

October 15, 2013

Clarke County Board Of Supervisors
Regular Meeting
Main Meeting Room

1:00 p.m.

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Berryville Clarke County Government Center, 101 Chalmers Court, 2nd Floor, Berryville, Virginia on Tuesday, October 15, 2013.

Board Members Present

Barbara Byrd; J. Michael Hobert; Bev McKay; John Staelin; David Weiss

Board Members Absent

None

Staff Present

David Ash; Tom Judge; Brandon Stidham; Lora B. Walburn

Others Present

Ed Carter; Charlie Monroe; Beth Leffel; Mike Murphy; Rick Catlett; Lisa Floyd; Diane Lasky; Ed Shewbridge; Robina Rich Bouffault; Michelle Graham; Val Van Meter and other citizens

1) Call to Order

Chairman Hobert called the afternoon session to order at 1:02 p.m.

2) Adoption of Agenda

- Add: Consent Agenda VDOT SYIP 2014-2019 Local Priorities Letter
- Item 12 Finance Committee: Move Items No. 5 and 7– School Board Carry-over Request and Sheriff's Communication Grant to the evening session immediately following public hearing.

By consensus, the Board adopted the agenda as modified.

3) Citizens Comment Period

Michelle Graham, E³ Clarke representative: Invited the Supervisors to attend a second forum co-hosted by E³ at 6:30 pm Wednesday, October 16, at John H. Enders Social Hall for School Board candidates for the Berryville District.. Roberta Lassiter, who was unable to attend the October 7 forum, and recent write-in candidate, Chuyen Kochinsky have been invited to attend. George Archibald appeared at the earlier forum.

4) Introduction of John Huddy, Director Handley Regional Library

Chairman Hobert welcomed Mr. Huddy, the new Director of the Handley Regional Library.

Mr. Huddy greeted the Board stating that as Director his top priority was to raise community awareness and increase participation at the local library. He also expressed his support of local library staff.

In response to various questions posed by the Board, he put forth that the library:

- Watches media trends and technology advances.
- The purchase of ebooks increases annually.
- The state does track the percentage of users by community.
- There is a continued, general increase in the number of persons using public computers to access the internet.
- Handley Regional Library partners with Lord Fairfax Community College.

5) VDOT

Ed Carter, Assistant Residency Administrator, appeared before the Board of Supervisors to present the monthly report.

Maintenance – September:

- Completed mowing of secondary routes;
- Graded various non-hard surfaced roads;
- Applied dust control on select route during dry spell;
- Conducted patching operations on routes 606 and 657;
- Performed pothole repairs on various secondary routes;

- Extended pipe on Rt. 603.

Maintenance – October:

- Mow primary routes R/W to R/W;
- Continue grading and shoulder work under guardrail on Route 7;
- Perform brush removal on Route 7 business East;
- Conduct shoulder repairs on Route 611;
- Trim trees on Route 621 and remove hazardous trees along other various route.

Projects:

- Stream bank repair on Route 606: Contractor and VDOT soil engineer have revisited site and found that the spring/summer rains have worsened the situation. The estimate has increased by \$40k - \$70k. Checking on additional funding.
- Turning Lane Route 340/657: Awaiting advertisement.
- Route 636, Westwood Road: In design.

Supervisor Comments:

Vice Chairman David Weiss:

- Lockes Mill Road: Traffic has not yet reviewed.

Supervisor Beverly McKay:

- Bishop Meade Road: tree is laying on wire. Charlie Monroe advised that he was aware of the tree on the wire but all VDOT could do was notify the utility company.

Supervisor John Staelin

- Westwood Road: VDOT has made initial contact with the Schools but the design is not yet available.

Entrance Wayside Farm

Mr. Carter advised that the construction of the new entrance was complete.

Additional Fine for Speeding

Mr. Carter briefly summarized the additional fine policy. He advised that the Board had asked for review on behalf of constituents, constituting community support; however, he offered to check Code if additional measures were required to demonstrate community support.

6) Clarke County Public Schools Update

Michael Murphy, CCPS Superintendent, with Rick Catlett, Assistant Superintendent; Lisa Floyd, Director of Curriculum and Instruction; Diane Lasky, Director Pupil Personnel; and Ed Shewbridge, Director of Information Technology, appeared before the Board of Supervisors to provide the monthly update.

SOL Test Comparisons

At the meeting, Ed Shewbridge distributed a color hard copy of the "5-Year SOL Pass Rate Division Comparison" report forwarded via email by Superintendent Murphy on Friday, October 11.

Mr. Shewbridge provided a synopsis of the report arranged by grade by subject; and aided by Lisa Floyd, answered questions from the Board.

Lisa Floyd clarified that SOL testing measures the instructional program by grade level.

Superintendent Murphy opined that testing and measurement is incredibly complicated. He cautioned against fixating on any one set of scores and encouraged the idea of considering multiple measures of success.

Chairman Hobert thanked the Schools for its presentation.

School Safety Committee Update

Supervisor Byrd asked for an update on the School Safety Committee. She reminded that last January the School Safety Committee held several meeting and had compiled various reports on safety improvements. Supervisor Byrd did note that due to the nature of the issue the Committee did decide to discuss in Closed Session. She stated that in conversation with some School Board members she had been advised that they had not yet received the School Safety Committee report. She asked Superintendent why the reports had not been distributed to the School Board.

Superintendent Murphy responded that on February 25, 2013 this item was a topic of discussion including recommendations and a general overview presented in open session to the School Board and the public. He stated that the School Board had discussed in Closed Session specific safety recommendations from a summary of recommendations taken from the reports generated from the four subcommittees. He stated that last week he had verified this fact with Mr. Brinkmeier, former School Board Berryville District member. He opined that there might have been an error in the way this issue was indicated or stated.

Superintendent Murphy further explained that RRMM was asked to prepare a feasibility study related to specific school safety improvements for door hardware, buzzers, double-door entries, security cameras and proximity card readers. RRMM advised that in order to perform a comprehensive study and make recommendations for specific hardware or software the cost would be \$7,900. The School Board questioned the cost of the study and asked School Administration to get other estimates for similar work from other vendors. Superintendent Murphy said that he anticipates taking it back to the School Board for action on October 28.

Federal Safety Grants

Supervisor Byrd remarked that she had read in the newspaper that Frederick County and the City of Winchester had applied for and received federal grants for safety measures in the schools and that Clarke County Schools had not applied. She asked the Superintendent why Clarke Schools had not pursued grants.

Superintendent Murphy responded that when the grant came up the Schools had no one to write the grant. He said that he knew there was a specific reason at the time but he could not remember. He said that he would have to research the details; but it may have been that the Schools did not qualify, there may not have been time to write the grant, or it may have happened in the middle of the summer.

School Meal Issues

Supervisor McKay asked if the Schools had resolved its issue with the software that generates the automatic / robo calls for students whose meal accounts were negative. He noted that while the Schools had asserted last month that these calls were being made he had since learned that no calls had been made this school year because of a software problem.

