

March 17, 2015

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 conducted on Tuesday, March 17, 2015.

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; Alison Teetor; Lora B. Walburn

Others Present

Barbara Bosserman; Robina Rich Bouffault; Keith Dalton; Patricia Dickinson; Gem Bingol; Val Van Meter and other citizens.

1) Call to Order

Chairman Weiss called the afternoon session to order at 1:03 p.m.

2) Adoption of Agenda

Supervisor Staelin moved to adopt the agenda as presented. The motion carried by the following vote:

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

3) Citizens Comment Period

No citizens attending the afternoon session addressed the Board.

Supervisor McKay joined the meeting at 1:06 pm.

4) VDOT

Ed Carter, with Clif Balderson, appeared before the Board to provide the monthly update.

Maintenance:

- We have continued to mobilize and respond to weather events. The severe cold and moisture has taken its toll on our roadways.
- We used recent dry weather to repair potholes and work on soft spots on non-hard surfaced roads.
- We have to use caution when running equipment on the non-hard surfaced roads to eliminate further damage until they begin to dry out.
- We have done some boom-axe work on Rt. 7.
- We also moved some chemicals in preparation for any upcoming events.
- Assuming an upward trend in the weather, we are planning to continue boom-axe operations along Rt. 7 and brush/tree removal east of Rt. 606.
- We will also be removing some hazardous trees along various routes.
- Continue to address potholes and begin grading and stone application of non-hard surfaced roads as they begin to firm up.
- We also plan to begin shoulder work along business 7 in Berryville.

Other Issues:

- Music Festival in West Virginia – We met with all stakeholders this week to express our concerns with their draft plan and laid out our requirements. We are awaiting a revised maintenance of traffic plan to be submitted for our review.
- VSP concerns over traffic pattern at intersection of Rt. 624/626 – Traffic Engineering has reviewed and made recommendations [additional stop sign on Route 624]. Report has been sent to County Administrator for review. We are awaiting the County's comments.

Vice Chairman McKay put forth that constituents have expressed safety concerns with the addition of another stop sign. He opined that erecting an additional stop sign was a mistake. He suggested various alternatives including a multi-way stop, placement of a yield sign, trimming of trees, etc.

Vice Chairman McKay inquired about trimming of trees in that area. Mr. Carter responded that the trees in question did not belong to VDOT.

Mr. Carter indicated that angle crashes are the primary type of accident. He suggested trying the additional stop sign; and should it not work, the sign could be taken down.

Chairman Weiss stated that the Board would try VDOT's suggestion; and if it does not work, the Board will revisit the matter.

Vice Chairman McKay requested to go on record as being opposed to the idea.

- Bridge replacement over Rt. 601 – Department of Homeland Security is replacing deck on bridge they maintain across Rt. 601 beginning in May of 2015. The clearance on Rt. 601 will temporarily be reduced from 14'2" to 13'0". Appropriate signage will be in place. This is still on schedule.

Supervisor Staelin

Blinking Lights on Route 340: Per Ed Carter, Traffic Engineering has no plan to remove; but he will get an estimate of removal cost.

- Trees at TWA crash site: VDOT will check replacement status.
- Morgans Mill Road: At this time of year, the road is too soft to grade but could put down gravel.

Vice Chairman McKay

- Route 522: Trash along roadway.

Supervisor Byrd

- Wadesville Road: Thanked VDOT for picking up the tires dumped on its side of the Pidgeon property. Working with the property owner to remove tires on private property.

Supervisor Hobert

- Excessive Signage at Roundabout: VDOT will reevaluate the signs in that area.

