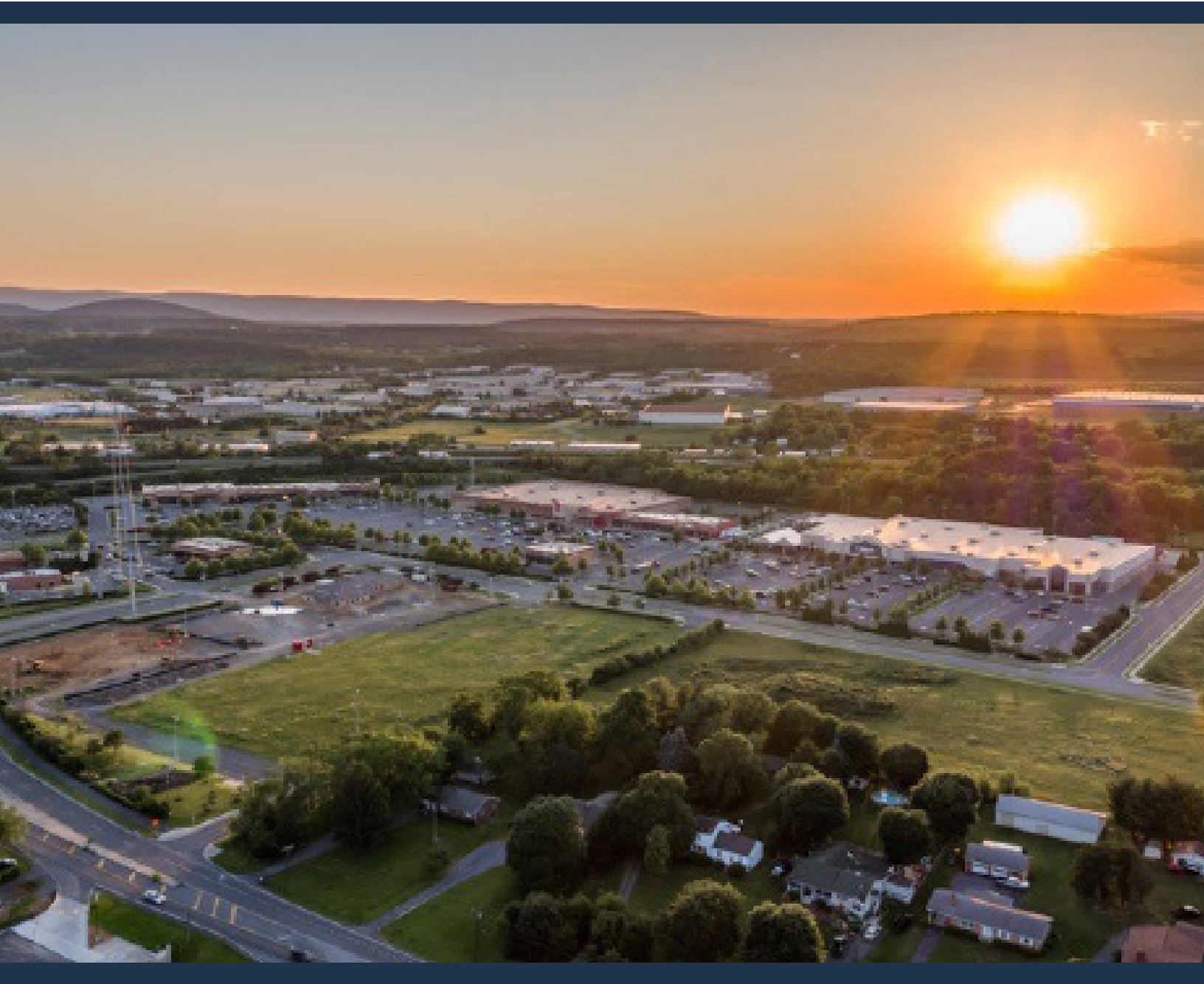


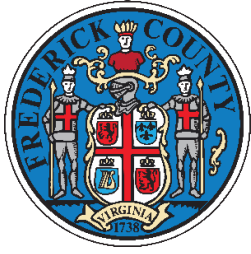
RECRUITMENT PROFILE



# COUNTY ATTORNEY

*FREDERICK COUNTY, VA*





# FREDERICK COUNTY

*“Life At The Top”*

**Frederick County** is seeking an experienced professional to serve as County Attorney. The County Attorney, appointed by the Board of Supervisors, supervises the legal affairs of the County and represents the County in legal matters. The former County Attorney served in that capacity for 16 years. The current Assistant County Attorney is serving as Interim. The Legal Office includes the County Attorney, Assistant County Attorney and Legal Assistant.

