly.

It was not long after this that Janice Traver died and the Southern Fauquier Association with her. She had been heroic, and had obtained and held her seat on the Planning Commission against all odds.

It was at about this time, that the Fauquier Democrat reported that County Administrator, **Steve Crosby** was looking for job opportunities in the private sector. *"For nearly a decade Mr. Crosby has overseen a county budget that has grown from \$13.6 million to \$43 million."*

The first record we have of the controversy over the **SPR building**, that was to occupy center stage for the next couple of years, came from the minutes of the Dec 8, 1987 BOS meeting, in which Supervisor Botts (Cedar Run District) voices his concern over the county paying \$84,000 a year for the SPR building on hospital hill for offices for the Social Services Dept.

Steve Crosby, Co. Administrator, replied, *"Well, its a little high. I think that when we took bids on this a little over a year ago, we found out that anything was going to cost you \$10 a sq. ft., anything existing, would be that much, and I think that at \$84,000, it came in right around \$12. That includes utilities. That's why the current space looks—when you make a direct comparison—it looks good, because it is only about 7 1/2 to 8 dollars a square foot where they are now. But it is also a matter of quality comparison, too, what you are going to get. It's certainly on the high end. Obviously we can do better. And there may be other openings of other facilities..."*

*“Ben Jones, President of NVBIA, wrote to every legislator, asking for no Impact Fees for Fauquier County. He feared the planners and supervisors would use those tools to halt growth.”*  
Fauquier Democrat 2/2/1988

The Japanese, in June of 1988, unveiled plans to buy **Oakwood**, one of Virginia’s most beautiful historic houses, three miles southwest of Warrenton and convert it into a college for Japanese secretaries. Oakwood was saved by Mr. Burton’s swing vote, but not before an outraged Japanese ambassador, an irate Virginia governor and a very agitated Chamber of Commerce had their say.

The same month, the Fauquier Democrat reported that the county’s growth rate was running at more than 5%, and at that rate the county’s population would double in 14 years, and would ring up a total debt of \$168.7 million by the year 2,000. These figures prompted the Board to discuss “down-zoning.”

At its annual meeting in June of 1988, the Mid-Fauquier Assoc. voted to change its name, to Citizens For Fauquier County and expand its role to encompass the entire county as both Upper and Southern Fauquier Associations had been disbanded.

Fauquier’s population in 1988 reached 46,800 - up from 20,868 in 1850.

*At their July meeting, supervisors Herbert and Green urged “**means based planning**”.*  
*“Plan for the population we can afford, instead of the present policy of basing plans on projected growth.” The present plan predicted a growth rate of between 2.5 and 3.5%,- a rate that supervisor Herbert found unaffordable.*

*“The opposing philosophy — and the one that has so far prevailed—calls for basing plans on projected growth.”* Fauquier Democrat 7/ 21/ 88

In its August 25th,1988 paper, the Fauquier Democrat announced: *“New giant development aims at Prince William business park: will cover 560 acres at Gainesville.”*

The Dec.15, 1988 Democrat : *“Legislators lean toward Impact Fees and Proffers” - as a means of the county paying for residential growth. The next week: “Supervisors shoot low at target growth rate.*

*The Plan as submitted by the Planning Commission, projects a growth rate of between 2.5 and 3.5%. Herbert wants 2%. McNear’s charts showed that at a 3 % growth rate, the county would approach a level of indebtedness “where people “(investors and bankers) “would take a good hard look at you.”*

*“The chairman”, Water Munster, “proposed a compromise, by reducing the growth rate projection upon which the Plan is based, to a range of 2-3%.” It passed 3-2.*

The following is a letter written by Att. Ben Jones, in Jan. of 1989 to the Hon. Richard Cranwell, one of the most influential members of the General Assembly:

*“Fauquier County’s Board of Supervisors has a history of abusing all zoning authority granted by the General Assembly. A few examples are: a totally inadequate Capital Improvements program; a reduction of areas within the Service Districts from 170 to less than 30 square miles; failure to provide sewer and water to the Service Districts; a “no -growth” Comprehensive Plan; implementation of three massive County-wide down- zonings; and implementation of a “Special Exception” process for virtually all land uses. This process has been used to frustrate all growth; two recent examples being the capricious denial of a private boarding school in a rural area\* and arbitrary denial of a 400 lot subdivision in a Service District wherein the developer had totally funded rehabilitation of a sewage treatment plant previously under a state Water Control Board moratorium. \* Japanese school for secretaries at Oakwood.*

*Enclosed are a letter from Rosser H. Payne, Jr. and my comments before the Cranwell Subcommittee on Public Infrastructure. For the reasons therein, I implore you to oppose the extension of the Northern Virginia Proffer system or any form of Impact Fees to Fauquier County at this time.”*

Again, Rosser Payne cannot resist the temptation to meddle in Fauquier’s affairs.

The Fauquier Democrat reported in their Feb 2, 1989 edition that revisions to the Comprehensive Plan had been passed with some changes: future areas in the Service Districts had been deleted and the projected growth rate had been reduced from 3.5% to between 2 and 3%.

3/2/89 Fauquier receives permission to use Conditional Zoning under which the county could allow further uses within a zoning category. Within a couple of years the General Assembly took back that permission.

A study done by the county showed that expansion of county government buildings would cost \$106 million over the next 20 years.

In March of '89, the county put 2.5 million in the capital improvements budget for the proposed **Auburn Dam** on Cedar Run. Sue Scheer would devote many years of her life to defeating the Corp of Engineers who eyed the dam for erosion control and the pro-growthers in the county, who saw the dam as the answer for expanding the population in the New Baltimore Service District.

Also in that month, the Fauquier Democrat ran an article on the lack of affordable housing in the county: *the average cost of a single family house was \$158,000, town houses, \$84,000. The overall average was \$149,000. It took an income of \$55,000 to buy the average single family home, if the prospective owner could scratch up a 10% down payment.*

***The Henning-Vest Covey study***, commissioned by the BOS, found : “the county needs \$106 million for county growth. Expansion of government buildings over the next 20 years will cost from \$79 to \$106 million. The study does not include projects outlined in a tentative \$50 million Capital Improvements Program considered by the Planning Commission last month.”

In May, farmers opposed a new **Ag-Forestal District** proposal, which would allow use-value taxation only when landowners sign a contract that would prohibit the development of the land for 8 years or place a permanent easement on the land, or join an Ag-Forestal District.

In July of 1989, developers, Jacobson and Pomponio, contract owners of **Clover Hill** near Marshall, announced their intention to subdivide its 1250 acres. Kelly Lott, a neighboring landowner, formed Citizens for the Preservation of Carter’s Run, and with support from CFFC, eventually prevailed.

In 1967, a group of Washington investors had bought Clover Hill and adjacent land, making a total of about 1900 acres.

Robert Bartenstein, a local engineer and a director of the investors’ company, applied for a sewerage permit for a facility to serve 1200 full time residents. “Ultimately”, he said, “this facility might be expanded to provide service for the property of others whose land might also be developed.”

At maximum development, he estimated that the average flow, generated by the population of 10,000, could be a million gallons a day. This was happening at the same time that the county was planning a reservoir on Clover Hill for the town of Marshall, and the Cooper Co. was targeting North Wales. The Fauquier Democrat, which did everything in its power to promote 10,000 houses at North Wales, was outraged by the Washington group of investor’s plans for Clover Hill.

The Washington Post ran a story about Clover Hill: “...the directors maintain that their intention to create a 2,000 home community in cluster development around a large man-made lake is in keeping with the conservation aims of the rolling hunt country.”

Russell Arundel and Ed Stevenson, neighboring landowners, had urged the BOS to acquire the 300 acres that would be needed for a future water impoundment, and offered to buy at par “such bonds as would be necessary to acquire the watershed and protect it.” They also offered to surrender the bonds and refund the interest, if the county were to determine, after 10 years, that the land was not needed for county use. They pledged, that if the land were to be returned, they would give it to the Nature Conservancy to add to the 600 adjacent acres on Wild Cat Mt. already donated by the Arundel family.

The happy ending to the Clover Hill story came years later, when it was rescued by George Thompson, when it once again came under threat of development in the early days of the 21st. century. Clover Hill is now protected by a Conservation Easement and the Carter’s Run valley looks the way it did when George Washington’s nephew, Lawrence moved into Waveband across the road from Clover Hill.

In the spring of 1989, coached by the county administrator, Steve Crosby and bolstered by their consultants, Henning- Vest -Covey, the Board of Supervisors was considering buying 100 acres and moving the whole judicial system to the **Corral farm** a couple of miles outside Warrenton (where the Community College and the county landfill are today.) At the Board of Supervisor meeting, in front of a large crowd, most of whom were opposed to the plan, Crosby, a county employee, reading from his own letter to the Board, admonished its members to *" be the community leaders and not the led. You should make preparation for what could happen in the future- not what you hope will happen."*

The study claimed that the county would need \$106 million for the expansion of government buildings over the next 20 years. It did not include projects outlined in a tentative \$50 million capital Improvements program, considered by the Planning Commission the month before.

Message to the Supervisors in the Oct 19th 1989 Fauquier Democrat: *"DON T MOVE THE GOVERNMENT FROM TOWN!*

CFFC's Bugle (*"all the news that causes a fit"*) was outraged at the idea of stripping Warrenton of its reason for being.

July of '89 saw the housing market drop precipitously, with the number of houses sold down by 30%.

The Democrat reported: *"Real estate market blames government policy for slowdown which, they say, has priced first-time buyers out of the market, creating no move-ups. "(7-13-89)*

*"WARRENTON FRETS OVER POSSIBLE MOVE "* was the headline in the Fauquier Democrat .

*Supervisors look at sites out of town'. " The Board rejected a consultant's recommendation last March to plan for an eventual exit from the town, and instead adopted a compromise: some buildings would remain in Warrenton and others would be built on 100 or 50 acres outside Warrenton. Corral Farm being considered."* Democrat 8/21/1989

In September of 1989, Sue Scheer and CFFC had a victory involving industrial zoning on the Meetze road. The Fauquier Democrat :*" Meetz road rezoning remains unsolved.*

*Supervisors disagree over what was intended for the tract. At least three supervisors could not remember agreeing to a change of zoning in the east side of the Meetz road. They intended the industrial zoning to end on the west side of the road."*

At the October, 1989 BOS meeting, the Democrat reported: "Master Plan for county a step closer" **(5 year revision of the plan)** *"Heflin "(Lee District) "is key in bringing services (water and sewer) to the Service Districts."*

Herbert: *" I want to find out what we need and how much it will cost before we get to figure out how we will pay for it."*

*" Heflin's point: A critical mass must be reached. A certain number of residents must share the cost of bringing water and sewer to the Service Districts*

*Miss Herbert believed a study will show there is already too much density allowed the Service Districts under current zoning."*

McNear observed, " *as zoned now, the seven Service Districts would allow for a population of 120,000, but in reality, planners expect only 60% of that zoning will be used.*"

From the Oct. 10, 1989 Fauquier Democrat: " *Supervisors, consultants huddle alone. County's possible relocation is topic at private session.*"

*"County administrator Crosby hosted a special all-day session during which members of the BOS were invited to meet privately with Crosby and representatives of the consulting firm, Hening-Vest-Covey, that has been studying the relocation of the county seat."*

*The session, which was closed to the public, was held in the wake of the mixed reactions encountered at the public hearing last week."*

When finished, the study requested by Supervisor Georgia Herbert, showed that the county's population at 5% growth rate would double in 14 years. This would result in a debt of \$168.7 million by the year 2000. The school costs would necessitate raising \$52 million more in bonds every four years.

Supervisor Herbert: "We're looking at a Comprehensive Plan that will not work...Other counties plan for less than 2% growth rate. Why do they have the horse power, and we do not?"

Jim Green wanted to know if the county could turn down a subdivision of 500 houses based on a population rate projected in the plan. McNear said it could not. "Then we are wasting our time," said Green.

Georgia Herbert: "We need to change the zoning and back it up with the Master Plan". Wilbur Burton agreed.

Herbert: "We need to make the Service Districts smaller in physical size with increased density; then it will be easier to provide services."

Crosby, the county administrator, suggested eliminating the "future expansion areas" that surround the Service Districts, as a compromise. Green, Herbert and Burton concurred.

Nov. 2, '89 Fauquier Democrat: "Controversy over moving the government center continues. Consultants Hening-Vest-Covey were awarded a 2-part contract last year that includes the possible implementation of a project to construct new courthouses. Some supervisors say they were unaware of the broad scope of the contract."