Superintendent Murphy affirmed that no calls had been placed this year but the vendor issues had been rectified and the Schools were now able to place calls to students with negative accounts.

7) Approval of Minutes

Vice Chairman Hobert asked to correct Page 575 changing Vice Chairman Hobert to Vice Chairman Weiss.

Supervisor Staelin noted that prior to the meeting he had communicated several typographical errors.

Supervisor Staelin moved to approve the minutes for the September 17, 2013 Regular Meeting as modified. The motion carried by the following vote:

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Aye
Beverly B. McKay	-	Aye
John R. Staelin	-	Aye
David S. Weiss	-	Aye

8) Consent Agenda

- A. Acknowledge Auditor of Public Accounts re State Accounts County of Clarke for the year ended June 30, 2013

September 30, 2013

J. Michael Hobert
Chairman
101 Chalmers Court
Berryville, VA 22611

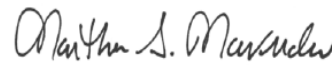
County of Clarke

Dear Mr. Hobert:

We have reviewed the Commonwealth collections and remittances of the Treasurer, Commissioner of the Revenue, and Sheriff of the locality indicated for the year ended June 30, 2013. Our primary objectives were to determine that the officials have maintained accountability over Commonwealth collections, established internal controls, and complied with state laws and regulations.

The results of our tests found the constitutional officers complied, in all material respects, with state laws, regulations and other procedures relating to the receipt, disbursement, and custody of state funds.

Sincerely,



Auditor of Public Accounts

MSM: kwv

cc: David L. Ash, County Administrator
Sharon E. Keeler, Treasurer
Donna M. Peake, Commissioner of the Revenue
Anthony W. Roper, Sheriff

B. Anne McDonald Reassignment of Easement to VOF

This item was removed from the Consent Agenda pending response from Alison Teetor.

C. VDOT SYIP 2014-2019 Local Priorities Letter

The Board added this item when adopting the agenda. See Item 2.

October 15, 2013

Programming Director
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 22207

The Clarke County Board of Supervisors has reviewed its priorities for primary road improvements in the County and requests the Commonwealth Transportation Board (CTB) to allocate available funds accordingly. The following list of projects has been presented to the

CTB over the past several years and we request that you continue to consider them for funding in your current deliberations on the Statewide Six Year Improvement Program.

- Intersection of US Route 340 (Lord Fairfax Highway) and US Routes 50/17 (John Mosby Highway) at Waterloo. This project was first added to our priorities list in 1992. Partial funding for engineering design was approved (UPC 54384) and we ask for full funding to complete the design phase of the project. This intersection serves a major commercial growth area for the County and additional safety and capacity improvements are necessary to facilitate economic development.
- Route 7 (Harry Byrd Highway) and Route 612 (Shepherds Mill Road) intersection, 3 miles east of Berryville. This intersection experiences high traffic volumes as a commuter route and has serious safety issues due to insufficient sight distance and substandard turn lanes.
- Intersection of US Route 340/277 (Lord Fairfax Highway) and US Route 522 (Stonewall Jackson Highway) at Double Tollgate. This project was first added to our priorities list in 1997. This dangerous intersection experienced an over 30% increase in traffic since 2001 and has insufficient turn lanes and through lane capacity.
- Route 7 Business (West Main Street) on the west side of Berryville (approximately 1.2 miles of primary highway). This project was first added to our priorities list in 1992. This section of Route 7 Business serves four public schools, the County's Parks and Recreation Facility, and the Ruritan Fairgrounds. The current two-lane section should be upgraded to three lanes with turn lanes, drainage, and safety improvements at major intersections, and sidewalks and bike lanes/trails should be added to facilitate pedestrian and bicycle traffic.
- US Route 340 (Greenway Avenue) Drainage Issues in the Town of Boyce. This project was first added to our priorities list in 2003. The project is necessary in order to replace existing drainage swales that are insufficient to handle runoff from US Route 340 and cause frequent flooding on nearby properties.
- Route 7 Business (East Main Street) on the east side of Berryville (approximately 0.94 miles of primary highway). This project has been on our list of priorities since 1995. The roadway serves as a major route for truck traffic to several industrial businesses on the east side of town including the County's industrial park and a major (800 employees) publishing company. The current two-lane section should be upgraded to three lanes with turn lanes, sidewalks, drainage, and safety improvements at major intersections.
- Park and Ride Lot, Route 7 (Harry Byrd Highway) near intersection of Route 7 Business one mile west of Berryville. Commuter traffic has increased more than 50% along this route since 2001. Alternatives to single-occupancy vehicle commuters must be developed and a park and ride lot at this location would help to reduce commuter congestion on Route 7.

The above projects are prioritized in our County's current (2007) Comprehensive Plan as well as in our draft 2013 Comprehensive and Transportation Plans that are under review. We have enclosed a copy of the draft 2013 Transportation Plan containing detailed project descriptions

and planning-level cost estimates for your reference. Please note that our draft 2013 Comprehensive and Transportation Plans were recently approved by VDOT staff as being in full compliance with Chapter 729 of the 2012 Acts of Assembly.

We realize that the Commonwealth's transportation improvements are being made within severe financial limitations but we also feel strongly that these projects are of significant benefit to the Commonwealth as well as Clarke County. We also want to emphasize that County has been extremely judicious with our local six year plan funding provided by the Commonwealth. In recent years, we have focused our limited dollars on needed safety improvements such as installation of a turn lane at US Route 340 and Route 657 (Senseny Road) to remedy a dangerous intersection and to improve substandard gravel state-maintained roads through Pave-in-Place and Rural Rustic programs. Unfortunately, the projected \$217,000 allocation of local six year funds and \$579,000 for unpaved roads for FY2014-2019 will be insufficient to cover our upcoming secondary road needs. Inflexible rules regarding the use of different "pools" of State and Federal funds also prevent us from applying these monies to any of our project priorities listed above.

We welcome the opportunity to work with VDOT, the CTB, and our state legislators to identify new sources of transportation funds and to diversify existing funding sources to better meet the needs of rural jurisdictions like Clarke County.

Regards,
Michael Hobert, Chairman

Cc: F. Dixon Whitworth, CTB Member (Staunton District)
Senator Jill Vogel
Delegate Joe May
Delegate J. Randy Minchew

Supervisor Staelin moved to approve the Items A and C on the Consent Agenda. The motion carried by the following vote:

Barbara J. Byrd	- Aye
J. Michael Hobert	- Aye
Beverly B. McKay	- Aye
John R. Staelin	- Aye
David S. Weiss	- Aye

B. Anne McDonald Reassignment of Easement to VOF

MEMORANDUM
TO: Board of Supervisors, David Ash
FROM: Alison Teetor
DATE: October 8, 2013
SUBJECT: Anne McDonald assignment of Easement

The Clarke County Easement Authority accepted an easement donation from Anne McDonald in 2007. Donna Haynes is an adjacent property owner whose land is held in easement with the Virginia Outdoors Foundation (VOF) (see attached map). Ms. McDonald is interested in purchasing a 50 acre portion of Ms. Haynes property and merging it in with her existing property. Due to the amount of acreage, VOF would prefer to hold the easement on the McDonald property and then allow the boundary line adjustment.

