

August 19, 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, August 19, 2014.

Board Members Present

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

Board Members Absent

None

Staff Present

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

Others Present

Karen Poff; Robina Rich Bouffault; Val Van Meter and other citizens.

1) Call to Order

Chairman Hobert called the afternoon session to order at 1:01 p.m.

2) Adoption of Agenda

Add to Closed Session: §2.2-3711-A3 Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

By consensus, the Board adopted the agenda as modified.

3) Citizens Comment Period

No citizens addressed the Board.

4) VDOT

Ed Carter appeared before the Board to provide the monthly update. He introduced Doug Baker, Supervisor VDOT Berryville Headquarters, and informed the Board that Charlie Monroe is on temporary duty for the next month.

Maintenance – July / August:

- Completed our first round of mowing on primaries/secondary's and started second round on primaries.
- Second round of primaries and start of secondary's is scheduled for completion this month.
- Performed brush cleanup and weekly trash pickup for park/rides.
- Graded non-hard surfaced routes 604, 606, 621 and 622.
- Addressed pothole and work order issues.
- Plant mix repair on route 601 south is planned for this month.

Projects:

- Rt. 340/Senseny Road turning lane construction is scheduled to start September 8th and be completed by October 31st.
- Rt. 606 stream repair is scheduled to start August 25<sup>th</sup>.

Board issues:

- Rt. 612 truck restrictions – Awaiting results from Traffic Engineering on curve models.
- 7/11 at intersection of Rt. 7 and Kimble Rd. – Awaiting recommended sign applications from Traffic Engineering.
- Rt. 732, Triple J Rd. – Still on schedule for pavement overlay before winter.

Supervisor Comments:

Supervisor Bev McKay

- Pyletown Road near Sunny Canyon Lane: Bent culvert needs repair.
- Pyleton Road starting in hollow and coming back toward Route 340: There is lot of shoulder drop off where water has washed the side out.

Supervisor Barbara Byrd:

- Trapp Hill Road: Thanked VDOT for mowing and removing the Johnson Grass this week.

Supervisor Staelin

- Route 601: Problem with reflectors.
- GPS Signs: Ed Carter provided the following:
  - Signs are not providing anticipated results.
  - Signs are being ignored by motorists.
  - Signs add clutter to highways.
  - VDOT Traffic Department halted further installations.
  - Existing signs will remain but new signs will not be added.

5) Water Testing Program Update by Karen Poff, Virginia Cooperative Extension

Karen Poff, Virginia Cooperative Extension Senior Extension Agent, Family and Consumer Sciences, provided a PowerPoint presentation on the Northern Shenandoah Valley Drinking Water Testing Program, a program the Clarke County Board of Supervisors monetarily supported allowing VCE to offer reduced cost for initial testing. Highlights of follow up areas include:

- 2013 results divided into two categories: Berryville Zip Code - 22611 [29 samples] and Non-Berryville Zip Code [22 samples]. Consider showing results by voting district.
- Karen Poff will provide comparisons between the Valley and Piedmont Regions and the number of persons participating in the program that are on municipal water.
- 2013 sample sizes were not large enough to be statistically significant. Ms. Poff will follow up to determine what would constitute a statistically significant sample.
- 2015 Northern Shenandoah Valley Drinking Water Clinic kick off meeting is scheduled for February 7, 2015. Mark Sutphin is leading the program.
- If 2015 results/trends bear out, a long-term action plan will be developed; however, at this point, no specific education program is under consideration.
- Testing is part of water quality education for participants.
- The Board asked that VCE consider developing education programs dealing with coliform, E. coli problem and heavy metals.
- Clarke is investing resources and would like to maximize the use of the information obtained.

- Clarke County, which is very water conscious, would like to hear more about participating in a pilot program.
- VCE will consider adding to its questionnaire age of drainfield and well, which might help to determine whether more modern drainfields and wells are better.
- Since homeowners performing the tests can contaminate samples, consider using results from the secondary lab for coliform, E. coli and heavy metals.
- The Board would like to see accuracy in the reports.

6) Set Public Hearing: TA-14-02 (Administrative Land Divisions)

Proposed text amendment to amend §2-B, Definitions; §3-A-2, Administration by Planning Commission; §4, Procedure for Subdivision Approval; and §10, Special Regulations of the Subdivision Ordinance.

The purpose of the amendment is to define a division of land into two or more parcels with each parcel being a minimum of 100 acres as an "administrative land division." The amendment would establish additional regulations for review of such divisions including compliance with private access easement and utility installation requirements, and would require compliance with water and sewage disposal requirements for parcels forty (40) acres or larger that are reduced below forty (40) acres via boundary line adjustment.