5) Addiction Action Committee Presentation by Tim Coyne and Steve Klaus

Tim Coyne, with Steve Klaus, appeared before the Board. Highlights of comments include:

- There are a rising number of deaths to opiates in the area. Opiates include prescription medications and heroin.
- Last year 33 deaths; Year-to-date 8 deaths
- In response to the rising number of deaths about a year ago, formed a group to find ways to address this public health crisis. The group is:
 1. Taking a Comprehensive approach including Law Enforcement efforts, Treatment and recovery
 2. Collecting Data
 3. Asking for a commitment of state, local and federal resources
 - Best Practices
 - Prevention and education programs
 - Medical provider education programs
 - Drug take back programs
 - Treatment and Detox programs
 - Prescriptions monitoring programs
 - Drug treatment courts
 - Develop a recovery network
 - What has the group done:
 - Held drug summit
 - Requesting funding for a full-time employee from City of Winchester, Frederick County, Clarke County, and Valley Health for funding to hire a full-time employee.
 - Employee will:
 - Lead the effort, coordinate, monitor the program[s]
 - Serve as administrator for drug treatment court
 - Be employed by Valley Health Systems and report to Chris Rucker.
 - Addiction Action Committee executive group will oversee the position.
 - All jurisdictions appear to be committed.
 - Seeking \$25,000 in funding from Clarke County.
 - Frederick County and City of Winchester asked for equal shares of \$60,000.
 - Valley Health will match the funding.
 - Group will be researching federal grants.

- Clean, Inc. is part of the committee and a big contributor to efforts.
- Valley Health and Clean collaborate in Rx initiative.

In response to the presentation, Chairman Weiss expressed support for the group's efforts and remarked that this scourge needed to be addressed at all levels.

Chairman Weiss informed the Board that the Finance Committee discussed the matter but had not finalized a funding amount.

6) Septic Pump Out Program Report by Alison Teetor

Recommendation: Based on the flow levels it would appear that there is extra capacity available for Clarke County residents. The County adopted septic pumpout requirements in 1994. These were never implemented for several reasons;

- 1) a septage facility does not exist in the County and*
- 2) an effective ordinance with fiscally responsible administration for tracking was never developed.*

Periodic pumping of septic tanks is an important component of the maintenance of an onsite system to insure it functions as designed so as not to pollute groundwater. Chesapeake Bay TMDL recommendations include mandatory pumpouts every five to seven years.

Staff recommends that a mandatory septic pump out ordinance be developed and considered for adoption.

Alison Teetor appeared before the Board to review and answer questions from the Board regarding the septic pump out program report. Highlights include:

- Septage sent to the Opequon facility per contract with the Frederick Winchester Service Authority.
- Allocated a 5,000 gallon per day daily average flow; consistently staying below the allocation.
- Four main companies perform septic pump out.
- Identified a 5% error rate in billing for non-Clarke residents; the error rate is typically small and has steadily decreased over the last four years.
- Higher number of pump outs during the spring and summer months.
- Ton of septage = 275 gallons.
- Number of septage pump outs in 4 years = 2,500, roughly 600 per year.
- Recommendation continues to be looking into a mandatory septic pump out. Mandatory pump-out would aid the County in reducing pollution levels in the Shenandoah River.

Follow-up / Suggestions:

- Research standards for number of persons in household and pump out requirements/suggestions in other jurisdictions.
- Explore ways to tie to the tax-billing cycle and/or assessment.
- Provide documented failure information.
- Consider requiring pump out when property sold.
- Consider use of a coupon-type system to aid in tracking, as well as serving as a reminder to citizens.
- Work toward determining the number of homes on septic systems and attempt to determine pump out frequency.
- Consider an aggressive ad campaign.

Chairman Weiss cautioned the Board not to ask Ms. Teetor to “reinvent” the wheel noting that while she could provide verification of failing septic systems, within the agricultural community, it is well known that septic systems are far more contributory to groundwater pollution and overall problems within the Bay than other segments that are currently being regulated and evaluated. He opined that while it was good to get more information some things must be taken as established fact, “drain fields leak when they are not pumped regularly.”

Energy Management

Alison Teetor reminded the Board that the County is participating in a program that provides refunds for energy reduction during peak periods; and to date, the County has received \$2,850 for the period August thru October 2014 and \$723 for October thru December.

7) 2014 Annual Report – Department of Planning - Acknowledge Distribution

Brandon Stidham advised the Board that the 2014 Annual Report was included in the regular meeting packet.

8) Approval of Minutes

Vice Chairman McKay requested: Change Book 22 Page 138 Motion Beverly B. McKay from Absent to Aye.