At their September 25, 2013 meeting, the Clarke County Conservation Easement Authority formally approved the reassignment of the Conservation Easement donated by Anne McDonald to the Virginia Outdoors Foundation. As the County of Clarke is a co-holder of this easement, the Board must also approve the reassignment.

Recommendation

Approve the reassignment of the McDonald easement to the Virginia Outdoors Foundation, and authorize the Chair to sign the attached letter.

The item was moved from the Consent Agenda pending response by Alison Teetor.

At 2:20 pm, Alison Teetor joined the Supervisors.

Supervisor Staelin asked if the County was giving up all its rights to future issues in regards to the easement by reassigning its right to the Virginia Outdoor Foundation.

Chairman Hobert asked if the County would be entirely removed as the grantee of the easement and all of the authority for its enforcement and addressing issues would be with VOF.

Alison Teetor confirmed, ~~stating~~ ed that this would not be a co-hold and VOF would be drawing up the paperwork for the deed of assignment from the County to VOF. She noted that Bob Mitchell would review the paperwork.

Chairman Hobert asked Ms. Teetor to confirm with Mr. Mitchell any public hearing requirements.

Ms. Teetor explained that Mrs. McDonald had purchased some land from Ms. Hayes early on and she wanted to get another 50 acres that would reduce the VOF easement by an amount that it was not comfortable with and she did not want to do a boundary line adjustment with the County that would diminish its easement. She opined that it was easier to give the easement to VOF.

Vice Chairman Weiss moved to approve the reassignment of the McDonald easement to the Virginia Outdoor Foundation and authorize the Chair to sign the attached letter, as well as such other documents as may be necessary and appropriate with respect to the transfer of this easement. The motion carried by the following vote:

Barbara J. Byrd	- Aye
J. Michael Hobert	- Aye
Beverly B. McKay	- Aye
John R. Staelin	- Aye
David S. Weiss	- Aye

9) Set Public Hearing TA-13-01, Maximum Lot Size Exception - Conservation Easement

Planning Commission Recommendation: Following a duly advertised public hearing held on October 4, 2013, the Planning Commission voted 9-0-2 (Steinmetz, McFillen absent) to recommend approval of the text amendment as presented by Staff.

Staff Recommendation: Staff has no outstanding concerns with the adoption of the proposed text amendment.

Amendment Text (new or amended language in *bold italics*):

3-A-1-b Lot Requirements

1. For Single Family Detached Dwellings:

- a. The maximum lot size is four acres. The maximum average lot size is three acres. The minimum lot size is two acres; provided, however, the minimum lot size is one acre for lots created from the subdivision of parcels existing on 20 March 2001 that contain less than four acres. The minimum lot width is 150 feet. The calculation of the maximum average lot size in a subdivision shall not include parcels with a maximum average lot size exception or a single residual parcel remaining from the subdivision of lots meeting the maximum average lot size requirements. A lot or lots may qualify for a maximum average lot size exception by meeting one of the following four criteria:

- (3) the entire tract of land being divided, including, without limitation, any residual parcel(s) irrespective of area, has been placed under an easement granted to the Clarke County Conservation Easement Authority, the Virginia Board of Historic Resources, the Virginia Outdoor Foundation, and/or any other entity authorized to hold an open-space easement pursuant to the Virginia Open-Space Land Act (§10.21-1700, Code of Virginia) and approved by the Clarke County Board of Supervisors, and that all the parcels of land in the division are located in a manner consistent with the physiographic and/or historic characteristics of the property. ***As to requests for a maximum lot size exception based upon the land having been placed in an easement held or co-held by the Clarke County Conservation Easement Authority (recorded after "date of adoption"), said easement must have included the termination of at least one (1) dwelling unit right in order for the property to qualify for a maximum lot size exception under this paragraph.***

Brandon Stidham, Planning Director, review the proposed text amendment unanimously recommended for approval by the Planning Commission.

Vice Chairman Weiss moved to set public hearing for Tuesday, November 19, 2013 at 6:30 pm or as soon thereafter as the matter may be heard. The motion carried by the following vote:

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Aye
Beverly B. McKay	-	Aye
John R. Staelin	-	Aye
David S. Weiss	-	Aye

10) Personnel Committee Items

A. Expiration of Term for appointments expiring through December 2013.

10/07/2013 Summary: The Personnel Committee made no recommendations.

10/15/2013 Summary: No action taken.

B. Personnel Policy Draft Review

10/07/2013 Summary: The Personnel Committee began review of the proposed personnel policy. It continued review to its November meeting.

10/15/2013 Summary: No action taken.

11) Work Session Items

A. White Post Dairy Update

10/07/2013 Summary: The board discussed the most recent update noting that the dairy had asked for and received numerous extensions. The board also noted receipt of a letter from DEQ stating that it had no regulatory power to intervene in a private dispute between a permittee and an adjacent landowner. The Board directed that a letter be prepared, recommending that, in the future, DEQ not permit facilities that did not exercise control over all facilities required by the permit and to condition the permit upon maintaining that control. Staff was directed to obtain a copy of the plans submitted to DEQ, along with a calendar of current deadlines and to keep the matter on the work session agenda until the May deadline for all work is complied with. Board was made aware of litigation between the dairy and adjacent property and discussed possible participation in that process.

10/15/2013 Summary: No action taken.

B. Spout Run Update

10/07/2013 Summary: The Natural Resources Planner updated the Board on The Spout Run TMDL Implementation grant activities that included multiple activities and multiple sub recipients. Board members questioned how the County would manage the sub recipients lacking a contract and who was responsible for maintaining the changes. Mr. Judge reported that the sub recipients would not be reimbursed until required reports were supplied and verified, greatly limiting the County's liability. Sample contracts between sub recipient and owner transferred ultimate responsibility for maintenance to the owner.

10/15/2013 Summary: No action taken.

C. Soil and Water Conservation Districts

10/07/2013 Summary: The Board was provided a copy of the public notice of public hearings pertaining to the proposal to place Soil and Water Conservation Districts under the control of DEQ. The Board discussed the possibility of attending one of the public meetings and speaking with the Farm Bureau in an effort to develop and send comment within the comment period.

10/15/2013 Summary: No action taken.

D. 2014 Legislative Priorities Discussion

10/07/2013 Summary: Board members discussed the current priority list. Initial edits included striking the first paragraph under transportation, and removing the voting districts item. Planning staff was asked to investigate the need and language for including a position statement on Onsite Sewer System operation regulations. Additional issues provided by VACo were distributed. Additional issues should be forwarded to staff for inclusion in a revised draft to be presented at the November Work Session scheduled for Thursday Nov. 14, 2013.