The amendment would also create a definition for the term "residual lot" and would require Planning Commission review for merger, boundary line adjustment, or administrative land division of a residual lot that was the subject of an administrative land division within the previous two (2) years.

Brandon Stidham summarized the proposed text amendment. He advised that the Planning Commission unanimously recommended adoption.

Supervisor Byrd complimented Mr. Stidham on his monthly Planning and Zoning reports.

**Supervisor McKay moved to set public hearing for Tuesday, October 21, 2014 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

7) Set Public Hearing: TA-14-04 (Commercial Boarding Kennels and Animal Shelters)

Proposed text amendment to amend §3-A-1-a-3 (Special Uses and Structures), §3-A-2-a-3 (Special Uses and Structures), §3-A-12 (Special Uses and Structures), and §9-B-12 (Definitions) of the Zoning Ordinance.

The purpose of the amendment is to remove Commercial Boarding Kennels and Animal Shelters as special uses in the Agricultural-Open Space-Conservation (AOC), Forestal-Open Space-Conservation (FOC), and Neighborhood Commercial (CN) Districts.

The amendment would also delete the current use and definition of “animal shelter” and create a new use and definition for “animal shelter/governmental” that is limited to a facility owned and/or operated by the Clarke County government. “Animal shelter/governmental” would be added to the list of special uses in the AOC and FOC Districts.

Brandon Stidham summarized the proposed text amendment. He advised that the Planning Commission unanimously recommended adoption.

**Supervisor Byrd moved to set public hearing for Tuesday, October 21, 2014 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

8) Town-County Economic Development and Tourism MOU

TO: Board of Supervisors members  
 FROM: Brandon Stidham, Planning Director  
 RE: Town-County Economic Development and Tourism Memorandum of Understanding  
 DATE: August 7, 2014

Attached you will find the Final Draft Town-County Economic Development and Tourism Memorandum of Understanding as recommended by the MOU Committee. This Committee was appointed in May by the Board of Supervisors and Town Council and consists of Supervisors Staelin, Jay Arnold, Christy Dunkle, and myself. The Committee held meetings on June 16, July 9, and completed their work on July 16. The Final Draft is supported unanimously by the Committee members.

The draft MOU identifies several action items pertaining to the joint management and coordination of economic development and tourism activities. The MOU Committee began by using action items from the draft Economic Development Strategic Plan as a framework for discussion. The action items were later refined and organized for clarity purposes and contain specific responsibility assignments and projected completion dates. Attachment A is a timeline that summarizes the

action items by priority for completion in the initial year, beyond the initial year, and on an ongoing basis.

Christy Dunkle forwarded a copy of the draft to Town Council and it is expected they will discuss it at their August 12 meeting. In the event that the Board and/or Council have concerns or proposed edits, the MOU Committee will reconvene to generate a revised draft so that both governing bodies can review and agree on any changes before adopting the MOU.

Please let me know if you have any questions or concerns in advance of the meeting.

Brandon Stidham provided highlights of the memorandum of Understanding.

- Establishes a Joint Management of Economic Development and Tourism.
- Establishes Single Points of Contact for Economic Development and Tourism.
- Creates a Joint Committee for Economic Development and Tourism.
- Hire an Economic Development Director.
- Conducts Joint Review of Economic Development and Tourism Funding.
- Budgetary Control and Impact on Tax Revenues.
- Identify and Mitigate Real and Perceived Barriers to Economic Development.
- Joint Regulatory Review by Planning Directors.
- Publicize the Regulatory Review Recommendations and Their Implementation.
- Creation and Management of Joint Economic Development and Tourism Websites and Associated Social Media.
- Identify New Revenue Sources for Economic Development and Tourism.
- Develop Business Retention Strategies
- Foster Economic Development Relationships
- Develop Incentive Programs to Attract New Businesses and Retain Existing Businesses.
- Joint Development of Agricultural Marketing Strategies.
- Regional Tourism Marketing and Promotion.
- Support Efforts to Increase Accommodation Capacity.
- Foster Tourism Relationships.
- Created a draft timeline.
- Berryville Town Council reviewed August 12 and were invited to forward comments and questions to Town Planner Christy Dunkle.

- The Clarke County Board of Supervisors is encouraged to review and forward comments and questions to Planning Director Brandon Stidham by Tuesday, August 26.
- Public hearing is not required to adopt the MOU.
- Anticipate presenting the final draft at the September regular meeting.