*Questions about the contract come as the Board of Supervisors is set to consider purchasing part of Bob Sowder's Corral farm for a government center at the Nov. 7th meeting...*

*Green and other supervisors said that when they had authorized county administrator, Crosby, on Sept 20, 1988, to hire the architectural firm of Henning-vest-Covey, they thought they were only getting a study, not a design and project management."*

*The second part of the contract states, "It is the intent (of the county) to contract with the architect at the conclusion of the master plan process to implement the jail and interrelated criminal justice and law enforcement administrative and court facilities."*

The next week, the Fauquier Democrat reported that public school enrollment had increased by 3% during the '70's, and at an annual rate of 3.1% in the 80's, or 240 new students a year.

*"Voting alliances continue to shift on the board. Herbert is the only supervisor who has consistently, supported the voter mandate - if such a mandate truly exists"*

*Since their election, Rankin and Heflin have voted for nearly 1700 new building lots, Burton voted for 812, Green 661 and Herbert, 636."*

In Dec. of '89, Sue Scheer was appointed to the Planning Commission, thus ending for a time, her many years on Mid- Fauquier /CFFC's board.

On Dec 21st.1989, Crosby announced he would resign his \$77,000 a year position as County Administrator. After he left the county, he wrote a letter to the Fauquier Citizen in which claimed the county was being run by 2% of the population. CFFC accounted for 1% and the developers 1%.

The 1980's had been a very difficult period in Fauquier's land wars. However, CFFC was blessed at that time by having Sally Kahn appear on the scene. Sally worked for PEC on Fauquier issues. PEC, not only loaned CFFC a place to hold its monthly meetings, it shared Sally, and she became CFFC's ears and eyes at the Planning Commission and Board of Supervisor meetings for many years. When Sally died, CFFC established The Sally Kahn Fund, from which a scholarship was given each year to a Fauquier High School student who showed an interest in the conservation issues of Fauquier County.

After Sally, PEC provided Kitty Smith, who became the most knowledgeable person on land-use issues in the county, and that included the members of the Board of Supervisors and the Planning Commission. Since Kitty died a few years ago, PEC has shared Julie Bolthouse with CFFC, and she has proved to be in the same league as Sally and Kitty. CFFC's board of directors has been able to have complete confidence, at all times, in the information that these three remarkable women have provided. Added to this list must be Diana Norris, who was also a gift from PEC. Diana's father, Gen. Frank Norris's, who as chairman of PEC in its early days . predicted: "The fight for Fauquier County is going to be at the water hole."

Arrayed against the environmental community were the Northern Va. Builders Industries Assoc.(NVBIA), the Fauquier Realtors, the Chamber of Commerce and various other groups that would surface briefly and then disappear.

In January of 1990, Ben Jones, pres. of NVBIA, wrote the following in the NVBIA magazine Action: *"I have worked with NVBIA's legislative committee to develop draft legislation that will be introduced in the 1990 General Assembly to clarify the Special Exception law to prevent the use of the Special Exception to regulate, control or prohibit the subdivision of land."*

That same week the Fauquier Democrat reported that the BOS, voting 3-2, amended the Zoning Ordinance to permit the denial of a Special Exception permit on the grounds that the county cannot provide certain services to the proposed development, including school capacity, adequate roads. Previously this applied to rural areas, but now it would apply to Service Districts.

In the account of **SPR** versus the county and CFFC, covering the period between Aug of 1990 thru 1993 which follows, the county was fortunate that, at that time there were two local newspapers and two excellent reporters, Don Del Rosso with the Fauquier Citizen, under its owner/editor, Lew Emmerson and Burke Davis at the Fauquier Democrat. Much of what follows comes from their reporting.

The first mention of the SPR building was in the March 2nd, 1989 Democrat, which reported the allocation of \$3.75 million for a new building to house the Human Services dept.

When the county decided not to buy either the Fletcher land or the Corral Farm for office expansion, an agreement was made with Steve Parlagrecco's SPR firm to lease/purchase its new building on hospital hill for the Social Services Dept. The contract was dependent on obtaining certain agreements over a right of way from the Warrenton Rescue Squad.

At the end of January, 1990, came the news that Crosby would be joining the SPR firm. in six weeks.

Two weeks later, the plan to move the jail to the Corral Farm was killed in a 3/2 vote, with Rankin and Heflin in the minority.

In August of 1990, when the SPR controversy was gathering steam, Steve Crosby wrote Jimmy Green a scathing letter on SPR stationery, about Georgia Herbert. Copies of the letter went to the other members of the Board. This letter eventually ended up in Georgia Herbert's hands and was printed in the Democrat.

Crosby hated Georgia Herbert, quite possibly because he knew he could not manipulate her, and probably left her out of the loop whenever he could.

Jimmy Green had started his career on the BOS at about the same time that Crosby had become County Administrator. Both were quite a bit younger than the other members of the Board and became good friends. When Green became chairman of the Board, he may have depended on Crosby more than John Adams had.

June 7th, 1990 : *"Fletcher property can still fill county needs"*.

June 21: *"County to buy Fletcher land for offices."*

August 10th Don del Rosso wrote in the Fauquier Citizen under the heading: *PROBLEMS MULTIPLY AT NEW \$7 MILLION COUNTY OFFICE BUILDING...*. *Supervisor Georgia Herbert threw everybody for a loop, when she all but suggested the county back away from the deal with*

*the SPR Corp. one month before the county plans to occupy the four story building on Hospital Hill”.*

Georgia Herbert had asked for a “review of the bidding” on the SPR building, because she could not remember how the 8,000 sq. ft. building, voted on in March and Dec. of 1988 had emerged as a 41,000 sq. ft. building in 1990.

At the next meeting, the second Tuesday in August, the county’s deputy Administrator (Crosby was no longer employed by the county) produced a chronology of events, after which Mr. Rankin introduced an elaborate resolution praising Steve Crosby’s record and denying vociferously any wrong doing on his part or conflict of interest. Rankin stated that the board was fully aware of the cost and size of the SPR building. This resolution passed 3 to 2 with Green voting against, because he said he saw no reason to present such a resolution. Georgia Herbert also dissented, because she said she still had some questions about Crosby’s actions vis-vis the SPR Corp. while he was still in the county’s employment. Crosby leapt from his chair in a fury and said, “some people had better have good titles to their land.”

One of the questions Georgia Herbert asked was: *“when did you first begin employment negotiations with the SPR Corp.?” Crosby’s answer was: “Sometime in November.”*

In the deal with SPR, struck by County Administrator, Steve Crosby, in the week before he left the county to work for SPR, the building, which the county had assessed at \$3 M, was to cost \$7,019,913. The county was to pay \$835,000 a year for 30 years for a total of \$25,000,000.

Kay Hayes had taken over the presidency of CFFC from Bengt Farnstrom, little thinking that the next two years of her life would be completely submerged in the controversy between the county and SPR.

Bent Farnstorm and Stewart Marr, directors of CFFC, in their role of county budget watchdogs, had brought the SPR figures to Kay. With Bengt Farnstrom and the CFFC board at her back, Kay decided that this was a battle that CFFC must fight. SLAAPP suits (Strategic Lawsuits Against Public Participation) had become a popular way to silence opposition in the land wars.

Supervisors, she asked the county to reconsider its agreement to lease/purchase the SPR building.

She also questioned Crosby’s actions. *“We suggest that an appropriate investigation be undertaken, as to whether Mr. Crosby’s actions in his transition from public to private context involved any conflict of interest.”*

The Hayes letter suggested:

*“that the lease/purchase structure was chosen, because the Board feared that a bond issue of such magnitude would fail;*

*that no competitive construction estimates were asked for;*

*that the advice of Denis Hunsberger, the county's Director of Finance was not sought at any time during the negotiations, even though the amounts under consideration represented the largest single financial commitment in the history of Fauquier County".*

*The letter further stated: " per annum, the lease/rental of \$835,013 is almost exactly the principal with interest at 12 1/2% over a 30 year amortization schedule. This interest cost is approximately 4 1/2 % higher than the rate at which Fauquier could borrow, if it used its own credit."*

August 9,1990: the Fauquier Democrat reported that Bob Lee had been appointed County Executive.

The following is a letter written by Crosby to the BOS on Aug.10: *" It has come to my attention that a segment of Fauquier citizens have questioned the actions I took as county administrator, and as such, I had a conflict of interest, and acted unethically, if not illegally.*

*It has also come to my attention: the Board of Supervisors have, in effect, given credence to those claims by asking the county attorney and county administrator to give a report at the Aug. 24th meeting*

*Needless to say, I find the attack on my integrity reprehensible and obnoxious. The Board of Supervisors were informed of every pertinent fact throughout the two and one half year duration since the initial contract authorization. They were also informed of my actions in early 1990 when I notified them of my impending association with the SPR Corp.*

*You cannot imagine my disappointment over the Board of Supervisors even entertaining suggestions of impropriety on my part. I am disappointed, but not surprised, because unfortunately, it is consistent with a two and one half year display of spinelessness.*

*I wish to publicly confront the citizens making these charges and the individual members of the Board of Supervisors with clearly convenient memories."*

August 16th 1990 :Fauquier Democrat: *"New Building creates flap over high cost. Critics attack Crosby."*

August 21,1990 *"After much research, acting County Administrator, Robert Steele, reported that the county's actions were totally proper during its dealings with SPR...A majority of the board also approves a resolution absolving Crosby from any potential wrongdoing for his involvement with the SPR project."* Fauquier Democrat

Aug. 23: *"Crosby's deal is blessed 3-2 by supervisors "* (Herbert & Green) *"SPR's negotiations entirely proper."*

Aug. 30th, The Democrat's editorial praised the Board for hiring the investment firm of Craigie, Inc to check the figures. *"If the consultants agree that the building is too costly, then we urge the Board to spend the one year's lease of \$835,000 to get out of the contract. Better to make an \$835,00 investment on extraction than a \$25 million mistake."*

*“SPR SUES; PAY RENT OR PAY DAMAGES”* was the 9-6-90 Fauquier Democrat headline over an article written by Burke Davis, III.

*“After an executive session last week, the Board directed the county’s new attorney, Charles Steele, to send a letter to Stefano Parlagrecco, saying that the county would delay accepting the building or honoring its Lease-purchasing agreement because of an easement to the property has yet to be obtained.”....*

*“ In papers filed with the court, Warrenton Attorney, Daniel O’Connell, alleges that the county has defaulted on its agreement, because it has not acquired the right-of-way across property owned by the Rescue Squad and because it is apparent that the county intends to not pay its first month’s rent in Sept. of \$71,000”.....*

*O’Connell also alleged that the Board had failed to fulfill another provision in the contract, that requires it to set aside \$835,000 each year in reserve, in case it should owe a years rent to SPR for defaulting”.*

The last paragraph of this long article: *“And as this edition of the Fauquier -Times Democrat went to press, the Warrenton Rescue Squad was reportedly considering going to court, too, to seek an injunction to prevent the county- or anyone else from trespassing on its property.’*

Both papers ran full page ads. CFFC’s ad endorsed by 186 county residents:

### **THE HUMAN SERVICES BUILDING**

**A SWEETHEART DEAL FOR THE DEVELOPER A  
NIGHTMARE FOR TAXPAYER WHICH WILL COST THE COUNTY (YOU) \$25 MILLION  
DOLLARS**

