

April 19, 2016

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, April 19, 2016.

Board Members Present

Mary L.C. Daniel – Berryville District; David S. Weiss - Buckmarsh / Blue Ridge District;  
Terri T. Catlett - Millwood / Pine Grove District; Barbara J. Byrd – Russell District;

Board Members Absent

Bev B. McKay – White Post District

Staff Present

David Ash, Tom Judge, Brandon Stidham

Constitutional Offices

Tony Roper

Press

Amy Alonzo - The Winchester Star

Others Present

Robina Rich Bouffault and other citizens

1) Call to Order

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

2) Adoption of Agenda

Add Under Miscellaneous:

- 1) Discussion of Help with Housing and FISH
- 2) Discussion of Possible Need for Burning Ban

**Supervisor Daniel moved to adopt the agenda as amended. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Absent
David S. Weiss	- Aye

3) Citizens Comment Period

No citizens appeared to address the Board.

4) VDOT

Clif Balderson, Residency Administrator, appeared before the Board to provide the monthly update.

Maintenance:

- Conducted grading operations on various non-hard surfaced routes and pothole repairs throughout the county;
- Removed large lots of trash and bags collected by AAH programs on secondary's;
- Used contractors for trash pickup on all primary's and secondary routes 606, 632, 638, 657 and 723;
- Contractor also swept Town of Boyce, Berryville and bridges on primary's;
- Repaired drop inlet on Rt. 7 mountain, Rt. 50 mountain, concrete ditch on Rt. 7 near Audley Farm and cleaned all drop inlets on primary's;
- Performed shoulder repairs on Rt. 7 and will continue with additional shoulder repairs this month;
- We will be performing ditching operations in the White Post area conducting patching operations for surface treatments as weather permits;
- Assisted Sign Forman with replacing delineators on Rt. 601 and removing excess signage on Rt. 7 at roundabout.

Projects:

- Allen Road: All clearances have been received for Allen Rd. Work will begin as soon as prep work for surface treatment is complete.

Board issues:

- Shoulder work on Rt. 611 completed.
- Shoulder work on Rt. 612 completed.
- Ditch grading at Rt. 606/50 completed.
- Pipe cleaning on Rt. 668 completed.
- Trash pickup in Millwood completed.
- Speed trailer in Millwood was placed this morning. Note- still having difficulty with recording data but at least it will act as traffic calmer.
- Stop signs in Millwood study. Still waiting on traffic engineering for official report.

Supervisor Catlett

- Bishop Meade Road: Asked if GPS signs could be removed now that no commercial vehicles signs are in place. Mr. Balderson said the signs could be removed.
- Route 7 and 601 Parking Area for the Appalachian Trail: Asked about parking in these areas. Mr. Balderson said that if the County can work to find additional land nearby for parking, he might be able to create a project to develop into parking.

Supervisor Byrd

- Senseny Road and Route 340: Constituent reports problems turning onto 340 from Senseny Road with a horse trailer due to proximity of power pole. Mr. Balderson will look into the matter.
- Route 340 and Mosby Boulevard: Has concerns with the timing of the traffic light at 340 and Mosby Boulevard.
- Old Charlestown Road: Has concerns with crumbling of road and shoulder on Old Charlestown Road as it goes down to the Opequon Creek. VDOT indicated that they have this on their maintenance list.
- Route 340 in front of 340 Depot: Has concerns that trucks are parking on northbound and are ignoring the “no parking” signs that have been posted – need to post additional signs or other measures to stop the illegal parking. There was a question about whether the parking is in the VDOT right of way or 340 Depot property. Mr. Balderson will visit the site.

Chairman Weiss

- Red Gate Road: Asked about the covered signs along Red Gate Road. Mr. Balderson said they are being uncovered and referenced the detour caused by the pending closure of the Morgan’s Ford bridge.
- Route 340 Waterloo Intersection: Asked about left turns into Handy Mart from 340 southbound. Mr. Balderson said no but that the construction of Handy Lane should fix this problem.

5) Hunt Country Cluster [at Historic Long Branch] Large, 3-Year Special Event Permit Application.

David Ash summarized the special event permit application.

**Supervisor Byrd moved to set public hearing for Tuesday, May 17, 2016 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
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Absent
David S. Weiss	- Aye

6) Revised Berryville Area Plan Discussion

Brandon Stidham advised the Board that Version 5 of the Berryville Area Plan contains all edits proposed by the Supervisors. By consensus, the Board deferred action to its May 17 regular meeting.

