

**MOTION:**

February 5, 2013  
Regular Meeting  
Res. No. 13-

**SECOND:**

**RE: TRANSFER, BUDGET AND APPROPRIATE \$72,565 FROM THE BULL RUN MOUNTAIN TAR AND CHIP CAPITAL IMPROVEMENT PROGRAM BUDGET TO THE BULL RUN MOUNTAIN ROADS SERVICE DISTRICT OPERATING BUDGET**

**ACTION:**

**WHEREAS**, in 1990, the Prince William Board of County Supervisors created the Bull Run Mountain Service District (Service District) to provide a mechanism for funding road maintenance and improvements in the Service District; and

**WHEREAS**, following the adoption of the Service District, the Prince William County Department of Public Works (Public Works), Bull Run Mountain Civic Association, Inc. (Civic Association), and the Service District entered into an agreement (Agreement) requiring Public Works to coordinate maintenance of non-State maintained roads within the Service District; and

**WHEREAS**, in 2006, the Service District secured a loan to apply tar and chip improvements to existing roads with funds placed into a separate Capital Improvement Program (CIP) budget to offset loan payments if required; and

**WHEREAS**, in 2012, the loan was satisfied; and

**WHEREAS**, the Bull Run Mountain Tar and Chip CIP budget has \$72,565 remaining that can now be used for Service District snow removal and other required road maintenance services;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince William Board of County Supervisors does hereby transfer, budget and appropriate \$72,565 from the Bull Run Mountain Tar and Chip Capital Improvement Program budget to the Bull Run Mountain Roads Service District operating budget as follows:

**Transfer From:**

<u>OCA</u>	<u>Object Level</u>	<u>Amount</u>
400237 - Bull Run Mtn. Tar & Chip	3260 - Construction Services	\$72,565

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**Transfer To:**

<u>OCA</u>	<u>Object Level</u>	<u>Amount</u>
400237 - Bull Run Mtn. Tar & Chip	9126 - Transfer to Special Levy District	\$72,565

**Budget and Appropriate (Revenue):**

<u>OCA</u>	<u>Object Level</u>	<u>Amount</u>
401208 - Bull Run Roads Service District	1969 - Transfer from Capital Projects Fund	\$72,565

**Budget and Appropriate (Expenditure):**

<u>OCA</u>	<u>Object Level</u>	<u>Amount</u>
401208 - Bull Run Roads Service District	3260 - Construction Services	\$72,565

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Public Works Director

Environmental Services Division Chief

Construction Services Branch Chief

**ATTEST:** \_\_\_\_\_

**Chief Deputy Clerk to the Board**



Melissa S. Peacor  
County Executive

## COUNTY OF PRINCE WILLIAM

OFFICE OF EXECUTIVE MANAGEMENT

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January 14, 2013

**TO:** Board of County Supervisors

**FROM:** Thomas Bruun *Thomas Bruun*  
Director of Public Works

**THRU:** Melissa S. Peacor  
County Executive

**RE:** Transfer, Budget and Appropriate \$72,565 from the Bull Run Mountain Tar and Chip CIP Budget to the Bull Run Mountain Roads Service District Operating Budget

**I. Background** in chronological order is as follows:

- A. Bull Run Mountain Service District and Roads Maintenance – The Bull Run Mountain Service District (Service District) was established pursuant to Section 15.1-18.2 VA Code Ann. by ordinance duly adopted by the Board of County Supervisors (BOCS) on April 3, 1990 for the purpose of providing a vehicle to assist in the maintenance of the roads in the Bull Run Mountain subdivision. On April 17, 1990, a road maintenance agreement was signed by representatives of the Service District, the Bull Run Mountain Civic Association, and Prince William County's Public Works Department. The purpose of this agreement was to reassign the obligation for the maintenance of non-State maintained roads within the Bull Run Mountain subdivision from the Bull Run Mountain Civic Association to the Bull Run Mountain Service District, and to collect funds via a levy specifically for maintaining the District's 14 miles of privately-owned roads.
- B. Maintenance and Snow Removal – Per the agreement, and a July 27, 2001 amendment thereto, Public Works, with the advice from the Bull Run Mountain Civic Association, coordinates road maintenance and snow removal services with a contractor under contract with the County.
- C. Surface Improvements Loan and Work Completion – The topography and right-of-way widths prevent the current roads from being upgraded to Virginia

Department of Transportation (VDOT) standards. In order to enhance public safety, a six-year loan was secured in 2006 by the Service District to fund surface paving improvements, with budgets placed in the Bull Run Mountain Tar and Chip CIP budget. In 2007, the surface improvements were completed on all road surfaces maintained by the Service District at that time.

