

July 15, 2014

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, 2<sup>nd</sup> Floor, Berryville, Virginia conducted on Tuesday, July 15, 2014.

Board Members Present

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

Board Members Absent

None

Staff Present

David Ash; Barbara Bosserman; Tom Judge; Tony Roper; Alison Teetor; Brandon Stidham; Lora B. Walburn

Others Present

George Archibald; Robina Rich Bouffault; Bob Childress; Carol S. Westervelt; Val Van Meter and other citizens.

1) Call to Order

Chairman Hobert called the afternoon session to order at 1:00 p.m.

2) Adoption of Agenda

Add Closed Session pursuant §2.2-3711-A1 Specific Employees or appointees of the Board

Add Update on Impact of Commonwealth Budget Shortfall on Locality

By consensus, the Board adopted the agenda as modified.

3) Citizens Comment Period

Robina Rich Bouffault, White Post District: Read from the following prepared statement, which is on file in the July 15, 2014 meeting packet.

Good afternoon. My name is Robina Rich Bouffault from Boyce.

I have handed out to you a Critique of the schools' Classification and Compensation Study done by the Florida consultants Evergreen Solutions LLC, finalized last month, and which recommends huge salary increases.

The Chairman of the School Board, at your last meeting, commented that her board had not participated in the development of the study criteria, which was left exclusively to the school administrators and consultants. That was unfortunate.

I consider this study to be seriously flawed in many ways, but will touch upon only the worst items, due to time constraints:

The "Market Peers" that were used for all of the comparisons, failed to include 2 adjoining counties, while reaching across the Blue Ridge to include a county and city over 50 miles away, close to Washington D.C.

If you will turn to the chart on page 3 of the Critique, you will find the list of counties included and excluded. Please look at the regional county map which clearly shows Prince William county and Manassas Park City included, while the adjoining West Virginia counties Jefferson and Berkeley, which are right next door, are NOT included. Why? How can you ignore two adjoining and similar rural counties while including distant urban school divisions located within the greater Washington Metropolitan area?

The answer to that question is simple - if you turn to the next page, you will see an FY 14 regional teacher salary scale comparison where I have included at the top, the West Virginia teacher scale (The complete WV scale is attached at the back).

I took the first 10 years of the scales for comparison purposes, contrary to the Evergreen study, which only looked at initial starting salaries. I also included Masters Supplements, which the study ignored completely, although almost 60% of our teachers have them.

You can see that West Virginia's teachers' salaries are easily \$10,000 a year LESS than any of the other adjacent Virginia counties. Including those two counties, while deleting the far-away school divisions, would have seriously decreased the overall averages for the study's so-called Market Peers.

Evergreen is a Florida consulting company with limited experience in Virginia and NONE in Northern Virginia. So who in fact determined which school divisions would be on that "Market Peers" list? Given the School Board's acknowledged abdication of

their responsibilities, it is of course the school administrators; a fact which alas, has resulted in this flawed study with its self-serving recommendations for huge salary increases.

The administrators intent becomes even clearer when the recommendation for administrative increases uses a higher base than that used for teachers or support staff, blatantly unfair to the latter.

This study cost Clarke taxpayers \$35,000 - yet the result is useless as a valid tool to try and establish a coherent and equitable pay and classification structure for our school system.

However, as we now have a new Superintendent, I would urge you, the Supervisors, to establish at soonest a good, working relationship with him to try and sort this mess out, and agree to a fair, equitable and affordable classification and compensation structure for both our school and county employees.

Thank you.

George Archibald, Berryville District: Informed the Board that he would be speaking at the public hearing scheduled for the evening session. He concurred with Mrs. Bouffault on the School's Pay and Classification Study and expressed his hope that the new Superintendent would not be obligated to implement the proposed plan.

#### 4) VDOT

Ed Carter appeared before the Board to provide the monthly update.

Maintenance – June / July:

- Completed first round primary mowing and 50% secondary mowing;
- Conducted boom-ax operations along slopes Rt. 7 East bound ramp to Rt. 340;
- Cleaned up from storm damage;
- Contractor paved Rt. 340 from Boyce to Rt. 522 and remainder of business Rt. 7.