7) Approval of Minutes

Reminding that she was absent during the afternoon session, Supervisor Catlett requested correction to her recorded vote on Book 22 Page 448 and Page 449 from Aye to Absent.

**Supervisor Byrd moved to approve the minutes for:**

- **February 16, 2016 Regular Meeting as amended; and**
- **March 15, 2016 Regular Meeting as presented.**

**The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Absent
David S. Weiss	-	Aye

8) Consent Agenda

2016-03R Resolution of Appreciation and Recognition of Service Wilson Kirby

WHEREAS, Wilson Kirby was first elected to Berryville Town Council in 2002 and re-elected in 2006;

WHEREAS, Mr. Kirby was elected as Mayor of the Town of Berryville in May 2008 and re-elected in 2012, and,

WHEREAS, during his tenure, Mr. Kirby continuously strived to maintain open communication and a high level of cooperation between the Town and the County in the planning, construction and ongoing operation of the joint Berryville Clarke County Government Center, the construction of the new Clarke County High School, the construction of the Active Living Center, the renovations at the Court Complex, as well as the 2015 revision of the Berryville Area Plan.

NOW THEREFORE BE IT RESOLVED, by the Clarke County Board of Supervisors that Mayor Wilson Kirby be recognized and congratulated on 14 years continued service to the citizens of the Town of Berryville as a member of Town Council including 8 years as Mayor, and that he be congratulated on his successful career, and on the positive influence he has had on the Town of Berryville and Clarke County;

BE IT FURTHER RESOLVED, that his dedication, loyalty, and service to the Citizens of Berryville be hereby memorialized and that a suitable copy of this resolution be presented to Mr. Kirby as a token of the respect and high esteem in which he is held by the Clarke County Board of Supervisors, Constitutional Officers, and the staff of Clarke County.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the members of the Clarke County Board of Supervisors assembled in regular session on the Nineteenth day of April 2016.

Attest:

\_\_\_\_\_  
David S. Weiss, Chairman

2016-05R Resolution of Appreciation and Recognition of Service Dwight Brown

WHEREAS, Dwight Brown came to Clarke County in 1984 and served the next 32 years as priest-in-charge at Grace and St. Mary's Episcopal Churches; and

WHEREAS, Mr. Brown's positive and gracious attitude has affected lives throughout the community through his service on the Clarke County Board of Social Services from 2009 to present and acting in the capacity of prison chaplain.

NOW THEREFORE BE IT RESOLVED, by the Clarke County Board of Supervisors that Dwight Brown be recognized and congratulated on his years of continued service to the citizens of Clarke County in his appointed positions, that he be congratulated on his successful career and on the positive influence he has had on Clarke County;

BE IT FURTHER RESOLVED, that his dedication, loyalty, and service to the Citizens of Clarke be hereby memorialized and that a suitable copy of this resolution be presented to Mr. Brown as a token of the respect and high esteem in which he is held by the Clarke County Board of Supervisors, Constitutional Officers, and the staff of Clarke County.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the members of the Clarke County Board of Supervisors assembled in regular session on the Nineteenth day of April 2016.

Attest:

\_\_\_\_\_  
David S. Weiss, Chairman

Conservation Easement Authority Digges Boundary Line Adjustment

MEMORANDUM

TO: Board of Supervisors, David Ash

FROM: Alison Teetor

DATE: April 7, 2016

SUBJECT: Conservation Easement Authority

The Clarke County Easement Authority has approved the following actions. 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.

Digges Boundary Line Adjustment

Eric and Kyle Digges are owners of 139 acres of the Greenway Court property (Tax Map# 28-A-52). The parcel was placed in easement with the County in 2003. A discrepancy between a neighboring property survey has come up that requires a boundary line adjustment to resolve. The attached plat [refer to packet] shows a difference of 1.9957 acres between the original survey completed when the easement was recorded, and a 2014 survey of Fairfax acres (Tax Map# 28-A-51). In order to resolve the difference, the Digges would like to complete a Boundary Line Adjustment to the southern property line as shown on the attached aerial map (green hashed area).

In order to address this concern, Mr. Mitchell was consulted. He suggested a deed of correction could be recorded with a boundary line adjustment that would allow for no change in the net acreage but allow for the discrepancies in the surveys.