This recruitment profile provides background information on the community, its government operations and its aspirations. It also outlines the qualifications, experience and characteristics determined to be necessary and desirable for successful performance as County Attorney.

Qualified candidates are encouraged to submit a cover letter and resume, with salary expectations and professional references, to The Berkley Group via email at [karen.edmonds@bgllc.net](mailto:karen.edmonds@bgllc.net). While the position is open until filled, **an initial review of candidates** will begin on **November 22, 2024**. Inquiries relating to the County Attorney position may be directed to:

**Karen Edmonds**

The Berkley Group

P.O. Box 181

Bridgewater, Virginia 22812

Email: [karen.edmonds@bgllc.net](mailto:karen.edmonds@bgllc.net)

Mobile: (540) 257-4782

# COMMUNITY BACKGROUND

Frederick County is located at the tip of the Shenandoah Valley and is the northern-most point in Virginia. County residents enjoy a small, friendly community atmosphere with easy access to big County amenities nearby in Washington, D.C. and northern Virginia. Frederick County is one of the fastest growing counties in the state. Excellent educational, cultural and recreational opportunities coupled with traditional values and a more personal pace, support pride in the community and an outstanding quality of life.



# LOCATION & TRANSPORTATION

The Shenandoah Valley, stretching 200 miles between the Blue Ridge Mountain to the east and the Allegheny Mountains to the west, and bound by the Potomac River to the north and the James River to the south, helps define the County geographically and culturally. Frederick County was established in 1738 from parts of Orange County and encompassed all or part of four counties in present-day Virginia and five in present-day West Virginia. The County seat is Winchester, and the southern part of the County includes two incorporated towns, Stephens City and Middletown.

The County is easily accessible by Interstate 66, at the southernmost point of the County, Hwy 50 and 7 from the D.C. area and by Interstate 81, which runs the length of the County's east side. Winchester Regional Airport, within the County, is a general aviation facility managed by the Winchester Regional Airport Authority. Commercial air travel is available at Dulles International Airport, about an hour east, and Hagerstown Regional Airport, 50 miles to the north in Maryland.



# HISTORY

The area that would become Frederick County was inhabited and transited by various Indigenous peoples for thousands of years before European colonization. The "Indian Road" refers to a historic pathway made by local tribes. Colonization efforts began with the Virginia Company of London, but European settlement did not flourish until after the company lost its charter and Virginia became a royal colony in 1624. To stimulate migration to the colony, the "headright" system was used. Under this system, those who funded an emigrant's transportation costs (not the actual colonizers) were compensated with land. During the early 17th century, King Charles II granted thousands of acres of colonial Virginia lands to "seven loyal supporters", including Lord Fairfax. This land passed through his family until his grandson, Lord Thomas Fairfax, inherited combined grants and controlled over 5,000,000 acres of land in Virginia, including much of the land that became Frederick County.



The County's rich history is integral to Virginia's development and the beginnings of our nation. George Washington was associated with Winchester and Frederick County between the years of 1748 and 1765. Early during those years, he maintained a surveying office in Winchester. During the French and Indian War, he was given a Commission and later made Commander in Chief of the colonial forces with headquarters in Winchester. Washington held his first elective offices representing Frederick County, having been elected to the House of Burgesses in 1758 and 1761. Although there were no battles or military engagements in Frederick County during the Revolutionary War, the area was important in the effort. By 1779, the number of British prisoners held in Winchester had increased so much that it was decided to build a larger prison. A barracks was built four miles west of Winchester to hold these prisoners whose number had increased to 1,600 by the year 1781.