Maintenance – July / August:

- Complete secondary mowing;
- Perform patching repair along Rt. 606 and 761;
- Grade various non-hard surfaced routes in County;
- Continue boom-axe operations on Rt. 7 and 340.

Response to Board Concerns:

- GPS warning signs on Rt. 612: Review with Traffic Engineering (TE). They do not recommend GPS warning signs. Out Of 1,600 vehicles per day, only 1% are trucks. The geometrics of the road are good with the exception of one curve. They are running model studies on that before making final recommendation.
- 7/11 Store at intersection of Rt. 7 and Kimble Rd.: West Bound right turns onto Kimble and cutting across South bound traffic on Kimble to first store entrance. Currently, the only option to help this issue is to close the first entranceway into the 7/11 store. However, we observed several delivery trucks that must use this entrance in order to maneuver for unloading at the store. Traffic Engineering is investigating some possible cautionary signage for the southbound Kimble Rd. traffic approaching westbound Rt.7.
- Johnson grass spraying is complete. Awaiting response from the manufacturer on questions raised about the toxicity of the chemicals used on livestock. Roadside management has stated that the application is very precise and a very minimal amount leaves the R/W.
- Pavement overlay for Triple J Rd.: is scheduled for this year.

Supervisor Comments:

Vice Chairman Weiss:

- Route 612: Should a GPS sign not be approved, Vice Chairman Weiss asked VDOT to consider lowering the speed limit to 35 MPH. Ed Carter agreed to request a speed study. Mr. Carter explained that GPS signs are cautionary and not enforceable; and, over time, motorists tend to ignore signs.
- Mowing Secondary Roads: In response to concerns expressed, Mr. Carter explained that weather events continue to cause delays.

Supervisor Bev McKay

- Route 340 Handy Mart: Placement of the U-turn sign is causing issues.

Old Oak Lane Rural Addition Project

Bob Childress, Deputy County Administrator Warren County, appeared before the Board to explain the addition project and request consideration and approval of the following resolution:

**Old Oak Lane Rural Addition Project  
2014-13R**

**The Board of Supervisors of Clarke County, in regular meeting on the 15<sup>th</sup> day of July, 2014, at 1:00 PM adopted the following Resolution:**

**WHEREAS**, the street described below currently serves at least three families per mile and was established prior to July 1, 1992, at which time was used by motor vehicles as a public access; and

**WHEREAS**, the County has determined its current subdivision control ordinance satisfies subsection B of §33.1-72.1, Code of Virginia, and is therefore eligible to make qualifying additions to the secondary system of state highways maintained by the Virginia Department of Transportation and fund necessary improvements as setout therein, except as otherwise prohibited by subsection B of §33.1-72.2, Code of Virginia; and

**WHEREAS**, after examining the ownership of all property abutting this street, including the deeds and related plats, this Board finds no restriction on the use of public funds for improving of the road; and

**WHEREAS**, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist; and

**WHEREAS**, this Board has identified immediately available funding to make improvements required to qualify the street for addition to the aforesaid secondary system of state highways, based on the Department’s cost estimate of \$36,000.00; this Board will not provide the identified, available funding to make the improvements required to qualify the rural addition street to the secondary system of state highways in Clarke County because of an agreement with the Board of Supervisors of Warren County which explicitly requires it to provide the required Clarke County Revenue Sharing matching funds,

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to §33.1-72.1, Code of Virginia, this Board requests the following street be added to the secondary system of state highways maintained by the Virginia Department of Transportation and hereby guarantees the right-of-way of the street to be clear, unencumbered, and unrestricted, which right of way guarantee shall include any necessary easements required for cuts, fills, and drainage.

Name of Subdivision: Shenandoah Farms - Meadows Section  
Name of Street: Old Oak Lane  
From: Manor Rd. /Rte. 690 To: Warren County Line  
Length: 0.07 Mile  
Right-of-Way Width: 50'

Right-of-Way Instrument References:

Deed Book: 205  
Page: 001  
Date Recorded: 09/20/1973

**BE IT FURTHER RESOLVED**, that this Board will support and cooperate with the Board of Supervisors of Warren County to improve said street to the prescribed minimum standards as outlined in the Administration Agreement dated August 22, 2013 for this Warren County Locally Administered Revenue Sharing Project, funding said improvements with the following funds:

<u>Source of Funds:</u>	<u>Amount:</u>
VDOT Revenue Sharing Program - FY 2014 (Total)	\$160,000.00
County of Clarke*	\$ 36,000.00

(\*Clarke County's \$36,000.00 in matching funds are to be provided fully by Warren County who is administering this locally administered Revenue Sharing project and providing the entire \$160,000.00 in local matching funds for the portions of the project in both Counties.)