The Oct. 19th, 1990 Fauquier Democrat: *“RESCUE SQUAD SUES SPR”*

Fauquier Citizen: *“AD INCREASES PRESSURE TO SCRAP BUILDING DEAL”*

Citizen : *“O’CONNELL : COUNTY WANTS TO ‘WEASEL OUT’ OF BUILDING DEAL”*

Democrat: *TOWN REFUSES TO REVOKE SPR PERMIT “*

Democrat: *“ RESCUE SQUAD DIVIDED OVER FILING SPR LAWSUIT”*

Democrat: *“SQUAD HALTS ONE SUIT FOLLOWING FIERY MEETING”*

Citizen: *“BURTON PREDICTS COUNTY WILL BACK AWAY FROM DEAL”*

Democrat: *“TAXPAYERS SHELLLED OUT FOR ‘TAJ MAHAL”*

Democrat: *“SPR-COUNTY SUIT OPENS WITH LEGAL MANEUVERING”*

Citizen: *“RANKIN SAYS OCCUPY THE SPR BUILDING”*

Democrat: *"CROSBY LETTER RIPS OPPONENTS WHO QUESTION SPR PROJECT"*

Democrat: *"RESCUE SQUAD, SPR MOVE TO SETTLE LAWSUIT"*

Democrat: *"JUDGE DENIES MOTION TO KILL LAWSUIT"*

Democrat: *"COUNTY TO PURCHASE DISPUTED SPR BUILDING*

*Decision comes hours after papers served in \$80 million civil rights suit"*

Democrat: *"SPR SUES COUNTY SUPERVISORS FOR 48 MILLION "*

Democrat: *"RESCUE SQUAD SETTLES LAWSUIT WITH SPR"*

Citizen: *"\$45 MILLION SUIT CHARGES CONSPIRACY"*

*SPR sues county, supervisors and CFFC"*

Citizen *"PARLAGRECCO TALKS TOUGH AS COUNTY SEEKS NEGOTIATIONS*

*PLAINTIFF: "THEY ARE TRYING TO DESTROY MY BUSINESS"*

Citizen: *"COUNTY WANTS TO BUY OUT OF BUILDING DEAL"*

Citizen: *"CFC MAY FILE COUNTER SUIT "*

Dec. 20, 1990: *"County to purchase disputed SPR building. Decision comes hours after papers served in \$80 million civil rights suit." The board voted 5-0 to negotiate a price.*

The same week: *"Rescue Squad settles lawsuit with SPR"*

*"SPR sues county supervisors for \$80 million over building."*

9/27/90 Fauquier Democrat: *"Property owners with kids get a windfall. Supervisors vote changed zoning, density regulations. Every homeowner in every subdivision in the county, who has a lot of more than 2 acres, can pare off another lot, if the property isn't covered by deed restrictions or covenants. Homeowners can divide their property by the number of children they have.(Family Transfer Ordinance. ) Green and Herbert voted against the change.*

The next month the Fauquier Democrat reported that Mc Near had suggested a plan to quell the transfer right. *" Density will increase for Family Transfers, but enough zoning regs will stay in place to prevent helter-skelter development or abuse of the law's intent."*

Jan. 10,1991, *County won't buy SPR. Deposit buy-out fee (\$55,000)*

*"The move came on the heels of a multimillion dollar lawsuit filed by SPR Corp. against the county, individual supervisors and the civic organization CFFC"*

CFFC had to have lawyers and it had to have the money to pay them. It was was fortunate on both counts. The firm of Mc Gettigan & West was willing to take the job, and in the community

of friends and supporters, the money was found. Then CFFC walked into court to hear the judge dismiss SPR's "frivolous" suit.

In January of 1991, the county's efforts to get the state legislature to give them the enabling legislation to impose Impact Fees failed again after three supervisors, Heflin, Rankin and Burton each wrote letters to Del. Rollins, Sen. Waddell and Sen. Miller" expressing their concern over passage of Impact Fee legislation in the current economic climate and prior to the completion of the five year revision of the county's Comprehensive Plan .

**Transfer of Development Rights** was killed in the General Assembly by one vote in February.

March 21, 1991: "Judge gives all counts to county in SPR lawsuit.

*Contract wasn't valid, but payments sought by plaintiffs mixed".*

*Hardball is the name of the game for supervisors.*

*Board withdrew its prior instructions to pay \$855,665 in settlement (1 year's rent). Board refused to put to record the easement over Rescue Squad land until a cooperative parking permit for the county, the Rescue Squad and the SPR Corp has been approved by Warrenton."*

*4/18/1991: "Buy-out agreement reached. Lump sum of \$700,000 paid to SPR. County to lease 11,500 sq ft for \$14 per sq ft." Fauquier Democrat*

**The Auburn Dam**, which the County Water & Sanitation Authority was eying for a water impoundment to serve the large population projected for the New Baltimore area in the 196 Comprehensive Plan, was facing questions from the Federal Government: the \$6,500,000 co-

\$866,000 to the county; between \$2 and \$3 million for land acquisition for 416 acres and between \$1 and \$2 million for transporting the water. McNear: "New Baltimore residents won't get the water until 1995 at the earliest."

The Corps of Engineers put the county's plans on hold.

At a time when the focus was on the SPR controversy, a majority on the Planning Commission was promoting high capacity roads through some of the subdivisions in the New Baltimore Service District. Opposition from Mill Run residents to a proposed highway through their neighborhood was supported by Walter Munster and Sue Scheer. The choice facing the planners was between more and bigger highways or a reduction of the anticipated population in the Service Districts.

The problem produced a four-way struggle between the Supervisors, the Planning Commission, its staff and the public.

Sue Scheer questioned the statistics, upon which the staff relied, for the building of 4-lane roads. Supervisor Herbert said: "It has been made clear to us that if the community does not want that additional infrastructure, then we are going to have community support and involvement in revisiting and reviewing the land-use plans for the New Baltimore Service District."

Four-lane roads went back to the Planning Commission. McNear still advocated building "urban collectors."

The Nov. 28, 1991 Democrat: *"scrapping 4-lane roads expected to impact Comprehensive Plan."*

## 1992

Both Stuart Marr, who challenged Jimmy Green, and developer, Sidney Jacobson, who ran against Georgia Herbert in the 1992 election for the BOS were defeated. Magnum, Brumfield & Burton were also elected. Georgia Herbert became the chairman. Harold Dutton, a member of CFFC's board from Calverton ran unsuccessfully against Wilbur Burton. *"HERBERT STOMPS JACOBSON* was the Fauquier Democrat's headline.

From the 4/16/92 Fauquier Democrat: *County Goals: 3rd goal addresses growth in Fauquier and states that the supervisors will implement adequate plans and programs to ensure that growth is a positive force.*

*Have plan revision adopted by March 31st, 1993 - to spin off a master water & sewerage plan from that document within the next 18 months and to bring the zoning map and ordinances in line with the Comprehensive Plan. The BOS agreed that the simplification and clarification of those complex documents would be appropriate, as those changes are made.*

*The BOS also discussed the time table for the Auburn Dam which seems to be on schedule for completion in 1998...*

*The board's final goal is to preserve the beauty, historical heritage, and environmental integrity of this county."*

4/30/92 Democrat: *"McNear's assumptions about growth questioned." "Citizen's group:" Aren't growth rates falling?...aren't those projections considerably inflated?"*

McNear pointed out that Fauquier has grown at a rate of 3.1% over the past 20 years. Natural growth amounts to 1%.

In July of 1992 the Federal government closed the Liberty Savings & Loan which had been run by and for the developers and had provided the financing for Parlagrecco's SPR building.

*SPR DROPS \$100 MILLION SUIT Fauquier Democrat 9/17/ 92*

*SPR FILES FOR BANKRUPTCY Fauquier Democrat 11/11/92*

Democrat, 11/25/92: *"Corps leaves Auburn Dam Dry/ Purpose questioned/ Farmer's opposition noted."*

McNear announced his plan to retire. "Planning can steer growth, but realism is needed." Roland Tappscott retired from the Planning Commission after having served for 8 years.

Early in November came the news that Disney was coming to Haymarket. This would be PEC's epic battle. CFFC put ads in the Fauquier Democrat, its directors became involved individually in many different ways, but Haymarket was beyond CFFC's range.

Fauquier Democrat 12/16/92 : *"SPR suit withdrawn/ expanded /refiled"*

The Jan. 27, 1993 Fauquier Democrat reported that the *"planners propose whittling down Service Districts. Boundary areas would receive, potential expansion designation."* Also in that issue off the Democrat: *"County's bureaucracy is smallest in the region. Stats show per capita staff is lean. Fauquier 4.8 - Loudoun 15.6"*

"Tier 3" designation ( for exceptional waters) for a portion of the **Rappahannock River** from its source at Chester Gap to its confluence with Carter's Run (but excluding Carter's Run) and from Kelly's Ford to Fredericksburg was fiercely and successfully opposed by the pro-growth lobby, even though the portions of the river chosen for protection avoided the parts of the river, which receives the effluent from the disposal plants in Warrenton, Remington, Bealeton and Marshall Service Districts.

In August of '93, CFFC countersued **SPR**, hoping to send a powerful message to other would- be users of the SLAPP suit as a means of squashing opposition. The message seems to have been heard, because SLAPP suits no longer pose a threat to organizations such as CFFC.

In their last meeting in 1993, three members of the Planning Commission: Atherton, Scheer and Munster recommend funding for the **Auburn dam** be removed from the Capital Improvements Program.

It was in or around August of 1994, that we first heard that **Walmart** was looking around to find a site upon which to build a mega store. At that time Warrenton had four hardware stores, three drug stores, three grocery stores, including a Safeway and an A&P, two ten- cent stores, a gentleman' s clothing store, a lady's hat store and a movie theatre. Moser's casket shop had already moved from Main St to the by-pass.

In the last five year revision of the Comprehensive Plan, completed in Sept. of 1994, the densities in the Service Districts were increased by 50% with the idea that more people would mean more money to install sewer and water services. ( However, no rezoning based on those densities were adopted.)

As a quid pro quo, the county could get rid of stale zoning outside the Service Districts in the Comprehensive Plan. Service Districts were supposed to be reduced in size, but this did not happen. "Services for the Service Districts " had been the pro-growth mantra for many years. Twenty three years later, we hear the same argument, but the people living in the Service Districts care as much about their environment as the people living on the farms.

In 1994 / 5 representatives of the building and developing industries tried to kill the **Special Exception** enabling legislation in the General Assembly.

It was about this time that **Kay Hayes**, after years of dealing with the SPR SLAPP suit, took on Jay Katzen in the election for the state legislature, which ended in a victory for Katzen, who fortunately, soon disappeared from the scene.

The first rumors of the army closing the 695 acre Signal Corps post at **Vint Hill** were reported in 1972. In 1980, the army "*renewed its bid to close Vint Hill*". In 1989,"Sen.John Warner saw *Vint Hill as vital.*" Fauquier Democrat Dec.'92: *Vint Hill set to loose the 201st* In Nov. of '94, it finally happened.

*From the Army's study of the effects on the county of the closing of the base:*

- . \$17.8 M loss in sales, which was called a minor impact,
- . Loss of 390 military employees,
- . " " 971 members of population,

- . “ “ 100 rental units in the community,
- . “ “ 56 owner occupied dwellings,
- . “ “ 211 children of school age.

Hunton Tiffany, president of the Fauquier Bank, painted a bleak picture of what the loss of Vint Hill would have on the county’s economy.

The Fauquier Democrat followed suit, predicting the loss of a \$74,000,000 pay role: *“If the figures are accurate, unemployment rolls in Fauquier and Prince William are sure to balloon.”*

*“ Vint Hill closing could shake bond ratings”* Fauquier Democrat

In Jan.1995, the Fauquier Democrat printed the first and only negative comments from the Dewberry & Davis firm, which had been retained by the county to advise the Vint Hill Task Force, whose job would be to facilitate the county’s acquisition of the post. *“Slim profit seen for Vint Hill“. Bottom line: in 20 years, the proposal will yield either meager profits or massive debt. Our findings show that the project is not going to pay for itself through the sale of real estate, the leasing of buildings, and other revenue sources”.*

In July of 1995, the Dewberry & Davis plan for the redevelopment of Vint Hill was presented to the public at a public hearing. Georgia Herbert saw something in the plan that had eluded everyone else, including all the members of the Vint Hill Task Force.

In 7/19 / 95, the Fauquier Democrat reported under the headline:” *VINT HILL FACES TAX HIKE—REVENUE REBATE COULD COST THE COUNTY \$11 MILLION”*

*“ The county,” the Task Force said, “would neither be responsible for the debts incurred, nor required to contribute financially: a local redevelopment authority (VHEDA) would be appointed to float bonds and receive property from the army”.*

*“But the Dewberry & Davis report’s solution to any possible financial problem suggests that the county forgo collecting taxes on the buildings that would locate at Vint Hill for 20 years.” Payments in lieu of taxes: “ PILOT “ was the term.( This was what only Georgia Herbert had picked up at the public hearing.)*

*“The inclusion of payments, in lieu of taxes, will obligate the county to contribute money to the project. “*

Hunton Tiffany, of the Vint Hill task force had said: “the intent is never to ask for any money from the county, if it can be avoided and I think it can.” To reassure the public, Tiffany wrote in an article in the Democrat :”*The venture has been advertised as risk free for the county: it would neither have to back bonds floated for improvements or invest county tax dollars in the development.*

Supervisor Mangum, (chairman of the BOS) in a memorandum to the Task Force declared: “PILOTS must not be expected”. He questioned the Vint Hill Economic Development Authority’s (VHEDA) ability to support bonds with the money it might raise from an occasional sale and leasing of property and buildings.