Frederick County played a significant part in the Civil War. The northern Shenandoah Valley supplied food, livestock, horses, and soldiers to the southern cause. The Valley was also important because of its strategic location in relation to Washington D.C. The town of Winchester changed hands in the war about 70 times, an average of once every three weeks for four years. At least six major battles were fought here during the Civil War, but the County records were never burned, and in recent years, the Cedar Creek & Belle Grove National Historic Park was created to protect the historically significant area.

During the late eighteenth and early nineteenth centuries, life in the current Frederick County area centered around small family farms. Local farms tended to be smaller than farms to the east. During this period, wheat production became the center of the local economy, along with cattle production. In 1820, there were fifty flour mills in Frederick County along with numerous sawmills, tanneries, and other business activities.

Economic life was centered around Winchester and other local towns, including Stephens City, Middletown, Kernstown, Gainesboro and Gore. There were a large and diverse number of craftspeople and merchants in these towns. The strongest influence on the local economy was the Great Wagon Road, which later became U.S. Route 11, and which carried settlers and travelers from Philadelphia, south through the Valley and to the west. Activity associated with this road made Winchester one of the largest towns in western Virginia.





## ECONOMY & ECONOMIC DEVELOPMENT

Viewed as a wonderful and safe place to live, Frederick County is now one of the fastest growing communities in Virginia due to its rural and urban features, beautiful landscapes, natural resources, and lower cost housing, while within proximity to the Northern Virginia/DC area.

Interstate 81 generally separates the urbanized area from the rural areas of the County. Just over 91% of the County's 416 square miles geographic area is rural in nature and located primarily west of the interstate. Historically, Frederick County has sought to achieve a balanced ratio between commercial, industrial, and residential growth in terms of both available areas of land use and taxable value of the land uses. Maintaining a healthy and balanced ratio helps the County maintain its low tax rate, while continuing to enhance the services provided to residents.

Frederick County is home to well-known employers such as Trex, Amazon, Navy Federal Credit Union, a nationally recognized medical center, award-winning educational institutions, and is a consistent contender on recognized lists of best places for careers. Large, medium, and small Frederick County businesses represent a variety of industry sectors. Business services, food processing, life sciences, metal fabrication, plastics, retail, and software development are among the well-suited growth sectors for Frederick County.

An extensive transportation hub, competitive tax structure, reliable utilities, higher education and training opportunities, and an affordable workforce are just a few of the reasons why businesses choose Frederick County. Steeped in history and small-town quaintness, the Winchester Metropolitan Statistical Area, which includes Frederick County and the City of Winchester in Virginia, and Hampshire County, West Virginia, has been named to the Forbes' list of The Best Small Places for Business & Careers, coming in at number 9 in 2019.





## ATTRACTIONS

The area enjoys four distinct seasons: spring brings the apple blossoms; summer provides outdoor recreation galore, festivals, and even a drive-in theatre; fall is spectacular as the mountains become awash with color and hiking is abundant; and winter provides just enough snow to appreciate.

Frederick County and surrounding areas have long been known as the "Apple Capital" containing vast orchards and constituting one of the largest apple export markets of the nation and the largest producing area in Virginia. Winchester and Frederick County are known for the annual spring event, the Shenandoah Apple Blossom Festival, which draws over 250,000 attendees each year.

There is no shortage of fun and entertainment in the area. Museums, theaters, vineyards, breweries, boutiques, farms, local restaurants, cultural events, golf, festivals, sporting events, fishing, mountain biking – the list goes on. In addition to the Shenandoah Apple Blossom Festival, annual events include the Battlefield Half Marathon, Candlelight and Holiday Tours at Belle Grove and the Frederick County Fair. History buffs will enjoy the annual Civil War Weekend and African American History Day, while numerous educational programs and tours at museums, battlefields, and historic sites abound.