**BE IT FINALLY RESOLVED** that a certified copy of this Resolution be forwarded to the Residency Administrator of the Virginia Department of Transportation.

Adopted: July 15, 2014 on a motion by \_\_\_\_\_, the motion \_\_\_\_\_ as follows:

\_\_\_\_\_  
J. Michael Hobert, Chair Board of Supervisors

\_\_\_\_\_  
David L. Ash, Clerk

Following review and discussion, **Supervisor McKay moved to approve Resolution 2014-13R 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

5) CCPS School Board Update

Chairman Hobert advised that the new CCPS Superintendent, Chuck Bishop, was unable to attend.

6) Fire and EMS Update

Implementation Items -- Fire & EMS Workgroup Recommendations

*Fee for Service RFP*

- Received only one response, which was not responsive to the RFP. Acceptance is not recommended.
- Recommend closing procurement.
- Recommend adding further review of fee for service as a priority for the Fire and EMS Director.

David Weiss suggested further study by Brandon Stidham and David Ash and development of a list of pros and cons for Board review.

Chairman Hobert commented that he would like a report detailing how such programs operate.

Brandon Stidham recommended deferring action pending hire and start of the new Fire and EMS Director.

**Vice Chairman Weiss moved to close the procurement on the RFP and to request staff to develop a pros and cons report on a Fee for Services Program, containing major points of the program in order to educate the Board in anticipation of the beginning of work by the Fire and EMS Director. 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

*Fire & EMS Commission Potential Appointees*

- Commission appointments shall be considered at the August meeting.

*County Code Amendment:*

- Bob Mitchell is working on the proposed amendments.

7) Energy Management Update by Alison Teetor

Alison Teetor provided a brief summary at the July meeting. She advised that a more detailed report would be available in September after the fiscal year end data was incorporated.

- Reviewing facility use
- Increasing employee awareness
- Involving department / building heads in usage review.
- Current activities:
  - Participating in Demand Response Program:
    - Four facilities qualified: Johnson Williams Middle School, Boyce Elementary School, Clarke County High School and the Berryville Clarke County Government Center
    - Program runs June to the end of September
    - No penalty for not meeting targets.
  - Jeff Hinson, Rappahannock Electric Cooperative [REC], issues reduction requests via to Ms. Teetor, which she forwards to all affected staff. Staff response to reduction requests has been impressive.
- Significant rate increases:
  - A 5% increase resulting from the severe winter went into effect May1. Ms. Teetor will check to see if this increase is one-time or ongoing.
  - REC's agreement with the SCC did not allow them to raise rates for the first three years of operation. Now that the three-year period is complete, REC will raise rates each year for the next three years. The rate increase will be approximate 20% over a four-year period that for the BCCGC (the government center), the County's largest electric user, would result in a \$250 per month increase in electric cost.
- The NSVRC is developing a bicycle and pedestrian plan with the idea that it will offset vehicular use. The bicycle and pedestrian plan is to be incorporated into the recreation plan.
- Sheriff Office renovation is ready to go out to bid.

Chairman Hobert commented that he was very pleased to see the list of policies to be addressed in the report and opined that it would be helpful for the Supervisors to know the order or priorities in which the polices will be addressed. Ms. Teetor offered to provide the requested information in September.

Supervisor Staelin asked for an update on the Millville / Old Chapel 138 KV Transmission Line Rebuild.

David Ash responded that Old Chapel refers to the substation located by the recreation park and Millville is a location in Jefferson County West Virginia. The proposed transmission line would go from the Park on Route 7 across the northern part of the County into West Virginia.

Alison Teetor added that the planned activity does not increase right of way and appears to be line upgrades, raising tower height by six feet, and many structure replacements. She said she had found no cause for alarm when reviewing the plan.

8) Approval of Minutes

Book 21 Page 905 Remove editorial note.