10/15/2013 Action: Chairman Hobert distributed the revised 2014 Legislative Priorities. He stated that the Board was trying to get its priorities in line prior to the Virginia Association of Counties meeting in November and prior to the General Assembly session. Highlights of review include:

- The highest priority remains State Tax Reform, Cost and Revenue Shifting and State Year-end Surplus Funds.

- Added Volunteer Fire and EMS Training due to the current interest in volunteer fire and rescue.
 - o Current regulations derive from the Health Department.
 - o Vice Chairman Weiss will follow up with the Fire & Emergency Services (EMS) Workgroup to determine if there are any legislative bills that have been put forward.
- Added Unfunded Teacher Pension Liability.
- Modified Education: *"Clarke County supports full funding of the biennial re-benchmark of Virginia's Standards of Quality. The Commonwealth should shoulder its share of the . . ."*
- Remove from Transportation: *"Transportation improvements should be funded by user fees, not the General Fund. Otherwise, funds will be effectively taken away from the funding of education, natural resources, etc."*
- Remove Voting Districts from the list. Delegate Minchew fought for this change but twice failed.
- Modified Wireless and Broadband Access: *"Widespread deployment of broadband should be a top priority for the Commonwealth to ensure economic advantages, educational opportunities, the expansion of telemedicine and other modern initiatives."*
- Added Uranium Mining: Clarke County supports the continuation of the moratorium on uranium mining and milling in the Commonwealth pending further study.
- Added Soil and Water Conservation District Functions: Clarke County supports the Soil and Water Conservation Districts retaining their responsibilities of providing water quality services and technical assistance for agricultural operations. The County opposes any transfer of these functions to other regulatory agencies, such as the Department of Environmental Quality (DEQ), as this would create unnecessary bureaucracy for farmers and would eliminate the County's elected advocates from participating in these critical functions.
 - o Change: . . . from "participating in these critical functions." to "the Soil and Water District."
 - o By consensus, the Board instructed Brandon Stidham to draft a position letter to DEQ in advance of the public hearing in Culpeper Virginia on October 28.
 - o Supervisor Staelin, and possibly, Vice Chairman Weiss, will attend the public hearing in Culpeper.

- By consensus, the Board agreed to continue calling the 2014 Legislative Priorities a draft until after the VACo Conference and receipt of input from local legislators.

Supervisor Byrd moved to adopt the Draft 2014 Legislative Priorities as modified. The motion carried by the following vote:

Barbara J. Byrd	- Aye
J. Michael Hobert	- Aye
Beverly B. McKay	- Aye
John R. Staelin	- Aye
David S. Weiss	- Aye

12) Finance Committee Items

1. FY 13 Year End Supplementals.

10/07/2013 Summary: The Finance Committee recommends approval of the following adjustments to FY 13, along with communications to certain account managers regarding the making timely notification of impending budget shortfalls in the future.

Account	Expenditure	Appropriation	Revenue	Transfer	Explanation
Circuit Court	1,199			1,199 from contingency	Court ordered juries
General District Court	890			890 from contingency	Payment of Public Defender fees because defendants didn't pay fines.
Clerk of the Circuit Court	2,629			2,629 from contingency	PT salaries for Supreme Court mandated additions to web access system; 3 computers
Sheriff	12,550			12,550 from contingency	Leave payout for Chief Deputy
Criminal Justice Training Center	300			300 from contingency	Estimation Error, question on whether we control this.
Emergency Medical Services	1,237			1,237 from contingency	Additional PT salaries to cover for FT sick leave
Regional Jail Sanitation (FCSA)	44			44 from contingency	Minor variance
Board of Zoning Appeals	2,477			2,477 from contingency	Rate increase in excess of budget.
Office of Economic Development	2,185			2,185 from contingency	Perry Quarry Appeal
School Capital	1,933			1,933 from Legal Contingency	Waterloo Water/Sewer Connection Fee Legal Assistance
School Capital	11,160	11,160	11,160		IEP Software Grant
School Debt		3,810 local	-3,810 federal		Sequester cut to BAB.

10/15/2013 Action: **Vice Chairman Weiss moved to adjust the Year-end FY2013 Supplementals as reviewed and recommended by the Finance Committee. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Aye
Beverly B. McKay	-	Aye
John R. Staelin	-	Aye
David S. Weiss	-	Aye

2. Conservation Easement Purchase Public Hearing (reminder)

10/07/2013 Summary: A public hearing is set for October 15 for the Chapman Easement. The Chapman Conservation Easement purchase is a total of \$420,000 of which \$97,500 is already appropriated.

10/15/2013: See Agenda Item 20.

3. Conservation Easement Fund checking account.

10/07/2013 Summary: The Conservation Easement Authority has agreed to merge its assets with the County's Conservation Easement Fund effective January 1.

These assets totaled \$99,418 at the end of August including \$7,334 in checking whose source is donations, \$55,550 held in an investment account whose source is donations, and \$36,624 held in an investment account whose source is the Commonwealth of Virginia, and whose purpose is to monitor compliance with easement terms and conditions subsequent to purchase.

10/15/2013 Action: Supervisor Staelin noted that these funds include donations and requested that a restricted donations policy be added to the fiscal policy. He suggested language such as, "Money that is privately donated should only be used for items related to Conservation Easement and should not be taken by the County for other purposes."

Tom Judge put forth that it might be best for the Conservation Easement Authority to declare the purpose of the funds. He suggested that the fiscal policy also state, "The Board of Supervisors shall make every effort to respect the wishes of the donor as to the use of the funds." He added that this policy would also apply to donations to other entities such as Parks and Recreation.

4. Conservation Easement Fund Carryover

10/07/2013 Summary: Attached is a statement of the carryover for the Conservation Easement Fund. The action to appropriate this was taken with the establishment of the FY 14 budget. Total expenditure of \$891,764, total estimated revenue of \$572,485, and total local tax funding of \$331,460 will carry forward from FY 13 to FY 14 for the Conservation Easement Fund.