The performing arts scene in the community is incredibly vibrant. Shenandoah University's Conservatory located in Winchester is a liberal arts school with majors in health professions, visual and performing arts, biological and biomedical sciences, business and management, psychology, homeland security, law enforcement, firefighting, and related protective services. The University hosts events featuring acclaimed guest speakers, as well as world-renowned performers in dance, music, opera, symphony orchestra, theatre, and more. Shenandoah Summer Music Theatre also produces several Broadway musicals every summer. The County is home to the only drive-in theater in the DC Metro area! The retro 1956 Family Drive-In Theatre not only shows double features but also hosts family-friendly events in Stephens City.





## HEALTH CARE

Residents have access to quality medical care at Winchester Medical Center, a 495-bed non-profit hospital offering a broad spectrum of services including a level II trauma center and the region's only level III neonatal ICU.



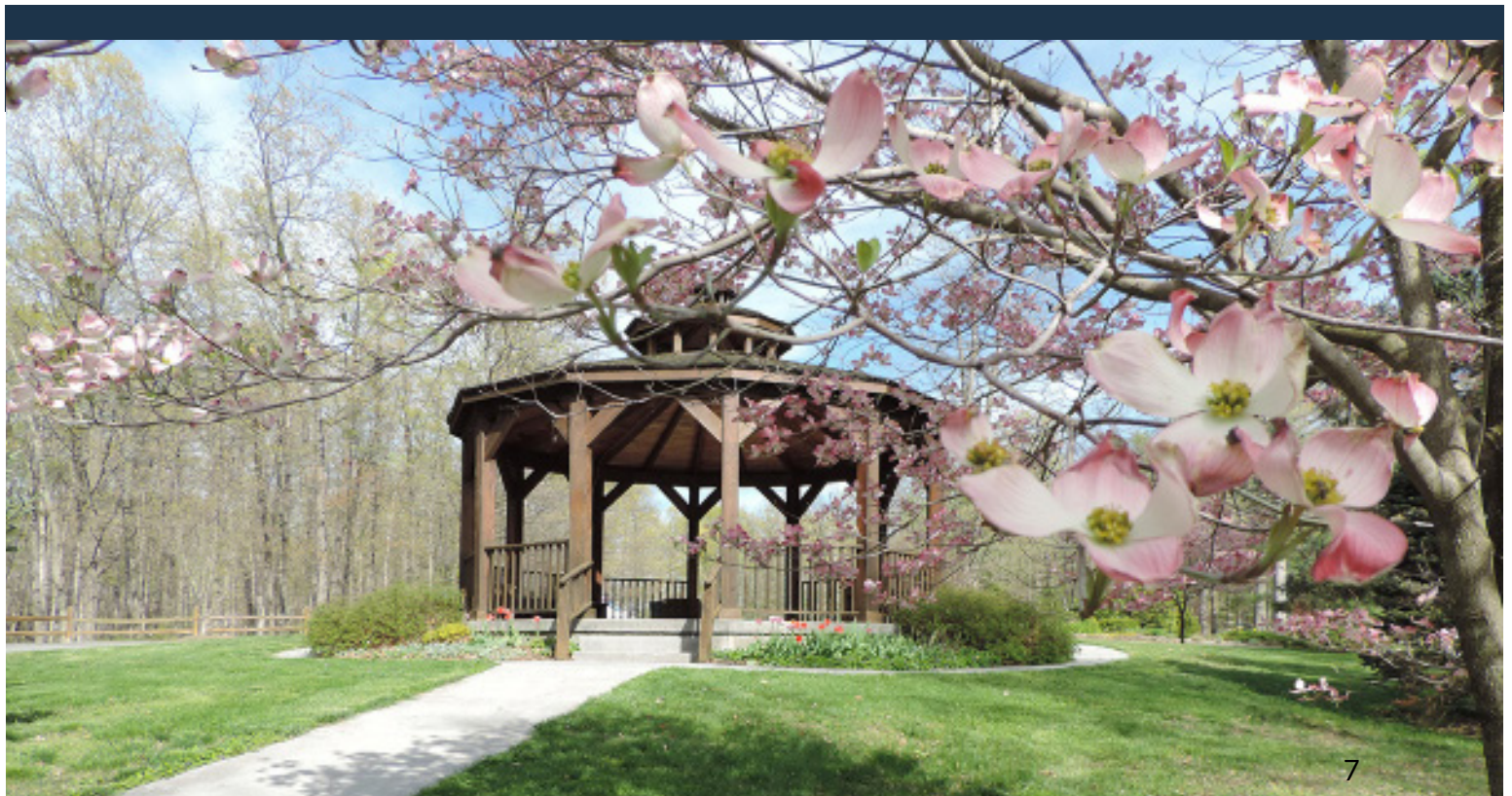
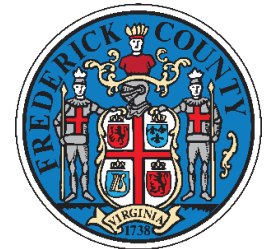
## EDUCATION