Book 21 Page 915 Correct Chairman Staelin to Chairman Hobert

**Supervisor Staelin moved to approve the minutes for June 17, 2014 Regular Meeting as corrected. 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) Consent Agenda

A. Conservation Easement - Approval for Purchase – Moore & Dorsey, Inc. Tax Map 16-((A))-16, 16A

MEMORANDUM

TO: Board of Supervisors, David Ash

FROM: Alison Teetor

DATE: July 15, 2014

SUBJECT: Approval for Purchase – Moore & Dorsey, Inc. Tax Map 16-((A))-16, 16A

The Clarke County Easement Authority has approved the following easement for purchase. The Authority requests the Board of Supervisors to authorize the Chairman of the Board of Supervisors to execute deeds, easements, and other documents as necessary for closing and recordation.

Tupper Dorsey has applied to the easement authority for approval of an easement purchase. The property consists of a total of approximately 123 acres and is located on the east side of Shepherds Mill Road approximately 1.1 miles north of Route 7. The property consists of two

parcels, 16-((A))-16A is 62.8 acres with an existing house and 3 DUR's, 16-((A))-16 consists of 57.9 acres with an existing house and 2 DUR's.

The properties conservation values include retiring all 5 of the remaining DURs, 2000' frontage on a State Scenic Byway (Shepherds Mill Road), 2 structures contributing to the Long Marsh Historic District, and a family farm owned by Moore & Dorsey since the 1930's. There are 100% important farmland soils including 38% prime (47 acres), 27% statewide (32.5 acres), and 35% locally important soils (42.8 acres).

The appraised value is shown in the attached spreadsheet along with the funding source breakdown.

Name	Acres	Status	Landowner	FRPP	FRPP grant approved	FY (Fed)	VLGF	VLGF grant approved	FY (State)	PEC	PEC grant approved	VDACS	VDACS grant approved	FY (State)	County	Appraised Value
Moore & Dorsey Orchard_16	57.90	pending	\$43,375	\$96,750	8/29/2012	FY13	\$14,000			\$ 25,000	2013	\$2,187	12/21/12	FY13	\$2,188	\$173,500
Moore & Dorsey Orchard_16A	64.82	pending	\$48,625	\$97,250	8/29/2012	FY13	\$47,250	12/6/12	FY13	0		\$687	12/21/12	FY13	\$688	\$194,500

**B. FY2015 Supplemental Appropriation Requests for Conservation Easements.**

TO: Board of Supervisors  
FROM: Department of Joint Administrative Services  
DATE: July 8, 2014  
FY 15 Supplemental Appropriation Request for conservation easement purchases:

Alison Teetor of the Clarke County Planning Dept. is asking for a supplemental appropriation for the following two easement purchases:

Moore & Dorsey Orchard 16, and Moore & Dorsey Orchard 16A. Local funds of \$2,876 are already appropriated, leaving only the outside revenue sources to be recognized and appropriated. These sources are as follows:

Farm and Ranchland Protection Program (federal funds) -	\$184,000
Virginia Land Conservation Fund (state funds) -	\$ 61,250
Virginia Dept. of Agriculture and Consumer Services (state funds) -	\$ 2,874
Piedmont Environmental Council (local land trust funds) -	\$ 25,000
Total revenue:	\$273,124

The following action is recommended: *“Be it resolved that FY 15 budget expenditure to the Conservation Easement Fund be increased \$273,124, and the same appropriated, and that revenue from state, federal, and local land trust funds be recognized in the same amount, all for the purpose of purchasing conservation easements on Moore and Dorsey Orchards.”*

**Vice Chairman Weiss moved to approve the items 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

10) Personnel Committee Items

A. Expiration of Term for appointments expiring through October 2014.

07/07/2014 Summary: **J. Michael Hobert moved to convene into Closed Session pursuant to §2.2-3711-A1. The motion carried as follows:**

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

The members of the Board of Supervisors Personnel Committee being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, **J. Michael Hobert moved to reconvene in open session. The motion carried as follows:**

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

**Supervisor McKay further moved to execute the following Certification of Closed Session:**

**CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, Personnel Committee has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires a certification by the Board of Supervisors of the County of Clarke, Virginia Personnel Committee that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, Personnel Committee hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia.