The VHEDA, whose members were to be appointed by the governor was to take over from the Vint Hill Task Force. It was to take on the job of converting the army post into a financial asset for Fauquier County. To do this it was given the power to issue tax-free bonds. The VHEDA would assume the risks - not the taxpayers of Fauquier County.

A resolution, passed by supervisors Mangum, Burton and Brumfield in 1995, stated that *“The board of Supervisors makes clear that the VHEDA will be financially self supporting and not include the allocation or reinvestment of county funds into the financial plan for redeveloping the Vint Hill Farms Station, except to provide local match to office of Economic Adjustment grants.”*

Owen Bludau, in a letter to the Fauquier Democrat 8/2/95, said: *“we are loosing 2,660 jobs, up to 1000 more jobs in the secondary market by those depending on the spending of Vint Hill and its employees. In total Fauquier will loose approximately \$75M to \$100M economic activity by 1998.* (Bludau was the county’s hired hand to guide the VHEDA through the thickets of managing Vint Hill.)

At the same time, Bludau said of the PILOT subsidy: *”it’s a mountain being made of a mole hill by people who don’t want to see jobs replaced at Vint Hill.”* He was referring to CFFC and Georgia Herbert.

In spite of the fact that it had been Georgia Herbert, and, apparently, only Georgia Herbert, who had noticed in the VHEDA’s plan, that the county was expected to kick back all taxes for 20 years, there would be a concerted effort, led by supervisors Brumfield and Burton, to keep her from being appointed to the VHEDA by Gov. George Allen. However, a seat was found on the VHEDA for Joe Wiltse, consultant to the developer of the proposed 1500-lot Waterfield development adjacent to Vint Hill, which would be dependent upon Vint Hill for the disposal of its sewerage.

Between March of ’89 and Dec of ’95, the county grappled with the problem of an overcrowded **jail**. Sheriff Higgs suggested the county go into the prison business and build a jail for 300 inmates and rent out cells to boost the county’s economy. A move to the Corral Farm was considered. The final solution was to join a regional facility in Winchester.

## 1996

In the 1996 election to the board of Supervisors, the winners were: Green, Weeks, Brumfield, Mangum and Burton.

The newly elected pro-growth majority on the Board of Supervisors appointed a committee, comprised of people with close ties to the development interests, to revise Fauquier’s ordinances to make it easier for Fauquier County to attract business and industry to pay for the residential growth that was occurring. The committee, known as **“ORAC ( Ordinance & Regulation Advisory Committee)** with only one member not involved in real estate development, was dominated by developer's attorneys, H. Ben Jones and Merle Fallon. ORAC’s job was to have been completed in six months (July 1997).

Without any recorded action by the Board of Supervisors, ORAC's mandate expanded to include a review of regulations for residential development. The chairmen of the BOS and the Planning Commission served on this committee. The only other member of the committee, not involved in the development and building industries, was Harry Atherton who succeeded Thomas Higginson, James Green's original appointee

In Oct. of 1996, CFFC ran a full page ad in both papers, under the heading;" IT'S TIME FOR A PAUSE - FAUQUIER COUNTY AT A CROSSROADS"

*"Fauquier County is barreling down a road to higher taxes. Down a road county residents may not want. Down a road to an uglier place. Down a road we may not be able to afford.*

*It's time to pause. To take a second look at a number of projects. To catch our breath. To, most of all, require our supervisors to listen to our concerns.*

*This is not a call to "stop". Or to "abandon". It is not "no growth" or "slow growth".. It is not a "never". It is a call to reason, thought, consideration, time to think again about some of the projects on the drawing boards - and some that ought to be on the drawing board.*

*We say: pause, listen to the people, take stock. In other words, let's review the bidding. For instance, here are several decisions which need fresh air and public input. These are decisions in which voters have been forgotten or not even consulted. Decisions on such major issues as: ECONOMIC DEVELOPEMENT . WALMART . SERVICE DISTRICT DENSITY . A COUNTY JAIL . AUBURN DAM . A 17 MILE SEWER LINE"*

With the probability of the county acquiring Vint Hill, a possible solution to the the **Catlett, Calverton, & Midland sewer problem**, and that of the proposed 1,500 lot **Waterfield** subdivision adjacent to Vint Hill, all of a sudden seemed possible. Fauquier Citizen,11/22/96. *"The plan would meet Vint Hill's and Waterfield's sewer requirements. It hasn't any downside that I can see. I think this is something everybody's been waiting for for 30 years," said, H. Ben Jones, atty. representing Waterfield*

When the army decided to abandon Vint Hill, its sewer plant, with a permit to discharge into the Occoquon basin, was a major reason for the county to acquire the base. There was hope that Vint Hill's sewer might solve the failing drainfields in the villages along Rt. 28 and provide sewer for the VHEDA's plans for 300 houses at Vint Hill. One of the local papers called it the *"jewel in the crown."*

Passage of **Sen. Hock's Inter -Basin Transfer Bill**, that would have prohibited Fauquier's 17 -mile pipeline from Vint Hill to the Rappahannock, sent shock waves through the pro-Waterfield/ Vint Hill EDA majority on the Board of Supervisors. H. Ben Jones, att. for Waterfield, quickly took charge. In Richmond, the bill lived through the subcommittee hearing, but died two days later when the full committee met. Mr. Burton, representing the Fauquier Board of Supervisors, went to Richmond to oppose the bill.

In 1996, the county's population had doubled since 1960. "Economic development" had added 150 new shops, 47 new restaurants, 7 new banks, 12 new bank branches, 350 new businesses in the service sector and over 60 other businesses, including 9 new industries. The county had gained over 40 attorneys and 34 real estate companies. The figures above do not include any automotive businesses. This "economic development" had occurred naturally in step with the increase in population. In the same period, the agricultural industry's contribution to the local economy increased to \$62.9 million.

#### HEADLINES FROM THE WASHINGTON POST IN THE SPRING OF 1996

- . *" Calvert to tighten enforcement of existing regulations to control growth "*
- . *" Budget shock in Fairfax "*
- . *" Prince William sees no increase for school spending for Fire & Rescue urged by County Executive "*
- . *"Charles County to put limits on town houses: officials looking for ways to protect rural landscape"*
- . *" Prince William debates rural clutter on roads: proposed restrictions opposed by developers".*
- . *"Suburban budgeters sound a red alert as needs rise and revenues fall - Fairfax, Montgomery face large budget gaps"*
- . *" Chorus grows louder in area counties to increase fees, taxes"*
- . *"Prince William school chief proposes cuts/ budget plan would eliminate a class period, curtail music, sports and counseling programs"*
- . *" Fairfax told schools need millions more'*
- . *" Fairfax chief proposes 15% real estate tax rise. Budget plan would cut jobs, social services"*
- . *" As Exurbs grow, so does burden of borrowing- mounting debt is increasing the growing pains of outer suburbs"*
- . *" Counties cite "chaos from budget impasse" and from The Loudoun Times Mirror:*
- . *"\$37 million budget begs higher taxes"*

**Barbara Severin**, for many years a member of CFFC's board of directors, ran unsuccessfully against Larry Weeks for the Scott District seat on the Board of Supervisors. For the next eight years she worked closely with Col. Weeks on matters pertaining to the whole county. Col Weeks served five terms on the Board of Supervisors.

**Mary Moran**, also a CFFC director, ran against Brumfield for the Center District seat on the Board of Supervisors and Sue Scheer ran against Jay Katzen for the state Legislature - both with the same unfortunate results.

In February of 1996 Harry Atherton became chairman of the Planning Commission on which he would serve for four terms before going to the Board of Supervisors on which he would serve two terms

In March of 1997, CFFC published a **Bugle** with the headline '*SUPERVISORS GO OFF THE DEEP END—INTO SEWER*'

*"Who benefits from a 17 mile multimillion dollar sewer line from Vint Hill to Remington? There are individuals and institutions that stand to gain, but they certainly don't include the taxpayers of Fauquier County".*

In the "Too late to classify" column: *BIDS ACCEPTED "We are soliciting bids for operation of the boating franchise for Lake Tudor at the Auburn dam. Canoes, paddle boats and water ski events planned. Write Nonsense, Catlett.*

*"CONTROLLER NEEDED"*

*"Air traffic controller needed at Fauquier- Warrenton Airport. Due to extremely heavy traffic—at least three or four piper Cubs daily. No control tower but nearby water tower usable. Prefer experience in major airport such as Chicago, Atlanta, etc. Write "High Flyin'," "Midland"*

*"ROMANTIC GETAWAY"*

*" Prisons R Us. Unique accommodations in historic Olde Towne. Reasonable rates, full room and board due to taxpayer subsidy. Contact JH, Lee st. Warrenton." ("JH" was Sherriff Higgs)*

The issue of widening of **Rt. 28**, that had been in contention for years, was heating up again with Fauquier officials putting pressure on the Highway Dept. The farmers in the area were very much opposed.

Sept. 1997: **Vint Hill** had been formally closed in June of '97. Fauquier's unemployment rate fell steadily, from 5.6% in 1992 to 2.2% in 1997 - one of the lowest in the U.S..

The County's economy, as measured by the county's sales tax returned by the state, increased from \$2,757,517 in 1992 to \$3,515,864 projected for Fiscal Year '98.

The following is a quote from the Vint Hill Economic Development Authority's, VHEDA, application to the Army: "This is not a project the private sector will undertake. The VHEDA has talked with numerous large northern Virginia development companies and heard the same statement. They are not willing to undertake this project, given its zoning, cost, duration and politically sensitive issues. It will take either a public - private partnership to make FHFS redevelopment work, or it must be a solely public venture."

In other words, it would take the tax payers, as silent partners, to put up the cash to do things that the professionals were too smart to undertake.

Proponents of the county's acquisition of Vint Hill maintained that to do otherwise would have left the county with no means of controlling the base's 700 acres. The counter argument from Harry Atherton was that by zoning the 700 acres rural agriculture, it could be controlled through zoning, in the same way that all land in the county is controlled.

Vint Hill's sewer system and the county's desire to get as much as possible of Vint Hill on the county's tax rolls were powerful incentives.

It was the opinion of the Dewberry & Davis Co. that in order to overcome the economic limitation, due to Vint Hill's poor location, a great deal of money (more than \$24 million ) would have to be spent to make Vint Hill competitive with many other more favorably located industrial sites in the northern Virginia region. It was also their opinion that it was critical for the army to upgrade the sewer plant and it was desirable that it should continue, as long as possible, to maintain the grounds, for which the army spent about \$1,000,000 a year. Dewberry & Davis suggested an administrative and marketing budget for VHEDA in the range of \$500,000 to \$750,000 a year.

On top of their suggestion that the county should forgo collecting taxes for the first 20 years, Dewberry & Davis thought a residential component must be first developed to provide cash to start rebuilding the infra-structure before anything else was done.

At first, the VHEDA was going to limit residential development by replacing existing housing on the base. Then the number of housing units was raised to about 320. but in a later proposal to come before the Planning Commission, a cap of 1200 houses was requested by the VHEDA.

In the event, the army did not repair the sewer system, nor did it remain as a caretaker, nor did it clean up the asbestos in many of the buildings, as had been expected. The building, the county had hoped to use as a school, proved unacceptable.

On the plus side, the VHEDA only had to pay the army a little over \$1,000,000 for the base, and would receive \$4,000,000 from the Waterfield development for sewer taps, if that development were to be built.

Among the unanswered questions: would the goal of creating 4,000 jobs in a county with no unemployment prove to be counterproductive by stimulating population growth?

Were the most qualified people appointed to serve on the VHEDA?

Would the need to develop what could be the largest subdivision in the county, further erode the county's tax base? and will the people who live in that development want to live next to an industrial park?

Could the county just turn its back and walk away from the problems facing Vint Hill? It was not the VHEDA's fault that there were no federal grants, nor that the army had not disposed of the asbestos problem nor left the sewer system in better shape, as had been expected. The name of the game turned out to be Disaster Control.

These were some of the questions that led CFFC to retain the services of Mike Siegal a Washington based economist with Public and Environmental Finance Assoc. It was not the 300 houses that worried him. It was the enormous amount of square footage of space allocated to commercial and industrial uses. The square footage is linked to the number of jobs that will be created. By definition, the number of jobs equals the number of people who will be employed at Vint Hill. It is the number of people who move into the county to take those jobs that will determine whether the commercial/industrial development at Vint Hill will be tax positive or tax negative. Both VHEDA and Siegal agreed that 40% of the work force could be expected to move into the county.