The Frederick County School System, governed by an elected school board, includes eleven elementary schools, four middle schools and three high schools. Higher education is available within the County at Lord Fairfax Community College and Shenandoah University. Additionally, there are 22 public and private colleges and universities within a two-hour drive.



## DEMOGRAPHICS

The Frederick County population of 95,994 (2023) has grown 21% since 2010 and is a part of the Winchester MSA's total population of 145,300. The County (2022) is approximately 80.7% white, 5.2% Hispanic, 4.18% Black/African American, and 2.6% two+ ethnicities. The 2022 Median Household Income was \$92,443, with a median value of owner-occupied housing of \$333,600, and a poverty rate of 6.7%.





# COUNTY GOVERNMENT & SERVICES



Frederick County operates under the traditional, or County Administrator/Board of Supervisors, form of government (as defined under Virginia Law). It provides a range of services to the citizens and businesses of the county including public safety, animal control, public utilities, waste management, building and environmental inspections, emergency management and mitigation, parks and recreation programs, social services, and community planning. County roads are maintained by the Virginia Department of Transportation.



Frederick County is governed by an elected Board of Supervisors composed of seven members, one from each magisterial district - Shawnee, Opequon, Gainesboro, Stonewall, Back Creek, and Red Bud, and one chairman-at-large. Supervisors are elected for four-year terms which are staggered at two-year intervals. The Board of Supervisors is the policy-making body of the county and is officially known as the Frederick County Board of Supervisors.



The Board's vision of "ensuring the quality of life of all Frederick County citizens by preserving the past and planning for the future through sound fiscal management" guides goal setting. In addition, the following core values guide strong, productive relationships and decisions:

- A government that is accountable and dedicated to providing responsible stewardship for County funds and to ensure the citizens receive the best services possible for the funds expended.
- A government concerned with long range planning that protects our rural heritage and directs its future growth through planned infrastructure.
- A government concerned with expanding commercial and industrial tax base to insure a viable and thriving economy.
- A government that looks to the future and implements plans to ensure that the quality of life for future generations is preserved.
- A government that emphasizes a quality education through a cooperative effort with the school board.
- A government that recognizes the importance of maintaining a highly trained public safety program to provide efficient services and protection to County citizens.
- A government that promotes the spirit of cooperation with its regional local government partners and, in particular, the City of Winchester.
- A government unit based on honesty, trust, integrity, and respect that understands the importance of clear communication and a willingness to listen.





The County Attorney handles civil, criminal and zoning legal proceedings for the County, brings lawsuits necessary to be instituted by the County, prosecutes violations of County ordinances, defends the County in court proceedings brought against it, handles appellate litigation to which the County is a party, prepares drafts of resolutions and ordinances, and analyzes cases, statutes, regulations, and proposals which may affect the County's legal rights and obligations. The Attorney's office performs collections work and contractual reviews.

The County Attorney's Office provides legal advice and opinions to the Board of Supervisors, the Planning Commission and all other County Boards and Commissions, County Departments and Agencies, and Constitutional Officers.

The Frederick County Sheriff, one of five elected constitutional officers, is responsible for law enforcement. The other constitutional officers are the Commonwealth's Attorney, Clerk of the Circuit Court, Commissioner of the Revenue, and Treasurer.