The motion was approved by the following roll-call vote:

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

Following Closed Session, the Personnel Committee recommended appointment of Kenlynn White to the Clarke County Library Advisory Council filling the unexpired term of Carol Myers that ends April 15, 2017.

07/15/2014 Summary: **Supervisor Staelin moved to approve the recommendation of the Personnel Committee to appoint Kenlynn White to the Clarke County Library Advisory Council 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

11) Board of Supervisors Work Session

A. Clarke County General Government Pay and Classification Study and Personnel Policy Review

07/07/2014 Summary: John A. Anzivino, Senior Vice President, Springsted, Incorporated, distributed and presented the Pay and Classification Study and a draft Personnel Policy for review and consideration by the Board. Following the presentation, Mr. Anzivino offered to answer any questions after Board members had the time to review more thoroughly the documents and to affirm that the Personnel Policy was presented in draft form and that he anticipated meeting with the Board several times before preparing the final draft of the Personnel Policy.

07/15/2014 Summary: David Ash reported that he expected to receive a response by Friday, July 18. Chairman Hobert requested a redline copy of the personnel policies as offered by Mr. Anzivino.

B. FY2015 Supplemental Appropriation Requests for Conservation Easements

07-07-2014 Summary: Alison Teetor of the Clarke County Planning Dept. is asking for a supplemental appropriation for the following two easement purchases:

Moore & Dorsey Orchard 16, and Moore & Dorsey Orchard 16A. A supplemental appropriation amount of \$276,000 is needed for expenditures, and a supplemental appropriation amount of \$273,124 is needed for revenue from the following sources:

Farm and Ranchland Protection Program (federal funds) -	\$184,000
Virginia Land Conservation Fund (state funds) -	\$ 61,250
Virginia Dept. of Agriculture and Consumer Services (state funds) -	\$ 2,874

Piedmont Environmental Council (local land trust funds) -	\$ 25,000
Total revenue:	\$273,124

The remaining amount of \$2,876 will come from local tax funding in the existing balance of the conservation easement fund.

Following review and discussion, **Supervisor Byrd moved to place the matter on the Consent Agenda of the July 15, 2014 Board of Supervisors Meeting. 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

07/15/2014: See Consent Agenda Item B.

C. Identify CCPS Discussion Issues

07-07-2014 Summary: The Board confirmed expectation that the new School Superintendent would be introduced at the July Regular Board meeting and that future requests for information would be delayed until the Schools completed its policy review.

12) Finance Items

A. Discussion and Approval Reassessment Proposal Wampler Eanes Appraisal Group LTD

David Ash advised that Wampler Eanes, the appraisal firm that conducted the last reassessment, was the only respondent to the request for proposals for the 2016 General Reassessment. He recommended approval noting that the proposal was not significantly different from the 2008/2009 reassessment. Highlights include:

- Estimated 9,000 parcels.
- Per parcel increase from \$19.95 to \$20.95.
- Lump-sum proposal increase from \$179,550 to \$188,500.
- Charge per parcel for new construction during October 1, 2014 thru September 30, 2015, based on building permits: \$25 per permit.
- Proposal includes three consultations with the Board of Equalization.

**Chairman Hobert moved to approve development of the contract with the provision that the reassessment be for the lump sum amount stated in Wamper Eanes' proposal. He further moved to authorize David Ash to execute the contract. The motion carried as follows:**

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

**B. Acceptance of Bills and Claims**

07/15/2014 Action: Chairman Hobert advised that in advance of the meeting Tom Judge satisfactorily answered all his questions.

**Supervisor McKay moved to accept the June bills and claims. 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

**C. Impact of Commonwealth Budget Shortfall on Locality**

Tom Judge reported to the Supervisors that the shortfall had minimal impact on the locality. He told the Board that the School Operating fund was only a few thousand dollars different from budgeted revenue.

**13) Joint Administrative Services Board Update**

Tom Judge advised that the Joint Administrative Services Board did not meet in June.

He informed the Board that the ERP kick off meeting was scheduled for Tuesday, July 22.