Bart Hinkle, president of CFFC at that time, suggested to the chairman of the BOS that the county hire its own fiscal expert to review the Dewberry & Davis plan.

Failing drain fields at Fletcherville, a small development of rental houses in the Cedar Run watershed above the Warrenton Reservoir posed a threat to Warrenton's water and twenty years later, they still do.

**Serf Guerra**, a member of CFFC's board, was appointed by David Mangum to fill the Lee District seat on the Planning Commission. It had been a long standing CFFC rule that a member of its board of directors could not serve on either the BOS or the Planning Commission. Supervisor Magnum was quite upset when he found out that Guerra would lose his seat on CFFC's board and he, his private source of information about what CFFC was up to.

In October of 1996 the **Vint Hill Economic Development Authority** (VHEDA) and several business men and landowners in the New Baltimore area came to the head engineer of the WSA, Dave Binning, with a proposal for sewerage Vint Hill, the proposed 1500 house Waterfield development adjacent to Vint Hill, the businesses along Rt 29 as well as the villages of Catlett Calverton and Midland along Rt. 28.

Without the WSA's knowledge of the details, Mr. Binning drew up a 22 page proposal for a pump-over force main from Vint Hill down Rt. 28 to Remington, which could cost as much as \$36 million.

The first word that the public had of this major proposal was from an article in the Fauquier Citizen: " *County utility members and supervisors, this week, publicly discussed, for the first time, a proposed sewer system that would represent one of the largest infrastructure projects ever built in Fauquier.*"

At the Nov. 26 meeting of the WSA, on a motion by chairman diZerega, which passed unanimously, Binning was instructed to: "*continue to develop the staff's proposal for providing water service and sewer to Vint Hill and the New Baltimore Service District, as a reasonable approach, which must be technically proved; and to direct the staff to use this approach as a framework necessary to prove the assumptions contained therein; to demonstrate that sufficient financial commitments and financing exist to prevent undue risk to the Authority or its customers; and finally, to authorize the staff to request from the county, funds to support the completion of the preliminary engineering report for this approach (\$55,000), as necessary to prove the assumptions contained therein....,*"

The discussion ended at about 4 p.m. on the Wednesday before Thanksgiving. Among the 7 or 8 people in the audience was the lawyer for the Waterfield development, Ben Jones.

Twelve and one half hours before the Board of Supervisors' December meeting, an addition to the agenda from Supervisor Burton, Cedar Run District, was given to Col .Weeks, who represented the New Baltimore area. It endorsed Mr. Binning's proposal for providing waste water treatment to the New Baltimore, Catlett, Calverton and Midland Service Districts. It contained the statement that the Vint Hill EDA resolution of November 26 had approved the

concept of a regional solution and had directed its staff to proceed with the initial implementation of that proposal, reporting its progress to the WSA board as the proposal was refined.

The resolution contained the statement that the Vint Hill EDA resolution, dated Nov. 26, 1996, had endorsed the proposed concept of a regional solution for Vint Hill, New Baltimore and the Rt. 28 communities.

This is what actually happened: the members of the Vint Hill EDA were polled by telephone only, thereby violating the Freedom of Information Act and the VHEDA's own by-laws.

Second: the WSA had agreed, only if all Mr. Binning's assumptions turned out to be correct.

Third: The BOS had never reviewed the proposal.

Some time prior to the Board's meeting on Dec. 3rd, the paragraph relating to the action taken by the Vint Hill EDA was changed to reflect the fact that the EDA had not acted at a formal meeting, as Chairman Hunton Tiffany's letter, dated Nov. 26 to the BOS, would have led one to believe. Instead a substitution of words indicated that his letter reflected that it was the "sense" of the EDA.

The change was explained by Supervisor Brumfield, who served on the EDA, "as a slip of the memory", because the by-laws had been changed to prohibit voting by fax or by telephone. There was nothing in the EDA's minutes to show that any change in the by-laws had been made.

At the Board's meeting, Supervisor Weeks, in whose district the Waterfield development was located, demanded that Burton's resolution be removed from the agenda, because it was in violation of the BOS's by-laws, under which there must be a 10-working day interval between date of submission and date of meeting. He was over-ruled 3 to 2, with a comment from Chairman Magnum that the BOS was not in the habit of operating under its by-laws in matters such as this.

Later in the meeting, when Burton's resolution came up for a vote, Weeks attacked it, first on the grounds that the WSA had not voted to approve the proposal and had not instructed its staff to proceed with the implementation of the plan; second, the EDA had acted in contradiction of its by-laws and the Freedom of Information Act; and third, the BOS had never met to discuss the Binning/WSA proposal. He was defeated 3-2.

Weeks then attacked WSA's proposal that the county pay \$55,000 for engineering studies on the grounds that the county should not pay for engineering studies, when lack of funding might decide the issue. His motion was defeated 3 to 2.

When Mr. Burton presented his resolution, he thought that the villages along Rt 28 that he represented, (Catlett & Calverton) were included in the \$26 million dollar deal. They were not.

Also In October of 1996, the BOS was considering ways and means of correcting what was perceived as a serious imbalance in the revenue the county received from business and industry, compared to other counties in northern Virginia.

CFFC and PEC were the scapegoats when a developer failed to have his project approved on its merits. Actually there were only two industries that CFFC had opposed: a wood treatment

plant in Bealeton and an asphalt business at the Vulcan plant in Casanova: both for environmental reasons.

The county's Economic Development Task Force proposed the establishment of a government office for economic development at an annual cost of \$250,000,. This would have been equal to the combined taxes paid in 1994 by Trinity Packaging (180 employees), Smith Midland, Ross Industries and the Artery Organization, or by the Jefferson Association which owned two shopping centers with 50 stores on the outskirts of Warrenton.

Today, Inter-Arms, Niagara Wire, the Artery Organization, and Trinity Packaging have, for one reason or another, left Fauquier County. What remains are, Ross Industries, Chemetrics and a greatly expanded, and highly successful Smith Midland Co. which has grown from the invention of a concrete cattle guard by the grandfather of the present owners, to a company that manufactures concrete sound barriers, concrete panels used in the building of sky scrapers and many other items made of concrete. Half its workforce comes from Culpeper Co. and half from Fauquier. Smith Midland made it on its own without benefit of an Economic Task force. N.B. The grandson of the inventor of concrete cattle guards takes time from helping to run this large and important company in Midland to serve on the Fauquier Planning Commission..

It was a lack of employees that had caused Niagra Wire to leave the county after 20 years. Before leaving Fauquier County, the head of Niagra Wire commented that the labour force in Fauquier county would rather drive to Washington for a job than work in a factory here.

Chairman Mangum, of the BOS, said the only way to change Fauquier's image of unfriendliness to business and industry was *"to do things that are reasonably notable or spectacular,"* (Fauquier Citizen 10/11/96)

**The 17 mile pipeline** to take sewage from Vint Hill to the Rappahannock was alarming the people of Fredericksburg. The following is from an editorial in the Dec.14th 1997 Free Lance Star, reprinted in the Jan. 3,1997 CFFC's Bugle,( sent to all mailing addresses in this county) *"Fauquier County officials are considering an inane, unnecessary and less than neighborly sewage disposal plan that would pollute the Rappahannock river, a long range source of drinking water for Fredericksburg and the counties of Spotsylvania and Stafford.*

*Elected officials in those localities and in Richmond should rip into that ill-advised plan while it is still on the drawing board....*

*It's conceivable that unless a ruckus ensues, Gov. George Allen's administration could approve the plan - a rotten egg that was laid by the Fauquier Water and Sanitation Authority and warmly received by Fauquier's Board of Supervisors...."*

The front page of the Jan. 3,1997 Bugle carried a cartoon of three puppets, Supervisors Mangum, Burton and Brumfield being manipulated by developers, under the heading: *" Our Puppet Government"*.

From an ad, allegedly from "Fauquier Developers, Inc.", under a picture of unspoiled Fauquier farmland: *"this spectacular county, known for its rolling fields, stunning mountains, villages and towns and successful farms, is for sale.*

*We have been successful for the past 25 years in transforming counties like Fauquier into counties like Fairfax and Prince William. In one swoop, we can bring Fauquier more*

*congestion, more pollution and higher taxes. We can make Fauquier a county as disagreeable and inhospitable as any metropolitan area in the United States*

*We developers can special exception, rezone and subdivide Fauquier to death. It will not take long, with the cooperation of a majority on the Board of Supervisors, to bring you Fairfax and Prince William.*

*Give us a call at 1-800 DESTROY, and we'll get to work on behalf of the development community. FAUQUIER DEVELOPERS, INC."*

Under "TOO LATE TO CLASSIFY: "

*" Frank Ott Airlines announces daily flights from New Baltimore with stops at Catlett, Calverton and Midland to pick up passengers who want to go to the bathroom in Remington. Tickets (\$50,000 per passenger) are available from the Fauquier County Chamber of Commerce and the New Baltimore Planning Group."*

*" FOR SALE: The Vint Hill Economic Development Authority will hold a year end sale on Dec. 28, 1996, at the Listening Post. Steep reductions have been applied to all Dewberry & Davis reports, plans and drawings. Smart county officials will stock up on these bookshelf basics before they are repackaged for next year's consulting season.*

Contact : Box W.B., The Bugle" (the W.B. stood for Supervisor Wilbur Burton, Cedar Run District, who had been promoting the 17 mi. sewer line.)

Early in 1997, Del. Scott, Fairfax, chairman of a subcommittee of the committee on Counties, Cities & Towns, singled out Fauquier County for an attack on its **Special Exception Ordinance**. Del Scott was assured the matter would be taken care of by ORAC, which was revising the county's ordinances.

Fauquier had used the Special Exception ordinance for over 17 years without a court challenge. Twice in the previous ten years, it had been applied to two major residential developments.

The executive vice-president of the NVBIA wrote a letter to the chairman of the Fauquier Board of Supervisors in which he informed him that if the Special Exception Ordinance was eliminated prior to November 1998, "*we would be most pleased to inform the General Assembly that the Fauquier Board of Supervisors has fulfilled its pledge to cure the Special Exception abuse... We trust this will serve as our indication of the minimum acceptable action required by Fauquier County to satisfy the commitments made to the General Assembly.*

In July, 1997 **ORAC** in a 6-1 vote recommended the elimination of the Special Exception Ordinance.

The Aug. 6th. 1997 Fauquier Democrat reported the unveiling of yet another pro-growth organization: "**Fauquier Forward**," whose mission was to counter "the nay sayers", who have nothing to gain and much to loose from rampant development, as opposed to the pro-growth faction which had little to loose and much to gain.

- In the past 50 years, the “nay sayers”, i.e., CFFC and PEC have opposed:
- . 11 subdivisions, either for their size or location in agricultural areas
  - . Two major highways: I66 with 5 interchanges and the Western By-pass
  - . Efforts to dismantle the Planning Commission and gut the county’s zoning and subdivision ordinances
    - . Moving the county offices out of Warrenton
    - . The \$14 million jail
    - . Purchase of the SPR building at an ultimate cost of \$25,000,000
    - . The Auburn Dam
    - . The 17mile sewer line from Vint Hill to Remington
    - . Walmart
    - . Taxpayer funding of the redevelopment of Vint Hill
    - . Disney’s Theme park
    - . Gutting the Family Transfer ordinance and
    - . Shopping center at Old Tavern on Rt. 17

In September, BOS chairman, David Mangum, accompanied by Merle Fallon, ( developer’s attorney) went before Scott’s committee in the General Assembly to explain why the county had taken no action on the removal of its **Special Exception ordinance**. The committee was assured, that in time, the county would kill it.

More important than Fauquier’s losing its ordinance, was the question of why the General Assembly was taking its valuable time to intrude into the land use policies of an individual county.

The Planning Commission had voted 3-2 against ORAC’s recommendation to eliminate the Special Exception ordinance which, as applied to major residential developments in the Service Districts, gives the county a level of control to ensure greater compatibility between neighborhoods. It had never been used as a population control measure. However, the fact that the developers hated the Special Exception provision, because it could cost them money and time, may have, inadvertently, reduced potential population growth in the county by causing developers to choose to develop elsewhere.

The BOS tabled the matter, and at their joint work session with the Planning Commission decided to take no action until the planning staff had devised a substitute to protect the county.