9) Fire and EMS Update

Fire & EMS Commission Appointments

- Commission appointments shall be considered at the August meeting.
  - o Board of Supervisors representative (by calendar year term 9-1-2014 thru 12-31-2014) - David Weiss
  - o County Sheriff (coterminous with term of office) - Tony Roper
  - o Volunteer Association member/Fire issues representative (9-1-2014 thru 8-31-2015) – Jacob White (as recommended by the Volunteer Association)
  - o Volunteer Association member/EMS issues representative (9-1-2014 thru 8-31-2015) – Matt Hoff (as recommended by the Volunteer Association)
  - o Citizens-at-large representing consumers of Fire & EMS services (staggered initial terms- 1 year, 2 years, and 3 years):
    - Laure Wallace (9-1-2014 thru 8-31-2017)\* Nominated to serve as Chair for the Commission's first year.
    - Beth Leffel (9-1-2014 thru 8-31-2016)
    - Bryan Conrad (9-1-2014 thru 8-31-2015)

**Vice Chairman Weiss moved to approve the appointments as presented with clarification that the Board of Supervisors member term is set on the calendar year. The motion carried by the following vote:**

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

County Code Amendment - Fire & EMS Ordinance:

- Meeting with Bob Mitchell to review the proposed amendments.
- Anticipate review at the September regular meeting.

- Anticipate public hearing in October.

10) Approval of Minutes

**Supervisor Staelin moved to approve the minutes for July 15, 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

11) Consent Agenda

A. Request for Donation – Opequon Enterprises, LLC

TO: Board of Supervisors, David Ash  
 FROM: Alison Teetor  
 DATE: August 12, 2014  
 SUBJECT: Request for Donation – Opequon Enterprises, LLC

The Clarke County Easement Authority has approved the following easement donation. The Authority requests the Board of Supervisors to authorize the Chairman of the Board of Supervisors to execute deeds, easements, and other documents necessary to the transactions, subject to the property owners and lenders signing the Deed prior to the Chair.

Pete Dunning, agent has requested acceptance of an easement donation on the property identified as Tax Map# 20-((A))-16B. The parcel is 40 acres and located on the northeast corner of Ginns Road approximately 1/2 mile south of the intersection of Ginns Road and Old Winchester Road (see attached map).

The following guidelines for accepting properties for easement donation were established by the Easement Authority:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the donated conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

The Authority requires that a property meet at least two of the four guidelines for acceptance. In reviewing the parcel, all of the criteria have been met. The Property Resource Score is 59.68, the parcel is adjacent to an existing easement, is 40 acres in size, and will retire the remaining DUR.



The property is adjacent to land held in VOF easement on two sides. The property is in landuse, and is primarily open pasture. It is completely within the groundwater recharge area.

**B. Application for Donation – Huntfish Company, LC (James Turner, Agent) Tax Map# 31-((A))-19, 32-((13))-4**

TO: Board of Supervisors, David Ash

FROM: Alison Teetor

DATE: August 12, 2014

SUBJECT: Application for Donation – Huntfish Company, LC (James Turner, Agent) Tax Map# 31-((A))-19, 32-((13))-4

The Clarke County Easement Authority has approved the following easement donation. The Authority requests the Board of Supervisors to authorize the Chairman of the Board of Supervisors to execute deeds, easements, and other documents necessary to the transactions, subject to the property owners and lenders signing the Deed prior to the Chair.

Huntfish Company L.C. (James Turner, president) has applied to the easement authority for approval of an easement donation. There are two properties located on the west side of Feltner Road in the 1400 block. The properties are vacant, consisting of 106 acres with 5 DUR's and 93.6 acres with 2 DURs. They are entirely wooded and Mr. Turner recently completed a select cut timber harvest. Access is from Feltner Road.

Mr. Turner would like keep 2 DUR's on each parcel, retiring 3 DUR's total. Both parcels are zoned FOC and qualify for use value taxation, in accord with the Commissioner of Revenue's requirements, therefore a donation may be considered if at least two of the following four guidelines are met:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

Under the current configuration, the parcels meets 3 of 4 criteria. The property resource score was over 35, points were given for slopes > 25% and retiring 3 DURs. The properties are over 40 acres they are not next to an existing easement.

**Supervisor McKay 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

12) Personnel Committee Items

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

08/19/2014 Summary: The Personnel Committee reviewed reappointments for upcoming vacancies.

B. Replacement of Zoning Administrator Position

08/19/2014 Summary: By consensus, the Personnel Committee approved the revised draft job description for the replacement Zoning Administrator position.