6/30/2013										
Conservation Easement Fund										
As of Jun30 2013										
Fund 235										
Description	FY12 Carryover	FY13 Original Budget/ Revenue Estimate	FY13 Supplemental Budget	FY13 Add'l Supplemental	Inter-project Adjusts	Cumulative Budget With Adjusts	Outstand. Cumbral	Year-to Date Expenditure/ Revenue	Available Appropriations	Notes
Expenditures										
Professional Services					3,141	3,141		3,141	(0)	
Postage					190	190		190	0	
Materials and Supplies					89	89		89	0	
Purchase of Development Rights	227,839	150,000	766,079	241,307	(3,420)	1,381,805		489,841	891,764	
Total Expenditure	227,839	150,000	766,079	241,307	(0)	1,385,025		493,261	891,764	
Revenues										
Land Use Rollback								19,429		moved FY13 revenue to unappropriated fund bal
Local Grants			67,275	46,575		113,850		66,150	47,500	
State Grants	64,780		164,304	22,182		251,266		105,280	141,985	
Federal Grants			534,500	172,750		707,250		324,250	383,000	
Donations										
Cash - SCC										
LGIP-Donations										
LGIP-Commonwealth of VA, Stewardship Acct										
Total Revenue	64,780	-	766,079	241,307	-	1,072,166	-	519,109	572,485	
Conservation Easement Fund Balance										
Appropriated Local Tax Funding	181,460	150,000				331,460			331,460	
Total Revenue and Fund Balance	246,240	-	766,079	241,307	-	1,403,626	-	519,109	903,945	

Supervisor Byrd moved to carry forward the Conservation Easement Fund carryover. The motion carried by the following vote:

- Barbara J. Byrd - Aye
- J. Michael Hobert - Aye
- Beverly B. McKay - Aye
- John R. Staelin - Aye
- David S. Weiss - Aye

5. School Board Carryover Request.

10/07/2013 Summary: The School Board adopted the following: "Be it resolved that the Board of Supervisors is requested to transfer unexpended FY 13 School Operating Fund local transfer authority to the FY 14 School Capital Projects Fund one-third for the purpose of purchasing Instructional Technology, and two-thirds for Safety and Security Items, once the final amount is determined." The Finance Committee recommends the following action: "Be it resolved that FY 14 School Capital Projects expenditures be increased

\$121,278, and the same appropriated, all for the purpose of School Technology and School Security purchases."

10/15/2013 Action: Moved to the evening session

6. Capital Projects Carryover

10/07/2013 Summary: Attached [Note: attachment in the 10/15/2013 Meeting Packet.] are the final FY 13 Capital Projects carryovers for the General Government and Schools Capital budgets. The action to appropriate these was taken with the establishment of the FY 14 budget. Total expenditure of\$1,251,287, direct revenue of \$114,809, fund balance of \$177,513, and local transfer authority of \$958,964 will carry forward from FY 13 to FY 14 for the General Government Capital Projects Fund. Total expenditure of \$8,126,044, estimated revenue of\$166,065, fund balance (bonds) of\$3,421,799, and local transfer of\$4,538,179 will carry forward from FY 13 to FY 14 for the School Capital Projects Fund.

10/15/2013 Action: Vice Chairman Weiss moved to approve the Capital Projects Carryover. The motion carried by the following vote:

- Barbara J. Byrd - Aye
- J. Michael Hobert - Aye
- Beverly B. McKay - Aye
- John R. Staelin - Aye
- David S. Weiss - Aye

7. Sheriff's Communication Grant.

10/07/2013 Summary: The cost of purchasing the equipment necessary to resolve the Volunteer Fire radio issue is approximately \$160,188. The County has received a grant for \$80,094, and the Sheriff is suggesting using the \$50,000 currently appropriated for a Communications study for a portion of the needed amount, leaving \$30,094 to be identified. The Finance Committee recommends the following: "Be it resolved that the FY 14 expenditure budget for the General Government Capital Projects Fund be increased \$160,188, and the same appropriated, and be it further resolved that \$80,094 revenue from the Commonwealth of Virginia be estimated, that \$50,000 be transferred from the Communications Study Capital Project, that \$30,094 of general fund transfer be estimated, and that the designation for General Government savings be reduced, all for the purpose of purchasing certain equipment to enhance radio signals for Volunteer Fire Companies. "

10/15/2013 Action: Moved to the evening session

8. Parks and Recreation Field Lighting Project.

10/07/2013 Summary: The Parks and Recreation Advisory Committee is supporting the purchase and installation of ball field lighting at the Chet Hobert Park. The Committee

continues to work to secure 100% of the funding for this project, but uncertainties such as rock removal costs has led them to request that the Board of Supervisors put at their disposal \$25,000 of funds currently budgeted for Parks Westside improvements.

The Finance Committee requested answers to questions concerning project management, budget, and operations. Answers to these questions are still being gathered and will be brought before the Finance Committee in November.

10/15/2013 Summary: Judge reviewed the request.

9. Parks Request for Use of Available Balance in Tennis Court Renovation account.

10/07/2013 Summary: Please see the attached email from the Parks Director requesting transfer of \$53,401 from the available balance of the Tennis Court renovation project to a new project the goal of which is demolition of the previous Park Office, and construction of a shelter/bandstand. The Finance Committee recommends: *"Be it resolved that the available balance in the Tennis Court Renovation Capital Project account be transferred to a new project concerned with the razing of the old park office."*

From : Lisa Cooke <lcooke@clarkecounty.gov>
Subject : Remaining Money from Tennis Court Resurfacing
To : Tom Judge
Cc: David Ash Michael Hobert, Bobby Levi
Date: Wed, Sep 11, 2013 04:32 PM

Tom,

After reviewing the preliminary year end reports for Government Capital Projects, I would like to request that the \$53,401 that is remaining in the tennis court resurfacing project be moved into a line item that would be designated for the removal of the old park office structure and the water and fiber line work that needs to be done with this removal.

In FY 2015, we are projected to start a bandstand/shelter project in that area and this calls for the removal of the structure. This is perfect timing in that the Rotary Club of Clarke County would also like to make a substantial donation (approximately \$20,000-\$25,000) for a shelter during this same time frame.

Thank you for taking this request to the Board.
Lisa Cooke, Director
Clarke County Parks and Recreation
225 Al Smith Circle
Berryville, VA 22611

10/15/2013 Action: Chairman Hobert stated that the Historic Preservation Commission had provided the letter below.

October 9, 2013

Mr. Michael Hobert
Chair, Clarke County Board of Supervisors
101 Chalmers Ct.
Berryville, VA 22611

RE: Historic Preservation - County Buildings

Dear Mr. Hobert:

The Historic Preservation Commission recently learned of the proposed rehabilitation of the Sheriff's building, 100 N. Church St., Berryville. It is our understanding that several proposed changes may not meet the Secretary of the Interior's Standards for Rehabilitation. In addition, until our involvement, there was no attempt to review the potential for possible State Rehabilitation Tax credits which may provide substantial savings (up to 25%) of the construction costs for the rehabilitation of the building.

The County expended significant time and effort to insure that the rehabilitation of the District Court was completed to the Secretary of the Interior's Standards. The tax credits received amounted to several hundred thousand dollars and the completed project is an asset to the community, and a source of pride for the County, in effect setting an example for citizens as to the value of our community's historic resources. Even if the rehabilitation tax credits are not sought, we are hopeful that the work will meet the Secretary of the Interior's Standards and that input from county Architectural Historian, Maral Kalbian, will be incorporated into the Sheriff's building rehabilitation.