Supervisor Staelin moved to approve the minutes for February 17, 2015 regular meeting as corrected and March 3, 2015 FY2016 Budget Work Session as presented. The motion carried by the following vote:

	<u>02-17-2015</u>	<u>03-03-21-5</u>
Barbara J. Byrd	- Aye	Abstain
J. Michael Hobert	- Aye	Aye
Beverly B. McKay	- Aye	Aye
John R. Staelin	- Aye	Aye
David S. Weiss	- Aye	Aye

9) Consent Agenda

2015-03R Resolution Congratulating the Clarke County High School Wrestling Team for Winning the Group 2A State Championship

Resolution Congratulating Clarke County High School Wrestling Team for Winning the Group 2A State Championship
2015-03R

WHEREAS, Clarke County had 10 wrestlers qualify for the state tournament: Mark Alexander, Jacob Buckman, Brendan Ciaburri, Matt Cleary, Ian Dors, Bayne Gordon, William Heath, Cody Schneeman, Bryan Wallace, Logan Withers; and

WHEREAS, the Clarke County High School Wrestling team won the Group 2A state championship Friday, February 20, 2015; and

WHEREAS, it is the first team state wrestling title for the Eagles in school history and a first state title won in the immediate area.

NOW, THEREFORE, BE IT RESOLVED that the Clarke County Board of Supervisors takes great pleasure in noting that the Clarke County High School Wrestling team has performed excellently. The Board commends your accomplishment and wishes you well in your future endeavors.

BE IT FURTHER RESOLVED that the Board of Supervisors of Clarke County acknowledges the dedicated efforts of the wrestling coaches, Jon VanSice and Rob Osuch, and the superb skill of the athletes, as well as the support of the parents that made the Clarke County High School Wrestling Team the Group 2A State Champions.

Adopted this 17th day of March 2015.

ATTEST:

David S. Weiss, Chair

Proclamation Northern Shenandoah Valley disAbility Awareness Week 2015-01P

**Proclamation Northern Shenandoah Valley disAbility Awareness Week
2015-01P**

WHEREAS, the United States Congress enacted the Americans with Disabilities Act in 1990, prohibiting discrimination against people with disabilities in employment, public accommodations, transportation and telecommunications; and

WHEREAS, the Commonwealth of Virginia enacted the Virginians with Disabilities Act in 1985 to assure equal opportunity to persons with disabilities in the Commonwealth, and it is the policy of this Commonwealth to encourage and enable persons with disabilities to participate fully and equally in the social and economic life of the Commonwealth and to engage in remunerative employment; and

WHEREAS, people with disabilities often overcome common misunderstandings about their circumstances and make valuable contributions to their families and communities; and

WHEREAS, disability is a natural part of the human experience, and individuals with disabilities deserve the same rights as their peers to live independently, enjoy self-determination, make choices, contribute to society and participate fully in the American experience; and

WHEREAS, the community plays a central role in enhancing the lives of people with disabilities, and people with disabilities benefit from having a network of supportive friends and family, accommodating employers and community leaders who are aware of the needs and abilities of people with disabilities; and

WHEREAS, millions of people in the United States have disabilities and we all must make a conscious effort to discover their functional abilities and to remove the barriers met in their effort to acquire independence; and

WHEREAS, it is the goal of Access Independence, Inc. to involve the community in all aspects of disAbility Awareness Week and establish an atmosphere that supports awareness and education of on-going initiatives to enhance public understanding of, and appreciation for, abilities possessed by those of us who experience life with disabilities.

NOW, THEREFORE the Clarke County Board of Supervisors does hereby proclaim APRIL 11-17, 2015 as Northern Shenandoah Valley disABILITY Awareness Week 2015, and we call this observance to the attention of all of those people who live Clarke County to work together to raise awareness and understanding of the abilities of people with disabilities.

Adopted this 17th day of March 2015.