13) Board of Supervisors Work Session

A. Draft Economic Development Strategic Plan Review with Milt Herd

08/19/2014 Summary: Milt Herd, consultant with Herd Planning and Design, Inc., provided an overview of the draft Economic Development Strategic Plan. This raft was recommended for adoption by the Planning Commission following a duly advertised public hearing conducted on July 11, 2014.

Following discussion, the Supervisors recommended the following:

- Enhance distribution of the Economic Development Strategic Plan via compact disc.
- Provide the Economic Development Strategic Plan to VCE with request for comment.
- Refer any comments on the Economic Development MOU to Brandon Stidham within the next week.

*Set Public Hearing Draft Economic Development Strategic Plan*

**Supervisor McKay moved to set public hearing for Tuesday, October 21, 2014 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

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

The Supervisors reviewed the status of the Pay and Classification Study rewrite.

C. Status of Occupancy Agreement for Clarke County Transportation and Purchasing Facility, Clarke County Maintenance Facility

During regular session, **Vice Chairman Weiss moved to authorize David Ash to proceed to sign the occupancy agreement reviewed during the Work Session. 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

D. CCPS Discussion Issues

The Board discussed its desire to continue meeting with the School Board Chair and School Superintendent on a periodic basis; and as issues arise, the School Board could join the Supervisors during a Work Session.

14) Finance Items

1. Proposed Use of Asset Forfeiture Funds

*Sheriff Roper will report on the proposed use of a recent Asset forfeiture received by Clarke County. The new amount is approximately \$191,000, to be added to an existing balance of approximately \$40,000.*

Tom Judge summarized Sheriff Roper's request. He advised that the funds did not have to be appropriated because funds received must be spent for law enforcement or the commonwealth attorney.

Chairman Hobert explained that Gordon Russell recommended replacing the aging mobile data units in all vehicles to standardize technology.

2. Debt Reserve for RDA Loan

*The RDA loan for construction of the Joint Government Center and other projects requires a debt reserve of \$125,850. Our auditor advises that this be accomplished by showing a restricted General Fund balance of this amount on the annual financial report.*

Tom Judge provided a brief review.

### 3. Update on Social Services Rent Issue

*A state audit of Clarke County Social Services led to a finding that that agency had claimed more in rent payments than permitted under new state guidelines adopted in 2008. These guidelines do not permit localities to charge for building rent after the building is fully depreciated, except for future upgrades and repairs. This led State auditors to claim that Clarke owed the State a substantial sum for overcharging. However, Clarke County typically maximizes its State funding in February, so effectively the Commonwealth never reimbursed Clarke County for rent, even though we claimed it, and therefore we shouldn't owe them anything. Meanwhile, we have delved into records of the building and have found evidence that the building value established by the auditors grossly undervalued the building. We are submitting new building value information to the State Auditors justifying the full amount of the building rent claimed by Clarke County.*

Tom Judge provided a brief review and expressed his hope that the State would accept the County's revaluation.

### 4. Fees for Garnishments

*We have approximately a dozen garnishments on each payroll. These are a combination of court orders, tax liens, and child support payments. There is substantial turnover each month in the list of garnishees, and approximately four hours per month is spent setting up the garnishments, calculating the deductions, and processing the checks and associated paperwork. This costs approximately \$150 per month and is especially troublesome for the arrears payrolls processed in June to cover 10 month employees for the summer months. Employers are permitted to assess fees to recover the cost of garnishments as follows:*

- a. Garnishment summons: \$10 per summons.*
- b. Tax lien: \$20 per lien.*
- c. Child support: \$5 per pay period.*

*The revenue collection would vary over the course of the year, but it does not appear that it will exceed the cost of providing the service. See attached statute citations. The Joint Administrative Services Board voted to approve collection of garnishment fees, and confirmation by the Board of Supervisors is requested.*

Tom Judge explained the proposed policy.

**Vice Chairman Weiss moved to approve the fees for the garnishment policy 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. Acceptance of Bills and Claims

08/19/2014 Action: Tom Judge advised that the Finance Committee recommended acceptance of the July bills and claims. He advised that moving were certain position were charged caused substantial negatives in the Communications budget and substantial positives in the Sheriff's budget and correction will require an appropriation action that will be presented for Board approval at a later time.

**Supervisor Staelin moved to accept the July 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

6. FY 15 Commonwealth Revenue Variances.

Variance reports for Compensation Board and School Operating attached showing approved Commonwealth revenue close to Clarke County Adopted Budget.