The Fire and Rescue Department consists of 11 volunteer fire and rescue companies operated by volunteer personnel who are supported by 101 uniform career staff and 8 office staff. The agency coordinates with the volunteer companies to deliver firefighting and emergency medical services within Frederick County.

Library services are provided to the community through the Handley Regional Library, located in downtown Winchester, the Mary Jane and James L. Bowman Library located in Stephens City and the Clarke County Library located in Berryville.

The Frederick Parks and Recreation Department operates two district parks: Clearbrook Park and Sherando Park and two neighborhood parks: Reynolds Store and Frederick Heights. Residents enjoy five community centers located inside four County elementary schools and Sherando High School. Facilities include trails, pools, ball fields, playgrounds, and disc golf while expansive programs include youth and adult sports, fitness, trips and senior activities.

The Frederick County Public Works Department operates a state-of-the-art Subtitle D sanitary landfill. Frederick County offers drop-off collection of household refuse and recyclables for residents at no charge. There are eleven citizens' convenience sites located throughout the county. Bagged household waste may be disposed of at all locations, while large, bulky items are taken directly to the landfill citizens' center. Private firms offer curbside pickup of solid waste and recyclables by contract with citizens.

Frederick County has approximately 785 full-time and 250 part-time employees, including those of the constitutional officers, and a budget of approximately \$644.5 million, including the \$238.3 million School budget.





# Position Profile

## *County Attorney, Frederick County*

### **POSITION AUTHORITY & RESPONSIBILITIES**

- Serves as legal advisor to County Board of Supervisors, the County Administrator and departments, boards, commissions, and agencies of the County; provide interpretations of codes, ordinances, statutes, regulations, and legal and legislative proceedings; furnish written opinions on questions of law when requested.
- Prepares ordinances, deeds, contracts, agreements, leases, franchises, releases, and other legal documents on behalf of the County.
- Reviews utility rate increases for fairness and advise or assist in the negotiation of contracts, leases, bonds, and bids.
- Assists in the development of and compliance with various County policies, including personnel and procurement.
- Assists in personnel matters, including policy development, training, and interpretation; participate in grievance procedures when appropriate.
- Prosecutes violations of County ordinances and participates in legal proceedings necessary to protect the interest of the County.
- Manages any potential, threatened, or actual litigation, representing the County as counsel or engaging and coordinating with outside counsel when appropriate.
- Defends County employees in actions brought against them for conduct while in the line of duty.
- Oversees and manages County real estate matters, including the preparation of leases, contracts, title research, and the sale of tax delinquent property.
- Establishes effective internal and external working relationships, work in partnership with the County Administrator and collaborates, as needed, with the Constitutional Officers.
- Prepares and presents training to County staff, Board of Supervisors, and members of boards and commissions on the Freedom of Information Act (FOIA), the Conflict of Interest Act (COIA), and the Records Retention Act. Assist with responses to FOIA requests.
- Monitors legislation proposed in the Virginia General Assembly, advises County Board of Supervisors and the County Administrator of potential impacts, and assists County Board of Supervisors in developing a position on proposed legislation; communicates Board of Supervisors' position to members of the General Assembly. Monitors Federal legislation and regulations impacting local governments and interacts with Congressional representatives.
- Attends County Board of Supervisors meetings in person or assign an assistant to do so; attend Planning Commission meetings and other meetings as needed.
- Appoints and removes Assistant County Attorneys and other employees as shall be authorized by County Board of Supervisors.
- Fulfills other duties as may be assigned by the Board of Supervisors.