We also understand that the county is considering demolition of the historic house and barn at the center of Chet Hobert Park. We ask that the HPC be brought into these negotiations as we can provide expertise in the area of historic preservation.

The Commission finds this imperative and formally requests the Board of Supervisors require staff to incorporate consideration of historic resource preservation when renovation or demolition of historic County property is contemplated. Again it is through setting an example that the citizens of the County will respect and be encouraged to preserve their own privately-owned historic resources.

Thomas T. Gilpin
Chair, Clarke County Historic Preservation Commission
c. David Ash
Board of Supervisor

Chairman Hobert suggested referring the matter to the Building Committee.

David Ash advised that renovations to the jail began several years ago and work being done now is essentially completing the project. He noted that the Building Committee did meet with the local architectural historian and discussed the

possibility of making changes to the work that would tend to better comply with the goals of historic preservation. With the project nearing completion, to the extent possible, the Committee will consider HPC's recommendations. Mr. Ash assured that funds for the repair were sufficient without any funds for historic preservation.

Vice Chairman Weiss, Building Committee member, put forth that the building exterior was unchanged except for storm windows, which the Town of Berryville's Architectural Review Board has approved. He noted that interior walls were being added to make the space more efficient as an office.

Supervisor Byrd asked about the holding cell area.

Vice Chairman Weiss and David Ash responded that the cell area was not included in the renovation. They also informed that Board that one recommendation by HPC was to maintain the cellblock as an historical centerpiece, which would not fit in with any proposed use for the space. Vice Chairman Weiss remarked that the County was not restoring a home but trying to make a workable, functional, secure building for Sheriff's operations.

Vice Chairman Weiss stated that the Building Committee was aware that the former Park office was an old house; however, the house is not on any registry nor in an historic district. He further stated that the building had serious structural problems and has been in very bad condition for a very long time. He added that it might be possible to take the barn down and sell the material. He also noted that the \$53,401 was actually a savings because Clarke piggybacked with Frederick County.

Supervisor Byd moved to refer the matter to the Building Committee for further review in light of the letter from the Historic Preservation Commission. The motion carried by the following vote:

Barbara J. Byrd	- Aye
J. Michael Hobert	- Aye
Beverly B. McKay	- Aye
John R. Staelin	- Aye
David S. Weiss	- Aye

10. Request for Use of Recreation Center available balance for Generator purchase.

10/07/2013 Summary: An available balance of \$59,585 remains in the Recreation Center capital project after shortfalls in fundraising are taken into account. The Finance Committee recommends: "Be it resolved that the remaining balance in the Senior Center/Park Office Capital Account be used to purchase an emergency generator."

10/15/2013 Action: David Ash stated that the proposed generator was designed to handle the whole building. He said that the Finance Committee requested that the building serve as both a shelter in emergency and a cooling shelter. He reminded that the generator was part of original building request but the Board withheld approval because of uncertain funding. He noted that Johnson-Williams Middle School is currently the primary shelter but only portions of the building have auxiliary power such as the cafeteria, kitchen, and gym lighting; further, it was possible that the nature of the emergency and the resultant need could conflict with school needs. He advised that the generator used diesel fuel.

Vice Chairman Weiss commented that at first the Board had been skeptical of the need for a generator; however, with more research and recent events throughout the country, a generator would better prepare the County to use this facility as an emergency shelter.

Supervisor Byrd moved to approve the recommendation of the Finance Committee. The motion carried by the following vote:

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Aye
Beverly B. McKay	-	Aye
John R. Staelin	-	Aye
David S. Weiss	-	Aye

11. Extension of Natural Gas Service to Maintenance Facility/Animal Shelter.

10/07/2013 Summary: An analysis of the return on investment for extension of natural gas is attached. *[Note: analysis in the 10/15/2013 Meeting Packet.]* The ROI can be achieved in an 8-12 year time horizon. The rates for Natural Gas and Propane vary a great deal from month to month, but the spread between them continues roughly the same. The initial outlay is estimated to be \$90,000. The Finance Committee recommends that that extension of natural gas to the maintenance facility and animal shelter not take place at this time.

10/15/2013 Summary: Tom Judge reviewed the Finance Committee's recommendation.

12. Transfer from Parks Construction Fund.

10/07/2013 Summary: The Parks Director presented a request for appropriation of \$248 of certain donations for use in purchase of lane marker covers for the swimming pool. The Finance Committee recommends: "Be it resolved that FY 14 Swimming Pool budgeted expenditures and appropriations be increased \$248, and be it further resolved that donations revenue in the same amount from the Parks Construction Fund be recognized."

10/15/2013 Action: Supervisor Byrd moved to approve the recommendation of the Finance Committee. The motion carried by the following vote:

Barbara J. Byrd	- Aye
J. Michael Hobert	- Aye
Beverly B. McKay	- Aye
John R. Staelin	- Aye
David S. Weiss	- Aye

13. General Fund Balance Update/Fund Balance Designations.

Action: The Finance Committee recommends approval of the attached listing of Fund Balance Designations. "Be it resolved that/the Fund Balance Designations set forth on in the "FY 13 Final" column on the attached General Fund Balance report be established for use in the FY 13 Annual Financial Report "

Title: General Fund Balance
Source: Clarke County Joint Administrative Services

	Prior	Current	Notes
General Fund Balance Year End FY 11/12	15,177,059	16,011,338	
Expenditure FY 12/13	(24,402,638)	(26,021,061)	
Revenue FY 12/13	25,236,917	25,584,267	
General Fund Balance Year End FY 12/13	16,011,338	15,574,544	

Adjustments and Designations

	FY 13 Prior	FY 13 Final	
<i>Designations</i>			
Liquidity Designation @ 12% of FY 14 Budgeted Operating Revenue	(\$2,985,415)	(\$3,049,533)	
Stabilization Designation @ 3% of FY 14 Budgeted Operating Revenue	(746,354)	(762,383)	
Continuing Local GF Appropriations for Capital Projects	(5,902,305)	(5,497,143)	4,538,179 SCH; 958,964 GOV
School Capital/Debt	(1,448,000)	(1,124,016)	Use 323,984 for FY 14
Government Construction/Debt	(759,562)	(675,578)	Use 323,984 for FY 14 add \$240K from JGC HVAC
Property Acquisition	(265,000)	(265,000)	
Conservation Easements from Government Savings	(153,462)	(153,462)	
Community Facilities	(\$325,000)	(\$325,000)	
Comprehensive Services Act Shortfall	(250,000)	(250,000)	
Parks Master Plan	(100,000)	(100,000)	
School Operating Carryover	(53,143)	(174,421)	\$121,278 added; \$53,143 already appropriated in FY 14
Government Carryover Requests from Government Savings	(389,496)	(500,000)	(incl. \$407,080 from Rev Exp Match, reduce to even \$500K)
Energy Efficiency	(200,000)	(200,000)	
Data and Communications Technology	(350,000)	(350,000)	
Joint Government Center Heating, Ventilation, and Air Conditioning	(240,000)		Move to Government Construction/Debt
Regional Jail Capital Needs		(100,000)	
Vehicle Replacements		(100,000)	
Voting Equipment Upgrades		(50,000)	
Real Property Reassessment		(200,000)	
General District Court Capital Repairs		(80,000)	
Landfill costs	(50,000)	(50,000)	
Pay and Classification Plan Implementation		(100,000)	
Leave Liability	(75,000)	(75,000)	
FY 13/14 Original Budget Surplus (Deficit)	(695,236)	(647,968)	
TOTAL Designations	(14,987,973)	(14,829,504)	
FY 13 Expenditure Budget Adjustments	(2,020,946)		FY 13 Prior Includes adjustments proposed for Oct meeting
FY 13 Revenue Budget Adjustments	1,423,727		FY 13 Prior Includes adjustments proposed for Oct meeting
Undesignated Fund Balance Projected June 30	426,146	745,040	
FY 14 net supplementals to date		(38,143)	
GF Revenue Estimated Surplus (Deficit) Net of YTD Budget Adjusts			2nd Quarter Estimate
Second Quarter Revenue Estimate Less Revised Budget			
TOTAL		745,040	