**II. Current Situation** is as follows:

- A. Service District Levy – The road levy collects funds based upon assessed real estate property values. At this time, current levy collections cover minimal maintenance requirements and the cost of the loan payment, which were paid back over a six-year period, ending in the first quarter of FY 2013.
- B. Maintenance Requirements – The maintenance budget has been relatively low due to the loan payment requirements, and required routine maintenance, such as leaf removal and culvert cleaning, has not been available for the past several years. Top-coating tar and chip surfaces are required every five to seven years. Drainage control and top-coating are required to prolong the surface integrity of the roads.
- C. Remaining Tar and Chip CIP Funding – Funding not used from the original tar and chip loan is now available for use for required road maintenance within the Bull Run Mountain Service District. There is \$72,565 remaining in the Bull Run Mountain Tar and Chip CIP which can be used for required road maintenance, including snow removal. These funds must be transferred to the operating budget in order to be used.
- D. Board Action Requested – The Board of County Supervisors is requested to transfer, budget and appropriate \$72,565 from the Bull Run Mountain Tar and Chip CIP budget to the Bull Run Mountain Roads Service District operating budget.

**III. Issues** in order of importance are:

- A. Timing – When do the funds need to be transferred, budgeted and appropriated?
- B. Fiscal Impact – What are the impacts on County funds?
- C. Service Level/Policy Issues – Are there service level or policy issues?
- D. Legal – Are there any legal issues or impacts?

**IV. Alternatives** in order of feasibility are:

- A. Transfer, budget and appropriate \$72,565 from the Bull Run Mountain Tar and Chip CIP budget to the Bull Run Mountain Roads Service District operating budget.
1. Timing – The funds need to be transferred, budgeted and appropriated by the end of February 2013 in order to be available for snow removal expenditures and maintenance of existing roads in the spring.
  2. Fiscal Impact – Funding in the amount of \$72,565 is currently available in the Bull Run Mountain Tar and Chip CIP budget to transfer to the Bull Run Mountain Service District operating budget. There are no encumbrances on these funds.
  3. Service Level/Policy Issues – The Bull Run Mountain tar and chip project has improved safety within the service district. Now that the project is complete, funds originally set aside for it need to be transferred for regular maintenance usage.
  4. Legal – This is a permitted use of the Bull Run Mountain Service District funds. Unspent debt proceeds can be used for maintenance activities. The BOCS has the authority to budget and appropriate funds to maintain the Bull Run Mountain Service District, per the 1990 agreement.
- B. Take No Action.
1. Timing – Roads may not be properly maintained the rest of this fiscal year when needed, and as required by weather conditions.
  2. Fiscal Impact – The funds will remain in the Bull Run Mountain Tar and Chip CIP budget. There will not be enough funding in the Bull Run Mountain Service District operating budget for required weather-related and/or routine road maintenance. Since the budget is funded with a special levy collected for the Service District, County funds do not fund the budget; therefore, there is no budgetary restriction on County obligations for road maintenance.
  3. Service Level/Policy Issues – Bull Run Mountain residents will be provided services up to the value of the remaining FY 2013 budget. Some weather-related and routine road maintenance will not be able to be done.
  4. Legal – The funds belong to the Bull Run Mountain Service District and should be placed where they can be used as needed. Since there will not be enough funding in the operating budget for Public Works to coordinate

roads maintenance and snow removal services with a County contractor, the County may be in violation of its agreement with the Bull Run Mountain Service District to maintain the roads.

- V. **Recommendation** is that the Prince William Board of County Supervisors concur with Alternative A and approve the attached Resolution.

Staff Contact: Marc Aveni, 792-7070

PJL/lb/BRM TB&A Tar and Chip