ATTEST:

David S. Weiss, Chair

Vice Chairman 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

10) Personnel Committee Items

Expiration of Term for appointments expiring through May 2015

03-09-2015 Summary: The Personnel Committee recommends:

Berryville Area Development Authority

- Appoint Wingate Mackay-Smith to serve a 3-year term expiring 03-31-2018 assuming the seat previously held by Jerry Boyles

Clarke County Library Advisory Council

- Reappoint Adeela Al-Khalili to serve a 4-year term expiring 04-15-2019
- Reappoint Maxine Zinman to serve a 4-year term expiring 04-15-2019

Clarke County Planning Commission

- Reappoint Jon Turkel to serve a 4-year term expiring 04-30-2019
- Reappoint George Ohrstrom, II to serve a 4-year term expiring 04-30-2019

03/17/2015 Action: Chairman Weiss advised that he had been unable to reach Adeela Al-Khalili. **Supervisor Staelin moved to approve the recommendations of the Personnel Committee subject to agreement of Adeela Al-Khalili to serve an additional term. 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

11) Board of Supervisors Work Session and FY2016 Budget Work Session February 9, 2015

A. Reassessment Update by Steve Wampler, Wampler Eanes

03-09-2015 Summary: Steve Chastang, Appraiser – Wampler Eanes Appraisal Group, Ltd., appeared before the Board to provide an update the ongoing 2016 reassessment.

B. Virginia Department of Health Review and Discussion re FY2016 Funding Request

03-09-2015 Summary: Dave Crabtree appeared before the Board to discuss Health Department's FY2016 budget request and to update the Board on recruitment efforts to fill the vacancies in the Environmental Division.

C. FY2016 Budget Work Session with Tom Judge

03-09-2015 Summary: Tom Judge and the Board reviewed the latest Finance Committee updates to the FY2016 Budget.

By consensus, the FY2016 BoS Finance Committee Meeting scheduled for Thursday, March 12, 2015 at 5:30 pm was cancelled

03/17/2015 Summary / Action: Tom Judge appeared before the Board to provide an update on the FY2016 budget process. Highlights include:

- \$100,000 surplus in personal property.
- \$375,000 fee-for-service estimate; used projected surplus from personal property to decrease estimate to address more prudently this new source of revenue.
- 1.5% salary increase included for General Government, Social Services and Joint Administrative Services.
- 12.1% health insurance renewal rate. Joint Administrative Services Board will meet Monday to address increase.
- \$35,000 General Government Capital Projects to perform solid waste convenience center engineering study.
- \$6,800 additional funding to refuse disposal.
- \$94,977 rounding adjustment listed in Budget Balancing was an accounting “check figure” that had no impact on the budget and should not have been included in the document.

- Following discussion, the Board agreed to include in the FY2016 Budget funding for the position requested by Tim Coyne, member Addition Action Committee pending receipt of more information.

Supervisor Staelin moved to add \$10,000 to professional services contingency to fund the Addiction Action Committee's request, adjusting surplus to \$4,284. 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 Byrd moved to set public hearing on the FY2016 Budget and CY2015 Tax Rate for Tuesday, April 7, 2015 at 7:30 pm or as soon thereafter as the matters may be heard. 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

12) Finance Items

1. FY 15 Supplemental Appropriations.

03-09-2015 Summary: The Finance Committee recommends the following:

- a. Emergency Medical Dispatch Grant. *"Be it resolved that the FY 15 Capital Projects expenditure budget be increased \$57,454, that the same be appropriated, that revenue from the Commonwealth in the amount of \$45,963 be recognized, and that the designation from Government Savings be reduced in the amount of \$11,491, all for the purpose of purchasing new software to facilitate Emergency Medical Dispatch."*

03-17-2015 Action:

Following review by Tom Judge, **Supervisor Hobert moved to approve the Emergency Medical Dispatch Grant. The motion carried as follows:**

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

- b. Registrar Equipment Grant. *"Be it resolved that the FY 15 Registrar budget be increased \$1,774, and the same appropriated, and revenue from the Commonwealth in the same amount recognized, all for the purpose of purchasing photo ID equipment for the Registrar's Office."*

03-17-2015 Action:

Following review by Tom Judge, **Supervisor Hobert moved to approve the Registrar Equipment Grant. 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

2. Cooperative Extension Intern.

03-09-2015 Summary: The Cooperative Extension Office requests the use of \$2,000 currently budgeted for Extension Agent salaries, for use in the employment of a summer intern. These funds would be expended from Clarke County in FY 15, but the intern would be employed primarily in FY 16 (ie. After July 1). The Finance Committee recommends approval of this use of funds, but requests that the Extension office provide a detailed explanation as to why Extension Agent positions remain unfilled, and what the plans are for filling them.