**14) Government Projects Update**

David Ash provided the monthly project update. Highlights include:

- 101 Chalmers Court – HVAC Retrofit

- Gordon Russell and Susanne Vaughan have worked to transfer and format data from all temperature and humidity sensors in the building.
- Preliminary data indicates a dramatic change in the system after the retrofit.
- Sheriff's Office Renovation
  - Architect and mechanical engineers have been in contact.
  - The effort to conduct some form of historic preservation has resulted in two sets of plans.
  - Bobby Levi will serve as project coordinator.

Supervisor Byrd opined that the County needed an indoor pool.

Several Supervisors responded that there were many projects currently waiting for funding such as ballpark lighting, Berryville Primary renovations, the proposed Perry Quarry Convenience Center, etc.

## 15) Miscellaneous Items

### Internet Access

Supervisor McKay reported that he had been to meetings held in Frederick County and had also talked with local legislative representatives regarding internet access; and while all believe that county-wide internet access is greatly needed, no one seems to know how to get the large corporations to move off dead center. He added that many companies, including the federal government, require hardwire internet access to work from home. He asked the Board to consider making countywide internet access the number one legislative priority for the coming year.

Supervisor McKay provided an historical reference to action taken in the 1920's requiring companies to make electric and telephone services available. He opined that now internet access was just as vital as both of those services were in the 1920's.

Vice Chairman Weiss agreed that countywide internet access was a good legislative priority.

Chairman Hobert suggested that Supervisor McKay might wish to have further discussion with Gordon Russell, Brandon Stidham, Supervisor Staelin, David Ash and himself.

Supervisor Staelin suggested talking with the County's VACo Board noting that consensus of VACo members was needed. He reported that with fewer persons using

hard line phones phone companies have lost 40% of their market and line upgrades would require a huge capital investment.

Supervisor Byrd suggested seeking expert input from County citizens.

Supervisor Staelin commented that the County previously sought input; and each of the various providers, in competition with each other, had their own solution that all cost a great deal of money.

### Circuit Court Indictments

Supervisor Byrd commented on a 60 indictments handed up in the Circuit Court as reported in the July 15 Winchester Star. She opined that with the majority of the crimes were breaking and entering and drug possession.

Chairman Hobert added that the Circuit Court handed up 60 indictments again 17 people and not all of the individuals were Clarke County residents. He agreed that many of the indictments were for forced entry and theft. He opined that it was impressive that Clarke County has a functioning Sheriff's Office.

### 16) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Execute and process Old Oak Lane Rural Addition Project 2014-13R.	Lora B. Walburn
2.	Develop Fee for Service program report.	Brandon Stidham
3.	Add appointments to Fire and EMS Commission to August agenda.	David Ash
4.	Provide in September an update on the order in which energy policies will be addressed.	Alison Teetor
5.	Modify and process approved minutes.	Lora Walburn
6.	Update database and draft letters of appointment.	Lora Walburn
7.	Execute letter of appointment.	J. Michael Hobert
8.	Request redline information from Springsted if not received by Friday, July 18.	David Ash
9.	Develop contract for 2016 General Reassessment.	Tom Judge

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
10.	Update County Code with CC-2014-02.	Lora B. Walburn

17) Board Member Committee Status Reports

Supervisor Bev McKay:

- NSVRC: Due to a scheduling conflict, he was unable to attend the last meeting.

Vice Chairman David Weiss:

- CEA: Very successful dinner. Did not meet in July.
- JBC: Working toward completing the project and resolving building issues.

Supervisor Barbara Byrd:

- Humane Foundation: County mowed the paddock. Planning a rabies clinic for October with dog games and an animal parade.
- Social Services: Unable to attend.

Supervisor John Staelin:

- Planning Commission: Voted to move forward to the Supervisors a text amendment for kennels and animal shelters in the County.
- Economic Development Strategic Plan: Plan to have for the Supervisor's August Work Session.
- Economic Development Town / County Partnership: Continue to work with Town representatives.

Chairman J. Michael Hobert

- Parks and Recreation Advisory Council: Meets Wednesday night.

18) Closed Session

At 3:03 pm, **Vice Chairman Weiss moved to convene into Closed Session pursuant to §2.2-3711-A1 Specific Employees or Appointees of the Board. The motion carried as follows:**

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

At 3:38 pm, the members of the Board of Supervisors being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, **Supervisor McKay moved to reconvene in open session. The motion carried as follows:**

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

**Supervisor McKay further moved to execute the following Certification of Closed Session:**

**CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires a certification by the Board of Supervisors of the County of Clarke, Virginia that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia.