On receiving the news, an outraged Del. Scott took the issue to the full committee on Counties, Cities & Towns in the 1998 session. Fauquier was given until their Dec, 1998 meeting to resolve the problem. Several of the members of the subcommittee had expressed reluctance to become involved in what was a precedent setting action. The unintended consequence of the legislators’ action was to make subdividing farmland more difficult rather than easier.

In a discussion with Merle Fallon over the developer's objections to the Special Exception Ordinance, he complained that to many would be developers, the "S.E." made it not worth the time and aggravation and fear of being turned down. The developers felt put-upon, because for major subdivisions, they are subjected to a public hearing before both the Board of Supervisors and the Planning Commission, and because of the length of the process, which can be as long as 6 months.

The following is quoted from a letter from Roger Stone, the chief executive officer of the Northern Virginia Builders Assoc.: *"On the local front, the NVBIA chapter has been especially effective in working on major revisions to the comprehensive plans and zoning ordinances of several counties. Technical committees in each of the five counties, Arlington, Fairfax, Fauquier, Loudoun and Prince William have been successful in achieving major changes in local land use proposals."*

THE FAUQUIER BUGLE. Sept. 19th, 1997:

*"AUBURN DAM TO BE CONSTRUCTED ON A GEOLOGICAL FAULT "*

*"POLL REVEALS THAT CITIZENS OPPOSE 1600 HOMES "(Waterfield)*

*"VHEDA TAKES ON RISKY PLAN TO DEVELOP VINT HILL FARMS"*

*"SPECIAL EXCEPTION ORDINANCE QUESTIONED "*

*Developer's attorney, Merle Fallon who helped bring Walmart to the county, suddenly became the county's spokesperson at a meeting before a subcommittee of the state House of Delegates here.*

*The Northern Virginia Builders Industries Association (NVBIA) flexing its political muscle once again convinced a subcommittee of Counties, Cities and Towns that Fauquier County was thwarting growth with its **Special Exception Ordinance** for residential development in Service Districts. Despite the fact that a special committee appointed by the Board of Supervisors has been studying the ordinance and the Board and the Planning Commission have agreed to leave it intact for the time being, Fallon took the floor and filibustered against the county at the meeting called to review the Special Exception issue.*

*Fallon said the Fauquier ordinance was being "abused" and left the impression that it is a weapon used to "stretch out the growth process." He failed to tell the subcommittee that the Special Exception ordinance was seldom used in Fauquier. In fact, planners rarely can remember it being invoked.*

*Committee chairman Del. James M. Scott was concerned with whether the county would support changes in the ordinance. He hurried through comments and went to the heart of his interest: when is Fauquier going to deal with the request to kill the ordinance? Del. Scott got support from 31st District Delegate Jay Katzen who called the Special Exception ordinance "onerous". Supervisor David Mangum assured the subcommittee that the county supervisors were serious about encouraging growth in the Service Districts....*

*Suzanne Scheer, who is president of Citizens for Fauquier County, but who also represented the Goose Creek Association, the Cedar Run Alliance and Concerned Citizens of New Baltimore, was stopped by the chairman after less than three minutes of her presentation.*

*Mrs. Scheer pointed out that in 16 years of its existence, the Special Exception ordinance has been used only once to turn down a subdivision in a Service District.*

*Del. Scott told the Bugle that he was under the impression that Fauquier used the ordinance to limit population density.....”*

*Letter to the Democrat from CFFC : “... it was generally expected that the closing of the army base would wreak havoc on Fauquier’s economy.*

*The Vint Hill Economic Development Authority (VHEDA) was appointed by the governor to take on the job of converting the army post into a financial asset for Fauquier County. To accomplish this task, the VHEDA was given the power to issue tax-free bonds. The VHEDA would assume the risks - not the taxpayers of the county.*

*A resolution passed by Supervisors Magnum, Burton, and Brumfield stated: “the Board of Supervisors makes clear that the VHEDA will be financially self-supporting and not include the allocation or reinvestment of County funds into the financial plan for redeveloping Vint Hill Farm Station, except to provide local match to the office of Economic Adjustment grants”.*

*Today, two years after that resolution was adopted, we know two things we did not know then: 1st, the closing of the base has had no discernible effect on Fauquier’s economy; 2nd, the job of converting the base to an industrial park will be impossible without the participation of Fauquier taxpayers.*

*Now is the time to balance risk against benefit, which is why CFFC, under the Freedom of Information Act obtained information it had previously been denied and published it in the Fauquier Bugle.*

*CFFC’s directors thought that if the taxpayers were to be involved, the taxpayers had a right to know what was going on behind the VHEDA’s closed doors.*

*Thirty million dollars will be needed to make Vint Hill competitive with many better situated industrial sites throughout northern Virginia. Because the VHEDA has nothing but the real estate at Vint Hill to put up as collateral, when it borrows that \$30,000,000, the bonds will carry an interest rate that will be too high for the VHEDA to pay. These will be junk bonds - unless they are backed by the moral obligation of the Fauquier taxpayers to repay them.*

*If the VHEDA’s expectations for the success of this very ambitious undertaking are not realized, Fauquier taxpayers must understand that, while they are not legally bound to honor the repayment of Moral Obligation bonds, in case of a default, the county’s bond rating will fall.*

*When that happens, the interest rates the taxpayers must pay to borrow for schools, etc. will go up, so, in effect, the taxpayers would be held hostage. They could not afford to turn their backs on their moral obligation to pay the debts incurred by the VHEDA in a speculative real estate venture, based on a rosy scenario that may, or may not, pan out.*

*Whatever decisions are made concerning the future of Vint Hill, we are now armed with the knowledge that those decisions need not be made under the threat of a dire economic and unemployment crisis. This was not true four years ago.*

*When the Dewberry & Davis’ plan, for the redevelopment of Vint Hill, was unveiled in the summer of 1995, CFFC’s consultant, Mike Siegel, reviewed the plan and told CFFC what the*

*VHEDA is telling us now, that the redevelopment of Vint Hill will be impossible without Fauquier taxpayer's participation.*

*While hoping that Fauquier's tax base could be expanded by the successful redevelopment of Vint Hill, CFFC will continue in its familiar role of being the skunk at the garden party, asking the hard questions, requesting information and seeking outside unbiased advice from experts when necessary, as it has done for the past 50 years."*

It was in 1997 that Supervisor Brumfield won his long battle: in a 4 to 1 vote **Walmart** was approved. Jimmy Green's was the lone dissenting vote.

On the 24th of Dec.1997, came the very welcome news that the Cooper Co. of Arkansas had sold **North Wales** to Mike and Patricia Prentice The Prentices immediately put a conservation easement on 1200 acres prohibiting any building on the property in perpetuity.

The Fauquier Citizen of Jan. ' 98, under "Population Growth of Area Counties" published the following: "estimates from July 1, 1968 to April 1, 1990: Clarke, 3.7%, Loudoun, 43.2 %, Warren, 14.3%, Rappahannock, 8.8%, Culpepper, 15.1%, Stafford, 34.7%, Prince William, 15.6%, and Fauquier, 5.9 %.

In Jan. of 1998, The General Assembly, egged on by the usual Fauquier suspects, was once again threatening Fauquier's **Special Exception** ordinance.

From the Fauquier Citizen in Feb.: "Lawmaker: Fauquier's Ordinance Violates Landowner Zoning Rights" "House Bill Would Narrow Special Exception Permits "(Rep. Scott)

The headline in the Feb 12 Fauquier Citizen: "Richmond Defeat Would Open Door to Development."

An article in the Washington Post , 7/19/98: "Suburban developers find public anger building. The following may shed light on why this is happening. A rising tide of hostility is engulfing developers, home-builders and their representatives in the fastest growing suburbs of Washington .

*For a number of years the Northern Virginia Buildings Industries Assoc. the NVBIA, has tried unsuccessfully to have state-wide legislation passed that would outlaw the Special Exception ordinance which allows jurisdictions to impose special requirements, if a project will have significant impact on the surrounding neighborhood.*

*For the past two years, the NVBIA has singled out Fauquier County in its efforts to get rid of the Special Exception ordinance, claiming that Fauquier County abuses its ordinance by using it as a population control measure. The NVBIA and the Virginia Home Owners Builder's Assoc. sought help from Delegated Jim Scott, D of Fairfax, who chairs a subcommittee of the Committee on Counties, Cities & Towns in the House of Delegates.*

*Del. Scott called the chairman of the Fauquier Board of Supervisors" (Dave Mangum) "on the carpet before his subcommittee. The chairman assured Del. Scott that the offending ordinance*

would be eliminated, but when he got home to Fauquier County, he found that he lacked the votes to comply with Del. Scott's demand. This left Del. Scott in the position of either disappointing the developers or bringing the matter to the full committee on Counties, Cities & Towns and possibly, if Fauquier decides not to comply- to the whole body of the Gen. Assembly in the 1999 session, it could cause Del. Scott a lot more trouble than he bargained for."

The Feb. 28, 1998 **Bugle:** " *DEVELOPER'S PLAN WOULD KILL FARMING, TRANSFORM COUNTY INTO COMMERCIAL ZONE*"

*" It starts in southern Fauquier County. It will spread to all parts of the region. No area will be spared.*

*A group of developers and their attorneys- who have a wink of approval from a couple of supervisors— have come up with a fancy sounding name, Fauquier Forward, and have cooked up a plan that will systematically change Fauquier forever.*

*They want:*

- . to create a wide industrial-corridor north of the present Rt. 28 from Rt 17 to Manassas;*
- . to increase the county's population from 50,000 to 150,000;*
- . to create a sewer line to serve the proposed Waterfield development and Vint Hill and to run it all the way to Remington, and*
- . to destroy all the farms, homes and businesses in its path."*

In March of 1998 the Planning Commission approved **Waterfield 3** to 2 with Atherton and Munster in the minority.

The Loudon Times Mirror of 8/12/98 reported that a committee composed of representatives from the rapidly growing counties around the state had compiled a list of 5 suggestions, or requests to present to the General Assembly for action at their next session.

This list, which includes requests for management tools, such as "Impact fees" and an "Adequate Facilities" law, also asks the General Assembly to stop trying to bully Fauquier County into eliminating its **Special Exception ordinance**.

In September, after years of ups and downs, **Waterfield** was approved for 667 houses by the Board of Supervisors. Jimmy Green and Col. Weeks voted against it .

Also In Sept of 1998 came the news that **Walmart** had broken ground. The first mention of Walmart was in the Jan. 18, 1994 Democrat which reported that Walmart had outlined its agenda to the county. There were a total of 63 articles in the Democrat about this very contentious issue.

**Vepco's** proposal to build twin gas -fired "peaking" power plants in Remington (to supply power during peak periods of electricity use) was strongly opposed by PEC on the grounds of possible air pollution . The plant was located near a natural gas pipeline and a 500 kv transmission line.

It was a \$180M investment for VEPCO and a very big deal for the taxpayer of Fauquier county. Each plant, requiring only 5 employees, would cost the county nothing, while paying a very substantial tax.

Twenty years later, there have been no discernible ill effects from the Power Plants and Fauquier has collected about \$40,000,000 in real estate taxes. The downside may have been that Remington has become the target for 500 KV electric lines. On November 11, 1998, the Fauquier Citizen reported that the Supervisors had recommended the widening of **Rt 28**..

In Dec. of 1998 Del. Scott finally gave up on Fauquier's **Special Exception ordinance**.

The FAA with 300 employees, with an average salary of \$70,000, made definite its plan to move to **Vint Hill**. As it was to pay no taxes to the county, but would send children to the county schools and occupy 30 acres of land that might be used for an industry or business that would pay county taxes, there was little to celebrate.

The county's role in the redevelopment of Vint Hill was based on 2 goals: (1) replacement of the approximately 3,500 jobs being lost, with jobs of equal pay and quality, and (2) placement of the former army base on the tax roles through the transfer of ownership into private hands. (memorandum from Owen Bludau to Hunton Tiffany, May 15, 1995)

The VHEDA gave two conflicting views of its plans. On the one hand, it claimed its plan would result in high value, high tech, high wage jobs. A later version was that Vint Hill would be more likely to attract "warehouse and research and development facilities no longer economically feasible in the metropolitan area. " *We're going after mixed-uses, manufacturing and assembly*" (Bludau.)