7. Standing Reports

Reconciliation of Appropriations; General Government Expenditure Summary

15) Joint Administrative Services Board Update

Tom Judge provided an update. Highlights include:

- Discussed garnishment policy.
- ERP group developed plan strategies and provided recommendations to Tyler.

- A new chart of accounts is under development.
- Gordon Russell was selected to serve as the IT project manager.

## 16) Government Projects Update

David Ash provided the monthly project update. Highlights include:

- 101 Chalmers Court – HVAC Retrofit
  - Perry Hickman, RDA, will conduct a site visit August 20.
  - As exhibits are developed, there has been a substantial exchange of information between County IT, Roger Catlett and Bob Mitchell.
- Sheriff's Office Renovation
  - The pre-bid conference is scheduled for Thursday with Mike Legge, Sheriff Roper and the architect.
- Parks and Maintenance
  - With the approval of the maintenance facility agreement earlier today, Maintenance can begin to move into the Vo-Tech Building after surplus school items stored in the facility are removed/sold.
  - Will relocate items stored in the corncrib of the old barn to the Vo-Tech Building.
  - Intent is to market the barn and corncrib as a saleable product.
  - Intent is to work with the fire companies to use the old house for fire suppression training.

## 17) Miscellaneous Items

### Tick-borne diseases and their prevention

Supervisor Byrd provided examples of her father's vigilance in his nightly ritual of removing ticks from the family dogs. She briefly described recent cases of tick-borne diseases in the County, one resulting in the death of a toddler. She offered the following action items:

- Develop information for distribution next tick season to educate constituents.
- Coordinate public presentations by the local Health Department.
- Include the Schools in the educational program.
- Place brochures in County office buildings.

Chairman Hobert contributed that after talking with Supervisor Byrd on this topic he contacted Dr. Devine, who would be pleased to make public presentation.

Supervisor McKay suggested adding a flyer with the tax bill.

Supervisor Byrd will follow up on next steps.

18) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process public hearing notice for TA-14-02	Lora B. Walburn
2.	Process public hearing notice for TA-14-40	Lora B. Walburn
3.	Update database and draft letters of appointment.	Lora Walburn
4.	Execute letter of appointment.	J. Michael Hobert
5.	Modify and process approved minutes.	Lora B. Walburn
6.	Process public hearing notice for Economic Development Strategic Plan.	Lora B. Walburn
7.	Enhance distribution of the Economic Development Strategic Plan via compact disc.	Brandon Stidham
8.	Provide the Economic Development Strategic Plan to VCE with request for comment.	Brandon Stidham
9.	Refer any comments on the Economic Development MOU to Brandon Stidham within the next week.	Supervisors
10.	Execute and forward the Maintenance Building Agreement.	David Ash

19) Board Member Committee Status Reports

Supervisor Bev McKay:

- NSVRC: Did not meet in August.

Vice Chairman David Weiss:

- CEA: Still getting stream of requests, as well as donations.

Supervisor Barbara Byrd:

- Library Advisory Council: Looking for ways it can work more closely with the Schools.
- Town Council: Held a very short meeting.

Supervisor John Staelin:

- Planning Commission: Did not meet in August
- Economic Development Strategic Plan: Plan reviewed during the Work Session.
- Economic Development Town / County Partnership: MOU reviewed earlier in the meeting.
- CCAS: Met this morning. The new water tower came in \$150,000 more than expected.

Chairman J. Michael Hobert

- A Community Development Block Planning Grant was awarded, through the help of the Regional Planning Commission, to the Town of Berryville that targets low- and moderate-income people. Extraordinarily good turnout for the series of meetings conducted thus far. In the last meeting, persons walked down the street and asked neighbors for input. This is a continuing project spearheaded by the Town and the Planning Commission.
- Governor McAuliffe attended the recent VACo board meeting that was held on the same day the Governor announced a \$2.4 billion shortfall for the biennium that will be offset with \$1.55 billion from the rainy day fund. There is also a \$346 million shortfall this year and \$536 million Fiscal 2016. Localities have every reason to think that a substantial portion of the shortfall will come out of the localities. Part of the problem is that while Virginia is creating more jobs compared to the rest of the country it is losing more jobs, more good paying jobs, because of the loss of defense department consulting jobs in Northern Virginia.

20) Closed Session

At 3:37 pm, **Supervisor Staelin moved to convene into Closed Session pursuant to §2.2-3711-A1 Specific Employees or Appointees of the Board and §2.2-3711-A3 Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. 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 4:50 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 Staelin 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 Staelin 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.

21) Adjournment

There being no further business to be brought before the Board at 4:51 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, September 16, 2014 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: August 19, 2014

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

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

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