**The motion was approved by the following roll-call vote:**

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

No action was taken on matters discussed in Closed Session.

Chairman Hobert recessed the meeting at 3:31 pm.

Chairman Hobert reconvened the meeting at 6:30 pm.

19) Citizen's Comment Period

No citizens attending the evening session wished to address the Board.

20) PH 14-09 [14-10]: CC-2014-02 Chapter 40 Voting District 40-3 Polling Places Established. Amend A. For Berryville Voting District Change from 110 North Church Street to 317 West Main Street.

David Ash summarized the proposed amendment.

Barbara Bosserman, Voter Registrar, reported that the Berryville Town Council voted to make the change to its ordinance at its Tuesday, July 8, 2014 meeting.

At 6:32 pm, Chairman Hobert opened the public comment portion of the public hearing.

George Archibald, Berryville District: Spoke in opposition to the proposed amendment. He opined that the timing of the change was wrong and asked the Supervisors to defer action to allow the new School Superintendent sufficient time to understand the facility situation.

Supervisor McKay remarked that the taxpayers own the building and their right to vote would be better served at the proposed location. He noted that voting activity at the facility would only be a few days out of the year; and if the Schools had a problem with voting at this location, the polling place could be moved to another location.

James Willis, Berryville District: Spoke in support of the proposed amendment. He stated that his spouse, who is partially disabled, had quite a problem at the 110 North Church Street location and almost didn't vote because of the access issues. He opined that the new location was easier to access.

Carol S. Westervelt, Electoral Board Chair: Spoke in support of the proposed amendment. Mrs. Westervelt said that she was in charge of the Republican primary conducted at the facility formerly known as Berryville Primary School and reported that it was a fabulous location. She stated that there were many more handicap parking spots than the current location, more parking space, all activities are on the same level, as well as increased indoor space so voters do not have to stand outside. She opined that it was the perfect place.

There being no other persons present wishing to speak, at 6:43 p.m., Chairman Hobert closed the public hearing and he asked for comment from the Supervisors.

Vice Chairman Weiss thanked the Electoral Board and Barbara Bosserman, Voter Registrar, for doing the extra mile on his request to send notice of the public hearing to registered voters in the affected district. He agreed with Supervisor McKay's remarks and expressed his belief that this location was in the best interest of the citizens.

Supervisor Byrd added that it was very important to encourage all registered voters to vote and this was a good change if it made voting easier for the elderly and disabled.

**Supervisor Staelin moved to adopt CC-2014-02 Chapter 40 Voting District 40-3 Polling Places Established. A. For Berryville Voting District Change from 110 North Church Street to 317 West Main Street as presented.**

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

**Chapter 40 Voting Districts**

§ 40-3. Polling  
Places established  
[Amended 05-08-16;  
Amended 07-01-16]

The following are hereby designated as polling places:

- A. For Berryville Voting District
  - ~~Grace Episcopal Church Parish Hall~~
  - ~~110 North Church Street~~ **317 West Main Street**
  - Berryville, VA 22611
- B. For Buckmarsh Voting District: Social Hall
  - (1) John Enders Volunteer Fire Company
  - 9 South Buckmarsh Street
  - Berryville, VA 22611
  - (2) For Blue Ridge Precinct [Added 92-02-18]
  - Social Hall
  - Blue Ridge Volunteer Fire Company
  - 131 Retreat Road
  - Bluemont, VA 20135
- C. For Millwood Voting District:
  - (1) For Millwood Precinct:
  - Powhatan School
  - 49 Powhatan Lane
  - Boyce, VA 22620

(2) For Pine Grove Precinct:  
Social Hall  
Blue Ridge Volunteer Fire Company  
131 Retreat Road  
Bluemont, VA 20135

D. For Russell Voting District:  
Clarke County Recreation Center  
225 Al Smith Circle  
Berryville, VA 22611

E. For White Post Voting District:  
Boyce Volunteer Fire Company  
7 South Greenway Avenue  
Boyce, VA 22620

## 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 August 19, 2014 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: July 15, 2014

\_\_\_\_\_  
J. Michael Hobert, Chair

\_\_\_\_\_  
David L. Ash, County Administrator

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