The Fauquier Citizen reported that the huge development firm, Regional Developers, "may underwrite reuse of Vint Hill farms..)"(Morgan Stanley, Dean Witter, Discover Co

*"Vint Hill grant unlikely. Expected federal money slated for sewer, roads (county unemployment too low and per capita income too high.)"*

*Nearly 300 local government officials met in Fredericksburg to address the problems of growth."* FTD

In 1999, **Kay Hayes** ran against Jay Katzen in the primary for the House of Delegates. Katzen fans labelled her an "abortionist". Katzen's claim to fame in Fauquier County rested on his wife efforts to clean up the trash on the roads. In 2001 he ran for Lt. Governor, inferring in his ads, that he had been the U.S. ambassador to The Congo.

In May of 1999, CFFC sprang into action and published **The Bugle** to sound the alarm over the four- laning of Rt 28 through southern Fauquier - a plan backed by the developers...

*"The widening of Rt. 28 also brings a bigger threat: the industrialization and the death of the villages and farms. Some members of the BOS don't want to solve the sewer issues of Catlett, Calverton and Midland in any practical and fiscally responsible manner. They argue that a massive trunk sewer line to Remington is the "solution"*

In the same issue the Bugle reported that *“in the eleventh hour Gov. Gilmore had sided with the Developers and failed to veto the Bill, H.B.2324, sponsored by Del. Tom Jackson from Carroll County and aimed directly at Fauquier and Rappahannock counties that use the Special Exception ordinance as it applies to residential developments in the Service Districts.*

*“We tip our hats to Fauquier Supervisors, Larry Weeks, Joe Winkleman, Jimmy Green and Dave Magnum. They had to courage to do battle for our county and fought the good fight. Too bad Gov. Gilmore caved in to the home building lobby.*

In August of 1999, the Democrat reported that **Walmart** was close to hiring the 270 employees it needed. Warrenton had been a battle ground with the town of Warrenton and CFFC on the loosing side, and BOS Chairman Magnum, Lee District, the decided winner. As a result, today, Warrenton has no hardware stores, no ten-cent stores, no grocery stores, and no drug stores.

In Oct of 1999, the Fauquier Citizen reported that Merle Fallon, att. for the owners of **Broadview**, and his partner, had bought Broadview, the former site of the Gold Cup race course, out from under George Fitch, Warrenton’s mayor, who was dickering with the owners to buy 140 acres for a park for Warrenton. An article in the Oct, 10 Democrat quotes Fallon: *“the mayor simply didn't offer enough money.”*

## 2000

In the 2000 election to the BOS, after having served for 18 years on the Planning Commission, Harry Atherton traded places with Jimmy Green who had served 20 years on the BOS. The other members of the Board were: Ray Graham, Cedar Run, Joe Winkleman, Center, Sharon McCamy, Lee and Larry Weeks in Scott District.

Conservation Easements were doing well in the northern half of the county, but not amongst the working farms in the south. Purchase of a farmer’s development rights had been tried successfully in Virginia Beach. Harry Atherton, backed by Ray Graham, thought Fauquier should give **PDR’s** a try, and Boots Ritchie, the leader of farmers in southern Fauquier agreed. Finding the money was a daunting problem. However, as luck would have it, the second “Peaking” Power Plant was knocking on Fauquier’s door, and to insure a friendly welcome, a substantial start-up fund for PDRs was offered and accepted. The County, for its part, allocated 2 cents in the budget and the PDR program was up and running. 16 years later, the PDR program has saved 11,734 acres of farmland in the southern half of the county - the equivalent of 46 250 acre farms.

In the Mennonite community some of the farmers have used PDR money to buy farms for their sons. Today, the end of January, 2018, Fauquier leads the state and very possibly the nation in both Conservation Easements and PDRs.

The 21st century brought a marked decline in the number of local groups with a mission to break down Fauquier's defenses against suburban sprawl, but not before the "**High Growth Coalition**" in a deal with the Homebuilders had sought greater local authority.

*"My understanding,"* said supervisor Joe Winkleman of Center District, *"is they are going to strike a deal with the home builders —just concentrate on funding for public facilities and education. In exchange the homebuilders will back off on further attacks on the powers of local jurisdictions".*

An unexpected problem came from the **vinyards**, which, 30 years ago, had been actively promoted by the Piedmont Virginian as a good way to use small acreages. It was the profitable wineries becoming adjuncts to the unprofitable vineyards that created problems that Fauquier county's ordinances were not equipped to meet. In rural areas with inadequate roads, loud music, and open fields that became parking lots were lowering the value of neighboring farms. It was the neighboring farms that created the lovely pastoral scenery advertised by the wineries to attract customers from the city.

In trying to cope with this new problem, Fauquier County ran up against Governor Mc Donald who had decided that Virginia should become the new Nappa Valley, and threw the weight of Virginia's government behind the wineries.

The census figures on growth in 2000, for the neighborhood: Fairfax, 15.6%, Loudoun, 81.3, Prince William, 26 % ,Stafford, 49%, Fauquier, 13.4 %, Culpepper, 20.5 %, Rappahannock, 15.7%, Clark, 20.9%.

The average home price in Fauquier topped \$215,000 In June of 2000.

The county's population of about 26,000 in the early 70's grew by 33% in that decade. In the 80's the rate of growth picked up and averaged 3.5% per year. Growth in the 90's slowed to a little over 1% a year, matching that of the state and the U.S.

**John B. Adams** died in June of 2001. He first served on the Planning Commission in 1960 and switched to the BOS in 1968, just as the North Wales controversy was heating up. He served on the BOS for the next 20 years —always as its chairman. Without John Adams, Fauquier county would be a very different place today. The Fauquier Democrat named him "Man of the Century."

A vexing problem for the people who lived in the **Crooked Run valley** in Marshall District was the increasing number of 18 wheelers that used two lane Rt.17 from Delaplane to Paris to Rt. 84 at Winchester, instead of taking 66 by Front Royal and then on Rt. 81 to Winchester. With the invaluable help of Representatives Frank Wolf and Russ Potts, Supervisor Atherton

was able to persuade VDOT to eliminate tractor-trailers on Rt. 17 between Deplane and Rt. 50 at Paris: a god-send to the people who live in the Crooked Run Valley, who can once again enjoy one the loveliest parts of Fauquier County without the roar and stench from a constant stream of tractor trailers.

In 2003, a bequest from Paul Mellon's estate of \$10 million, was given to the county's Parks and Recreation Board for a **sports park** for school children in the Marshall area, as part of the county's program to create a regional sports fields in the north, middle and south of the county. The site chosen was a 100 acre parcel of land in Scott District, on Rt. 55, next to the Livestock Exchange and across the road from industrial zoned land. It was a piece of land that was almost certain to be subdivided into 100 lots.

Neighboring landowners - some with Middleburg addresses were instantly up in arms. They formed "Northern Fauquier's Committee for Responsible Rural Development ("CRRD) and sent an open six page letter from its co-Executive Director, Jay Fetner, to alert *"the Middleburg Life Community"*.

Chairman Larry Weeks, Scott District, who had recently had a heart attack, turned the project over to an ad hoc committee, chaired by Harry Atherton, to oversee the sport park;s construction.

Jay Fetner, Co-executive director of CRRD, wrote Harry Atherton a letter in which he warned: *"It is said you have aspirations for higher political office. A significant part of your political base will not forget it, if you allow their concerns to be debased by sloganeering and meaningless "have vs. have-not scenarios. Personally, I hope you go far - so please listen and earn our support for your thoughtfulness and leadership."*

Contrary to all the dire predictions, the sports park has turned out to be an asset to the whole community.

Also in 2003, growth controls were debated in Richmond. *"8 bills were introduced to strengthen a county's ability to restrict development & make it pay for itself."* Fauquier supervisor Joe Winkleman testified for Adequate Public Facilities to *"pace growth" facilities...*

*"Atherton attributed the sea change to an emerging understanding at the state level that communities are struggling with growth pressures"* Fauquier Democrat

## 2004

The Board of Supervisors, that took over in 2004, in its first 38 months, voted on 23 Comprehensive Plan amendments, 36 Resolutions, 47 Amendments to the Zoning & Subdivision Ordinances, 35 Special Exceptions, 10 rezoning and 16 Easements. Out of 185 votes pertaining to land-use issues, 153 were unanimous.

The members of that unusually harmonious board were: Harry Atherton, Marshall District, Ray Graham, Scott, Chester Stribling, Lee, Bill Downey, Cedar Run and Richard Robison, Center District.

In fine tuning the Zoning and Subdivision Ordinances, which accounted for many of the unanimous votes, the most notable change was in limiting 50 acre lots to three, plus one administratively approved lot, after which all lots were to be minimum 100 acres.

The establishment of the Purchase of Development Rights program had been supported unanimously.

In 2007 there was concern over **FABS'** (Fauquier Alliance for Better Schools) slate of 3 candidates for the School Board, who were heavily financed by the developers. The FABS ladies, in their letters to the editor, claimed that Fauquier County puts a higher priority on "dirt" than it does on its children.

In the School Board election, **Mary Page** lost by a few votes to Mrs. Riordan, a leader of the faction that maintained that the county's land-use ordinances, to slow residential developments, penalized the school system.

The crash of the housing boom in 2007 / 8, that coincided with Fauquier's 250th birthday, was largely based on speculation and bad loans. It gave us a much needed respite from the frantic pace of development.

## 2008

In April of 2008, **Walter Munster** died. He had represented Scott District on the Planning Commission for 24 years. For six of those turbulent years, he was its chairman. It was a period when control of the county was more often than not in the hands of the pro-growthers

In the election of the new Board of Supervisors, Terry Nyhouse replaced Richard Robison in Center, Peter Schwartz took over the Marshall seat from which Harry Atherton was retiring, Holder Trumbo won in Scott District, Ray Graham was starting his third term representing Cedar Run District and Chester Stribling was starting his second term representing Lee District.

The threat from traffic on Warrenton's By-Pass from a proposed subdivision in Culpepper Co. at Cleavenger's Corner on Rt 211 (that has so far not materialized) created a major issue in the Center District race in the 2012 Board of Supervisor's election. At issue was the proposal of a road to by-pass the by-pass to take the commuter traffic from the proposed subdivision in Culpepper Co. through the former Gold Cup race course,( on a right-of-way held by the county) across the adjacent Fenton Farm to connect Rt. 211 west of Warrenton with Rt 17 north of Warrenton. That election showed a reluctance on the part of Fauquier residents to jeopardize their quality of life to help a developer in Culpepper County.

As this is being written in 2018, Fenton's 400 acres still creates a hard edge between the county seat and all of Fauquier County to the northwest and Cleavenger's Corner is still just a developer's dream. Fenton is a very important part of the immediate watershed for the Warrenton reservoir about one half a mile downstream.

## 2012

The new Board of Supervisors had two new members: Chris Granger in Center District and Lee Sherbeyn, in Cedar Run District - the first real estate dealer to serve on a Board of Supervisors.

The election for the BOS in 2012 taught us that any Republican candidate in this Republican county, automatically had a 40% advantage. In Marshall District, Peter Schwartz was challenged by a woman who had recently moved to the county. She and her husband owned a small property in Marshall District, but they lived in Scott District. Her proudest claim was that she had helped Madge Eicher defeat the Springs Valley's attempt to become classified an "Historic District". She knew nothing about the county and no one knew anything about her, but she received 40% of the Marshall District vote, over a candidate who had been chairman of the board and had done a very good job, not only for his constituents, but for the county as a whole.

Mr Cameron Jones, the Tea Party's candidate for chairman of the local Republican party, said: "Since the county is largely Republican, control of the Republican party equates to control of the county government." Thirty years before, the same thing could have been said about running as a Democrat in Fauquier Co., but until the 2012 election, membership in a national political party had been irrelevant in local elections.

According to the Fauquier Dept of Community Development: *"In 2012, 5282 horses were reported living on 569 farms in Fauquier County.."*

Prior to the the 2016 election to the BOS, a new political action committee appeared on the scene: **“Citizens for Balanced Growth”**. Its most vocal members were Cameron Jones, Rick Buchanan, Brian Roeder and Madge Eicher. Their platform appeared to be based on their perception of a promise made in the Comprehensive Plan to put “services” in the Service Districts at tax- payers expense. Cameron Jones wrote a letter to the Democrat, accusing the county of never having fulfilled that promise.

“Citizens for Balanced Growth, described by the Democrat as ”a Political Action Committee that promotes guided development”, bet on the wrong horse in endorsing FABS’ Mrs Riorden against Holder Trumbo in the Scott District race for the BOS.