## **QUALIFICATIONS, EDUCATION & EXPERIENCE**

The following education and experience factors are the expected qualifications for successful performance:

- Juris Doctor in law from an American Bar Association approved law school.
- At least five (5) years of experience in the practice of law, including at least three (3) years of experience as counsel within local government in Virginia. Seven to ten (7-10) years of public sector legal counsel experience is preferred. Additionally, some private sector legal counsel experience may be considered.
- A member in good standing of the Virginia State Bar and licensed to practice law in the Commonwealth of Virginia.
- Some knowledge of utilities and agri-tourism is preferred.
- Broad familiarity and experience with litigation, negotiations, Virginia State Law, State Government, contractual law, procurement procedures, and employment law with local government(s) of comparable size, complexity, and responsibilities as Frederick County.
- Knowledge of the statutory requirements of local government in the Commonwealth, including the Freedom of Information Act (FOIA) and the Conflict of Interests Act (COIA); an understanding of the Dillon Rule and other unique attributes of Virginia's local governments.
- A demonstrated commitment to ongoing professional development through membership in the Local Government Attorneys of Virginia, Inc. (LGA) and participation in conferences, seminars, and CLE training events, including the legal staff.
- Knowledge of the principles and practices of public administration, local and regional planning, land use actions and subdivision development, and the statutory authority and requirements of County government.
- Any combination of education and experience that qualifies an applicant may be considered in lieu of the more specific criteria listed above.

## **PERSONAL TRAITS & DESIRED CHARACTERISTICS**

- Absolute integrity, ensuring ethical, equitable, honest, and transparent interactions with members of the Board of Supervisors, community members, and all County employees.
- Professionally competent, with confidence tempered by humility, fairness, and consistency.
- Able to lead as a team player, approachable and solution minded.
- Maintain a strong work ethic with the ability to multi-task.
- Maintain regular and equal communications with the Board of Supervisors members; ensure accessibility and approachability; keep the Board of Supervisors informed of legal matters and respond promptly to inquiries.
- Exercise sound independent judgment and render candid advice; refer not only to the law but to other considerations such as moral, economic, social, and political factors that may be relevant to the situation.
- Function as a facilitator; assist Board of Supervisors and the County Administrator to develop creative solutions that reduce potential risks to an acceptable level and help them to achieve their goals; if the law does not allow certain courses of action, suggest possible alternative solutions.
- Provide well-researched, succinct, prudent, and clear advice to facilitate timely decision making by the Board of Supervisors.
- Understand that decision-making responsibility and authority rests with Board of Supervisors as a whole body; fully advise Council of the potential legal consequences of a decision and respect and support the final decision.
- Demonstrate collaboration and cooperation; seek input from different perspectives; proactively build partnerships with the County Administrator and County department directors.
- Excellent communications and interpersonal abilities, including collaboration and listening effectively; 'will speak truth as needed.'
- Not easily intimidated, yet straight-forward and tactful; able to diffuse tense situations and seek common ground when different perspectives create friction.
- Demonstrate a commitment to open and transparent government; support and protect the County's reputation.
- Seek feedback and guidance and provide perspective through annual performance evaluations.

## IMMEDIATE PRIORITIES & EXPECTATIONS

- Immersion and engagement into the County, becoming knowledgeable of the county itself, as well as the Board of Supervisors, County staff and structure.
- Familiarization with County's unique Sanitary Districts, Water Authority, Economic Development Authority, as well as joint relationships with surrounding entities.
- Upcoming revision of County's Comprehensive Plan.

## COMPENSATION & BENEFITS

Compensation for the County Attorney will be competitive with an expected starting range of \$200,000-\$240,000, depending on qualifications and experience. The successful candidate will also be offered a generous benefits package including participation in the Virginia Retirement System (VRS), health insurance coverage, paid time off, deferred compensation, professional development support and other benefits as identified in a negotiated employment agreement. Frederick County has a plethora of spousal employment opportunities if that is a need.

## APPLICATION PROCESS

**Initial review of candidates will begin on November 22, 2024.** Applications received after that date may be considered until the position is filled. Timely submittal will ensure the most advantageous review. To be considered, please submit a cover letter and resume, with salary expectations and professional references, to Berkley Group at [karen.edmonds@bgllc.net](mailto:karen.edmonds@bgllc.net). Questions may be directed to:

Karen Edmonds  
The Berkley Group  
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Mobile: (540) 257-4782  
Email: [karen.edmonds@bgllc.net](mailto:karen.edmonds@bgllc.net)

For additional information, please visit <https://www.fcva.us>

The County of Frederick is an Equal Opportunity Employer.