3. FY2016 Budget Issues.

03-09-2015 Summary: The Committee discussed several issues including Government salary increases, the health insurance renewal, personal property taxes, etc. This will be discussed at the work session on the budget this evening.

- a. Split vehicle repeaters \$72K FY 16 and \$72K FY 17.
- b. Move both Parks planning projects to FY 17.
- c. Move Park to Town utility upgrades to FY 18.
- d. Move solid waste convenience center to FY 17.

03-17-2015 Summary: See Item 11 C. for details.

4. Acceptance of Bills and Claims

03-09-2015 Summary: February Bills and Claims were not available at the Finance Committee meeting due primarily to ERP training and weather. They will be available prior to the March regular meeting or the April Finance Committee meeting.

03-17-2015 Action: Supervisor Hobert commented on Building Department on travel and miscellaneous. He noted that the Planning Department was exceeding its budget due to an overlap in Senior Planner positions.

Supervisor Hobert moved to accept the February 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

5. Standing Reports

Reconciliation of Appropriations, General Fund Balance, Expenditure Summary.

13) Joint Administrative Services Board Update

Highlights of Tom Judge's update include:

- Met on 23rd of February
 - o Adopted FY2016 Budget request
 - o Health insurance renewal not yet received.
 - o ERP update provided.
 - o Training completed.
 - o Conversion is in process.
 - o Meeting with David Ash, Tony Roper, Chuck Bishop to discuss finalization of implementation.
 - o May 1 go live with financials.

- In April, will begin to plan for HR and Payroll.
- Conducted employee evaluation for Tom Judge.

14) Government Projects Update

David Ash provided the monthly project update. Highlights include:

- Sheriff's Office Renovation
 - Landscaping and punch list items remain.
 - Some Supervisors would like to tour the renovated facilities.
- Park Property
 - Controlled burn of former park office scheduled for the last Sunday of March at 8 am.
- 101 Chalmers Court – BCCGC
 - Demand for settlement made March 10. No response as of yet.

15) Miscellaneous Items

No miscellaneous items identified.

16) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Research septage information.	Alison Teetor
2.	Correct and process approved minutes.	Lora B. Walburn
3.	Process 2015-03R.	Lora B. Walburn
4.	Present 2015-03R to CCSB.	Supervisor Byrd
5.	Process and mail 2015-01P.	Lora B. Walburn
6.	Update Appointments database and send letters of appointment.	Lora B. Walburn
7.	Develop and advertise in the Winchester Star public hearing on FY2016 Budget and CY2015 Tax Rate.	Annette Gilley
8.	Assign public hearing numbers and develop budget and tax rate ad and place on County website.	Lora B. Walburn

17) Board Member Committee Status Reports

Supervisor Barbara Byrd:

- Tick Info Program: Set tentative date, June 4, for tick information meeting.

Supervisor J. Michael Hobert:

- Parks and Recreation: As reported by David Ash, the former Park Offices will be demolished in a controlled burn.
- CEA: Did not meet in February but will meet later this week.

Vice Chairman Bev McKay:

- NSVRC: Unable to attend due to a scheduling conflict.

Supervisor John Staelin:

- CCSA: Meeting tomorrow. With recent appointment to judgeship, Ian Williams can no longer serve on the Authority.
- Joint EDAC and Tourism: Director Economic Development and Tourism interviews scheduled for March 19.
- PC: Did not meet in March.
- Barns of Rose Hill: Reviewed visitor center application with Dianna Kincannon this morning.

Chairman David Weiss:

- Personnel Policy Meeting: Reviewed first two sections; changes made and distributed.
- EMS Commission: Things are progressing.
- SPC: Unable to attend Saturday session

18) Closed Session

No Closed Session held during the March 17, 2015 meeting.

19) Adjournment

There being no further business to be brought before the Board at 2:51 pm Chairman Weiss adjourned the Board of Supervisors meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, April 21, 2015 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: March 17, 2015

David S. Weiss, Chair

David L. Ash, County Administrator

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