## 2016

For the first time since 1963, Fauquier County elected a board of supervisors that was 5-0 for controlled growth and for the past three years the county has been free of controversy - the big issues being whether or not to build a new library in Warrenton and providing Broad Band reception for the whole county. All the supervisors except for Holder Trumbo, who continues the tradition of wise leadership in Scott District, were new to the board. Rick Gerhardt represents Cedar Run, Chris Butler, Lee District, Mary Lee McDaniel, Marshall District and Chris Granger, Center District. It has been an unusually cohesive Board with a rotating chairmanship.

## Postscript

One of the lessons that we have learned in our fight to save Fauquier’s farmland: property owners in Fauquier County, and elsewhere in Virginia, pay dearly for rampant residential growth that, virtually overnight, creates the need for new schools — new high schools, new grade schools, new intermediate schools, more libraries, more fire fighters and larger county governments. In this county, the bill for these services comes twice a year from the Commissioner of Revenue. If you do not have the money to pay this bill, your landlord— Fauquier County — will reposes what you may have thought was your property.

Today in 2018 it takes a house assessed at around \$700,000 to pay enough in real estate taxes to cover the cost of the services the county is required to provide.

Our reliance on the property tax to build and run the schools, and maintain county governments in the rapidly growing counties in Virginia has pitted the homeowner and the farmer against the developers, their lawyers, land speculators, and organizations like the Chambers of Commerce, the Northern Building Industries Assoc., and all the organizations that spring up overnight and soon disappear, such as Legality In Land Use, Fauquier Forward, the High Growth Coalition and the latest: Citizens for Balanced Growth,

For years, the recurring theme in letters to the editor and in articles in the Fauquier Democrat from the pro-growth element in the county has been to urge the county (read: taxpayers ) “to put services” (water and sewer) “in the Service Districts” to attract commercial / industrial development that will help pay for the services required by residential growth- primarily schools. - However, in the real world, the bait of water & sewer that is supposed to attract business & industry will first attract more residential growth in a never ending cycle that leaves the taxpayers of the county forever scrambling to keep up. Show us the county where it has worked.

Over the past 60 years industries such as Inter-Arms, Niagra Wire, and Trinity Plastics have come and gone, without leaving a dent in the county’s economy.

As this is being written, Loudoun County, which used to be our model, has now become “the Silicon Valley” of the East, with a population that has grown from 130,000, a few years ago, to over 400,000 today.

In spite of having attracted World Com and 75 Data Centers, there are only 38 counties in the U.S. that have higher real estate taxes than Loudoun County. All it took to transform Loudoun, from a county that looked like Fauquier into the fastest growing county in the U.S., was just one election that put a pro-growth majority in control of the county’s board of supervisors.

A few years ago, Loudoun County, to the envy of some of its neighbors, had succeeded in attracting World Com. Loudoun’s fiscal consultants warned: “ **only**, if **only one third** of World Com’s well paid employees, chooses to live in Loudoun county, would World Com be an economic asset- the very same advice that Mike Siegel had given CFFC when Fauquier was considering the future of Vint Hill.

A recent George Mason University study has predicted that Loudoun faces a severe housing shortage under the present housing and planning policies. “ *County planners see the need for 64,000 additional new housing units over the next 20 years.*” Blue Ridge Leader Today

Fifty years ago, we did not understand that the one essential ingredient for combatting suburban sprawl was political will. Today, it is safe to say that we in Fauquier found the political will, and it was love for the land that gave it to us.

We also had a lot of good luck, and unlike the North Wales fight when we had a corrupt newspaper controlled by the developer’s local cronies, for the past 50 years we have had a good, honest local newspaper, and for a time we had two. Without the Fauquier Democrat in good hands, we could not have saved this county. It was through the paper that like-minded people were able to find each other and form the organizations, such as PEC and CFFC and in many cases form life- long friendships. Would electronic newspapers have had the same effect?

Without Letters to the Editor, would we have found Boots Ritchie, Janice Traver, Harold Dutton, Wayne and Linda Arrington, Diane and Ray Cultrera and many others?

Fauquier's good luck has played an important role in holding back the suburban sprawl that has overcome so many counties in similar situations. It was good luck that the trip in the back of an army truck from Calverton to Vint Hill had convinced Private William C. Burrage, a professional City Planner, that Fauquier County was where he wanted to spend the rest of his life.

It was good luck that we had, at that time in the early fifties, a man of the caliber of Jack McCarty serving as chairman of the Board of Supervisors, who understood William Burrage's warning about the flood of new residents that was about to pour into Fauquier and took his advice on how to prepare for it.

It has **not** been luck that has given us our good and not-so-good Boards of Supervisors. We get what we deserve. Fauquier's recent history teaches us that our most important decision is made in the voting booth every four years, when we choose the person who will represent us on the county's board of supervisors.

It was our good luck back in 1967 that we were faced by a huge development upon which everyone's attention had to become focused, and it was good luck that John Adams, chairman of the BOS, when confronted by the fact that the Commonwealth's Attorney was giving false information, was able to say: "I will go to the best lawyer in Virginia and he lives just on the other side of the Pignut Mts." Till Hazel was that lawyer, and in the end, it would be Till Hazel who would hamstring the Arkansas developers.

The unanticipated consequence of defeating the developers from Arkansas was the nipping in the bud of the corruption that had taken root in the county, as the result of the ease with which land values could be manipulated by the stroke of a pen - a new form of Monopoly played for very high stakes.

We country people, have had to adjust our habitual customs in dealing with people like ourselves to dealing with slick lawyers out to make a fortune off the land we love — lawyers who would go to the General Assembly in Richmond to cash in on the investments they had made at election time by testifying against Fauquier's governing body.

One of the useful pieces of knowledge that we acquired, in those early days of the second half of the 20th century, was that the more protected a parcel of land was, the higher its value became. Every time the county had been down-zoned, the doom-sayers had predicted falling land prices- but that never happened.

PEC, from its recently expanded house on Horner St. (a far cry from its humble beginnings over Jimmie's Market on Main St.), goes from strength to strength under Chris Miller and his Board of Directors from the seven counties of the Piedmont. There are many people who should be remembered for their dedication to PEC over the past 46 years: Charlie Whitehouse, Bill Backer, Charlie Seilheimer, Eve Fout, George and Mark Orhstrom, Frank Norris, Alice Mills, Jolly deGive, Diana Norris, Mimi Abel Smith, today's PEC president, Jeanie Perin and Marie Ridder come first to mind.

1200 acre Texas Farm, near Hume, had been platted for a subdivision of 120 ten acre lots when Marie Ridder stepped up to the plate, and with her partner Bill Fitzgerald, bought the farm and divided it into a number of parcels, the largest of which was 120 acres. Today all of what had been Texas Farm, except that 120 acres, is under easement and an easement for that parcel has been promised.

The land - owners of The Springs valley, an area that contains some of the oldest and handsomest houses in the county, and one of the oldest recognized foxhounds in the U.S., should for several reasons be remembered. They were the first in the county to make an organized effort to protect their neighborhood by petitioning the Board of Supervisors in 1960 for 10 acre zoning. They were told they would have to wait for the comprehensive plan to be finished. By the time the plan was finished, seven years later, the Cooper Co. had acquired North Wales and the Springs valley 's petition had disappeared from the Planning Commission's files. Another petition with even more signatures was presented to the Planning Commission, but it was too late: by that time the developer's cronies were in control. For the 20 years that the Cooper Co. owned North Wales, the Springs valley landowners lived under the constant threat of a huge subdivision in their midst. In spite this, many of those land- owners, under the leadership of Max Tufts, put conservation easements on their farms. Sixty years later, twelve properties in the Springs valley are still owned by the descendants of those early petitioners. and the Warrenton Hunt is starting its 131st season.

A few years ago, the Springs valley landowners, under the leadership of Richard and Betty Gookin with the backing of all but three landowners, applied for historic designation for The Springs valley. Unfortunately, the three in opposition were in a position be able to sabotage the proposal. It is hard to think of a part of Fauquier County more deserving of historic designation.

VOF, the Virginia Outdoor Foundation, has been, since the beginning, the most important promoter and holder of Scenic Easements. Charlie Seilheimer, Harry Atherton and Bob Lee have been the lynch-pins of VOF, as Fauquier became the leading county in the state in the amount of farmland permanently saved.

Today, the Land Trust of Virginia has also become an important advocate for and holder of Conservation Easements. The Julian Scheer Trust is helping to save farms in the southern half of the county under the Purchase of Developments Rights program.

While we congratulate ourselves that one quarter of Fauquier's land is safely protected forever by Conserve Easements, we must remember that three quarters is not.

CFFC, under the chairmanship of Les Cheek, has on its board of directors an ex- chairman of the BOS, three former members of the Planning Commission, a former director of the Planning Department, and a former member the Warrenton Town Council. While enjoying a respite from battling suburban sprawl, CFFC continues to monitor the land use issues and speak up when necessary.

Today, the Goose Creek Association, taking up where the Upper Fauquier Association left off, can concentrate on making sure that Goose Creek can continue to provide water for the densely populated areas down- stream. Back in the early 1970's, Gen. Frank Norris predicted: "in the future, the battle will be for the water hole". The "water hole" for hundreds of thousands of

people downstream is the northwestern half of Fauquier County where the Rappahannock River, South Run,

Cedar Run, Broad Run, Great Run, Little River, Carter's Run and Goose Creek all rise. It is a part of the county that is largely protected today by Conservation Easements- an outcome that would have pleased Gen.Norris and should be a source of pride for all the landowners who've made this possible.

Thanks to George Thompson, the county's only print newspaper, after two years of negotiation, is now in the hands of local owners who have shown their commitment to this county, by not only providing the cash, but by unstintingly giving their time to insure the paper's success. Without the deep love of so many people for Fauquier's land, this county would be unrecognizable today .

Along with everything else that was new and different in Fauquier's history after World War II, for the first time, women found a role to play in the politics of Land Use. Sue Scheer, Janice Traver, Georgia Herbert and Kay Hayes have already been mentioned, but there was Anne McCarty who, following in the tradition of the McCarty family, served four terms on the Planning Commission, Peg Mailer for 20 years on the board of Zoning Appeals, Adrian Garreau, who is still on the Planning Commission, CFFC directors Mimi Moore and Dolly Smith, who used to bring her baby in a basket to board meetings. (That baby is now a doctor with a practice in N.Y.C.). And then there was Janet Whitehouse, the founder of the Mosby Heritage Area, and Nancy Premen, always on the front lines while raising a son who made his high school classmates aware of the importance of saving Fauquier's farmland, and Hillary Scheer Gerhardt, following in her parent's footsteps. Ann Pfifferling, a thirty year member of the Islip N.Y. city council, moved to Fauquier and before she had un-packed her bags, joined the fight.

Shortly before the battle over North Wales erupted, the nine garden clubs in the county (three in the north, three in the Warrenton area and three in the south), banded together to form The Council of Garden Clubs to be run by a committee of three of the club presidents representing the three geographic areas of the county.

The Council's first, and as it turned out, only task was to clean up Fauquier County. At that time the county government was not involved in trash disposal. Everyone took care of his own trash and a great deal of it lined all the county roads. Each farm had its own dump and discarded automobiles ended up in the woods. The ladies of the garden clubs, under the very

able leadership of Lucy Duer and Dorothy Dennis did a very good job and convinced the Board of Supervisors to set up the present system.

Cleaning up the road sides of Fauquier County was a big deal, and the efficiency with which the women did it, alarmed the local promoters of the North Wales development, who took measures to discourage the Council of Garden Clubs' involvement in the North Wales controversy. The council's membership was too diverse to be able to cope with the growing contention swirling around North Wales, so the ladies of the garden clubs folded their tent and went back to tending their flower beds.

The following is from the Fauquier County Department of Community Development's draft Rural Lands Plan 5/10/18: *"For over half a century, Fauquier County has been a leader among localities in America for its rural protection policies and implementation measures. As an early implementer of many currently state of the art rural protection strategies, such as Purchase of Development Rights, Agricultural & Forestal Districts, land-use taxation programs and Sliding Scale rural zoning, the county has benefited from the steady success of these programs in maintaining the integrity of its rural agricultural economic base and lifestyle. At the same time, the county's rural framework has been supported by its Service District approach to goals management. These two policy pillars have worked to maintain the county's extremely high quality of life and rural character in the face of strong regional growth pressure for several decades.*

*In fact, Fauquier's rural character embodies the sum total of both its natural and heritage resources, as well as the complex interplay of economy, history, culture and nature that make the 651 square miles of the county so treasured and valuable to many. While the county includes decidedly non-rural settlements, its authentic rural character is a key aspect of its quality of life and one that should be valued and protected into the long and distant future,*