10/15/2013 Action: Tom Judge reviewed the General Fund Balance. He stated that the Finance Committee had reviewed upcoming capital budget needs and made recommendations and changes. He noted the addition of the Recycling and Convenience Center at \$250,000 leaving an undesignated balance of \$495,040.

Supervisor McKay moved to approve the Fund Balance Designations as adjusted for the recycling convenience center. The motion carried by the following vote:

- Barbara J. Byrd - Aye
- J. Michael Hobert - Aye
- Beverly B. McKay - Aye

John R. Staelin - Aye
David S. Weiss - Aye

14. Retirement System Disability Program.

10/07/2013 Summary: The Finance Committee recommends adoption of A Resolution Of The County Of Clarke Board Of Supervisors Approving An **Irrevocable Election Not To Participate In The Virginia Local Disability Program 2013-16R.**

10/15/2013 Action: Tom Judge advised that the Schools had already adopted a resolution opting out of the VRS program.

Vice Chairman Weiss moved to adopt 2013-16R A Resolution Of The County Of Clarke Board Of Supervisors Approving An Irrevocable Election Not To Participate In The Virginia Local Disability Program. The motion carried by the following vote:

Barbara J. Byrd - Aye
J. Michael Hobert - Aye
Beverly B. McKay - Aye
John R. Staelin - Aye
David S. Weiss - Aye

**A RESOLUTION OF THE COUNTY OF CLARKE BOARD OF SUPERVISORS
APPROVING AN IRREVOCABLE ELECTION NOT TO PARTICIPATE IN THE VIRGINIA
LOCAL DISABILITY PROGRAM
2013-16R**

WHEREAS, by enacting Chapter 11.1 of Title 51.1 of the *Code of Virginia* (1950, as amended), the Virginia General Assembly has established the Virginia Local Disability Program ("VLDP") for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in *Virginia Code* § 51.1-169; and

WHEREAS, for purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the *Virginia Code*, with the exception of long term care coverage, by January 1, 2014; and

WHEREAS, an initial, September 1, 2013, deadline was established for employers of VLDP- eligible employees to elect to not participate in VLDP; and

WHEREAS, employers of VLDP-eligible employees were permitted to request an extension of the September 1, 2013, deadline with a new deadline of November 1, 2013, being established; and

WHEREAS, the County of Clarke properly requested a deadline extension and must therefore make its irrevocable decision regarding VLDP participation on or before November 1, 2013; and

WHEREAS, it is the intent of the County of Clarke to make an irrevocable election to request that its eligible employees not participate in VLDP.

NOW, THEREFORE, BE IT RESOLVED by the County of Clarke Board of Supervisors that it desires to and hereby does make an irrevocable election not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for its VLDP-eligible employees.

BE IT FURTHER RESOLVED that, as an integral part of making this irrevocable election, the County of Clarke hereby certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for its VLDP-eligible employees.

PASSED AND ADOPTED this 15th day of October, 2013.

J. Michael Hobert, Chair

Attest:

David L. Ash, Clerk

15. Spout Run Watershed Improvement Grant Set Public Hearing.

10/07/2013 Summary: *"Be it resolved that a public hearing be set on amending the FY 14 General Government Capital Projects Fund to increase budgeted expenditure and appropriation by \$316,620 and to estimate revenue from the Environmental Protection Agency in the same amount, all for the purpose of making pollution control improvements to the Spout Run watershed".*

10/15/2013 Action: **Vice Chairman Weiss moved to set public hearing for Tuesday, November 19, 2013 at 6:30 pm or as soon thereafter as the matter may be heard. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
J. Michael Hobert	- Aye
Beverly B. McKay	- Aye
John R. Staelin	- Aye
David S. Weiss	- Aye

16. Acceptance of Bills and Claims

10/07/2013 Summary: The Finance Committee recommends acceptance of the September Bills and Claims.

10/15/2013 Action: Vice Chairman Weiss moved to accept the recommendation of the Finance Committee to approve the September 2013 General Government Bills and Claims as presented. The motion carried by the following vote:

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Aye
Beverly B. McKay	-	Aye
John R. Staelin	-	Aye
David S. Weiss	-	Aye

17. Standing Reports

Reconciliation of Appropriations FY2013; Reconciliation of Appropriations FY2014; General Government Expenditure Summary

13) Joint Administrative Services Board Update

Tom Judge summarized the items of interest under review by the Joint Administrative Services Board.

14) Government Projects Update

The monthly project update was provided by David Ash. Highlights include:

- 101 Chalmers Court – HVAC Retrofit
 - o JBC will be making a decision to proceed with modifications to the meeting room distribution system. During the retrofit, it was discovered that the system was not constructed as designed or as shown on as-builts. The design flaw restricts the ability to properly utilize the air-handling system.
 - o Excess airflow in the stairwell on the Second Floor County Wing was resolved.
 - o Bob Mitchell has received no response from the architect and there has been no effort to settle or an offer to settle.

- Bob Mitchell arranged a conference call with the architect, his representative and Gordon Russell so that he could walk them through how to access the recorded humidity and temperature data.
- All recorded humidity and temperature data shows that the system was performing inadequately.
- It is anticipated the matter will go to arbitration.

15) Miscellaneous Items

No miscellaneous items were identified by the Board.

16) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Correct and process September 17, 2013 Regular Minutes.	Lora B. Walburn
2.	Process VDOT SYIP 2014-2019 Local Priorities Letter	Brandon Stidham
3.	Process McDonald easement letter.	Alison Teetor
4.	Develop and process public hearing notice for TA-13-01.	Lora B. Walburn
5.	Draft letter to DEQ re Clarke's position on the Soil and Water Conservation District functions.	Brandon Stidham
6.	Update Draft 2014 Legislative Priorities as modified.	David Ash
7.	Add a restriction donations policy to the County's fiscal policy.	Tom Judge
8.	Process Resolution Of The County Of Clarke Board Of Supervisors Approving An Irrevocable Election Not To Participate In The Virginia Local Disability Program 2013-16R.	Lora B. Walburn
9.	Develop and process public hearing notice for Spout Run Watershed.	Lora B. Walburn

17) Board Member Committee Status Reports

Supervisor Beverly McKay:

- NSVRC: conducted a retreat last week attended by Brandon Stidham.

Supervisor Barbara J. Byrd

- Board of Social Services: A closed session meeting between the Board of Social Service and Board of Supervisors is desired. Final arrangements will be made after hearing from Angie Jones.
- Humane Foundation: Fall Festival for Furry Friends will be held in two weeks.
- Town of Berryville: Is going into litigation on sewer plant. The Town is developing a plan for upgrading roads.
- Northwestern Regional Jail Authority: meets this week.
- Northwestern Regional Juvenile Detention Center Board: Operating agreement, developed by Bob Mitchell, has been signed. The agreement must be ratified by the participating jurisdictions.

Supervisor John R. Staelin:

- Planning Commission: Comp Plan public hearing is scheduled for 7 pm on Thursday, October 17.
- EDAC: Working on Economic Development plan.
- Sanitary Authority: Continue to work with the developer doing all it can to ensure that school property is not encumbered.

Vice Chairman Weiss:

- Fire and Emergency Medical Services Workgroup:
 - Good attendance at the meetings.
 - Group is working toward establishing success measures and is looking at other counties for what they determine as successful programs.
 - Delivery is good but volunteers are not enough.
 - Hope to have recommendations by the established January timeframe.
 - Laure Wallace is providing a good guiding hand.

18) Closed Session

A closed session was not convened.

At 3:39, Chairman Hobert recessed the afternoon session.

At 6:30 pm, Chairman Hobert called the evening session to order.

19) Citizens Comment Period

No citizens appeared to address the Board.

20) PH 13-15 PH 13-15 Conservation Easement Purchase

The Chapman Conservation Easement purchase is a total of \$420,000 of which \$97,500 is already appropriated. Therefore, additional appropriation of \$322,500 is required. Recommended action as the matter to be considered: "Be it resolved that FY 14 budgeted expenditure for the Conservation Easement Fund be increased \$322,500, and the same appropriated, and be it further resolved that combined revenue from the Piedmont Environmental Council, the Virginia Department of Agricultural and Consumer Services, and the Virginia Land Conservation Fund be recognized in the same amount, all for the purchase of Conservation Easements."

Tom Judge reviewed the conservation easement purchase request.

At 6:32 pm, Chairman Hobert opened the public comment portion of the public hearing. Being no persons desiring to address the Board regarding this matter Chairman Hobert closed the public hearing.

Supervisor Staelin moved to approve "Be it resolved that FY 14 budgeted expenditure for the Conservation Easement Fund be increased \$322,500, and the same appropriated, and be it further resolved that combined revenue from the Piedmont Environmental Council, the Virginia Department of Agricultural and Consumer Services, and the Virginia Land Conservation Fund be recognized in the same amount, all for the purchase of Conservation Easements." . The motion carried by the following vote:

- Barbara J. Byrd - Aye
- J. Michael Hobert - Aye
- Beverly B. McKay - Aye
- John R. Staelin - Aye
- David S. Weiss - Aye

Finance Committee Item No. 5 School Board Carryover Request.

10/07/2013 Summary: The School Board adopted the following: "Be it resolved that the Board of Supervisors is requested to transfer unexpended FY 13 School Operating Fund local transfer authority to the FY 14 School Capital Projects Fund one-third for the purpose of purchasing Instructional Technology, and two-thirds for Safety and Security Items, once

the final amount is determined." The Finance Committee recommends the following action: *"Be it resolved that FY 14 School Capital Projects expenditures be increased \$121,278, and the same appropriated, all for the purpose of School Technology and School Security purchases."*

10/15/2013 Afternoon Session Action: Carried to evening session

10/15/2013 Evening Session Action: Tom Judge reviewed the School Board Carryover request for the purpose of school technology and school security purchase.

10/15/2013 Action: Supervisor Staelin moved to adopt as modified to read "and that the general fund balance designation of School carryover be reduced in the same amount." The motion carried by the following vote:

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Aye
Beverly B. McKay	-	Aye
John R. Staelin	-	Aye
David S. Weiss	-	Aye

Finance Committee Item 7. Sheriff's Communication Grant.

10/07/2013 Summary: The cost of purchasing the equipment necessary to resolve the Volunteer Fire radio issue is approximately \$160,188. The County has received a grant for \$80,094, and the Sheriff is suggesting using the \$50,000 currently appropriated for a Communications study for a portion of the needed amount, leaving \$30,094 to be identified. The Finance Committee recommends the following: "Be it resolved that the FY 14 expenditure budget for the General Government Capital Projects Fund be increased \$160,188, and the same appropriated, and be it further resolved that \$80,094 revenue from the Commonwealth of Virginia be estimated, that \$50,000 be transferred from the Communications Study Capital Project, that \$30,094 of general fund transfer be estimated, and that the designation for General Government savings be reduced, all for the purpose of purchasing certain equipment to enhance radio signals for Volunteer Fire Companies. "

10/15/2013 Afternoon Session Action: Carried to evening session

10/15/2013 Evening Session Action: Tom Judge reviewed the request.

Chairman Hobert advised that Wayne Armbrust, Clarke County Communications Committee member, had reviewed this request with the Finance Committee.

Vice Chairman Weiss noted that the Committee believed this was a greater priority than a communications study.

Supervisor McKay moved to approve the recommendation of the Finance Committee as modified "Be it resolved that the FY2014 expenditure budget for the General Government Capital Projects Fund be increased ~~\$160,188~~, \$110,188 and the same appropriated, and be it further resolved that \$80,094 revenue from the Commonwealth of Virginia be estimated, that \$50,000 be transferred from the Communications Study Capital Project, that \$30,094 of general fund transfer be estimated, and that the designation for General Government savings be reduced, all for the purpose of purchasing certain equipment to enhance radio signals for Volunteer Fire Companies. " The motion carried by the following vote:

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Aye
Beverly B. McKay	-	Aye
John R. Staelin	-	Aye
David S. Weiss	-	Aye

21) Adjournment

There being no further business to be brought before the Board at 6:45 pm Chairman Hobert adjourned the Board of Supervisors meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, November 19, 2013 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: October 15, 2013

J. Michael Hobert, Chair

David L. Ash, County Administrator

Minutes Recorded and Transcribed by:
Lora B. Walburn
Deputy Clerk, Board of Supervisors