Laura Thurman, Easement Project Manager, at the Virginia Outdoors Foundation was consulted to determine how VOF handles similar situations. She agreed with Mr. Mitchell's approach.

Recommendation

Approve the proposed Boundary Line Adjustment and deed of correction to correct the discrepancy in the survey data.

**Supervisors Catlett moved to approve the items on the Consent Agenda as presented. The motion carried by the following vote:**

- |                  |          |
|------------------|----------|
| Barbara J. Byrd  | - Aye    |
| Terri T. Catlett | - Aye    |
| Mary L.C. Daniel | - Aye    |
| Beverly B. McKay | - Absent |
| David S. Weiss   | - Aye    |

9) Board of Supervisors Personnel Item

A. Expiration of Term for appointments expiring through July 2016

04-11-2016 Summary: The Personnel Committee recommends the following action:

- Reappoint Brandon Stidham to the Northern Shenandoah Valley Regional Commission to serve a three-year term expiring January 31, 2019.
- Reappoint Nancy Foster Clarke County Library Advisory Council to serve a four-year term expiring April 15, 2020.

04-19-2016 Action: David Ash reviewed the Personnel Committee recommendations. He advised that subsequent to the meeting committee members had confirmed that Betsy Arnett and Paige Carter were willing to continue to serve on the Clarke County Historic Preservation Commission.

- Reappoint Betsy Arnett to the Clarke County Historic Preservation Commission to serve a four-year term expiring May 31, 2020.
- Reappoint Paige Carter to the Clarke County Historic Preservation Commission to serve a four-year term expiring May 31, 2020.
- Reappoint Brandon Stidham to the Northern Shenandoah Valley Regional Commission to serve a three-year term expiring January 31, 2019.
- Reappoint Nancy Foster Clarke County Library Advisory Council to serve a four-year term expiring April 15, 2020.

**Supervisor Daniel moved to approve the Personnel Committee recommendations. The motion carried by the following vote:**

- |                  |          |
|------------------|----------|
| Barbara J. Byrd  | - Aye    |
| Terri T. Catlett | - Aye    |
| Mary L.C. Daniel | - Aye    |
| Beverly B. McKay | - Absent |
| David S. Weiss   | - Aye    |

**B. Personnel Policy Review**

04-11-2016 Summary: David Ash updated the Committee on the status of personnel policy review.

04-19-2016 Action: David Ash informed the Board that he had provided the Committee with an update on the personnel policy review and Springsted recommendation advising that once the pay and classification issues were resolved he would work with Constitutional Officers on providing a draft of the personnel policy revision.

David Weiss added that the Committee was hoping to complete within the next sixty days. He explained that the previous Board approved the pay and classification study but had discovered that there were some discrepancies. He instructed David Ash to work with the consultant to get answers and present resolution to identified issues, such as compression and grade, to the Personnel Committee for initial review. Final review will be conducted by the full Board of Supervisors.



C. Telecommunications Broadband RFP

04-19-2016 Action: David Ash explained that at the Board’s request Brandon Stidham had issued a request for proposal [RFP]. He stated that there was some question about membership on the committee to review and make recommendation to the Board on selection of the proposals.

Chairman Weiss added that the Board had previously discussed what kind of input the Board would have on the hiring of the consultant to work on the broadband issue. He advised that he had asked Mary Daniel to serve on the committee and he felt it appropriate that the Chairman of the Planning Commission, George Ohrstrom, II, serve, also Rod DeArment, Chairman, of the Clarke County Sanitary Authority, along with David Ash and Brandon Stidham. He said that he did not want a very large committee for it could make interviewing more difficult. Mr. Weiss opined that he believed that the proposed persons represented the factions involved. He stated that Brandon Stidham had distributed information to the Planning Commission and others to get feedback on the broadband RFP. He opined that the consensus of the Board was not to change ordinances, not to move forward in other directions, until the consultant finished its work. He further opined that if the applicants were not satisfactory the Board could rethink its strategy.

10) Board of Supervisors Work Session and FY2017 Budget Work Session

A. Northwestern Regional Jail Authority Presentation

04-11-2016 Summary: Captain Allen Barr appeared in support of the Northwestern Regional Adult Detention Center request of the Board of Supervisors of Clarke County, Virginia, Consenting To The Issuance Of Revenue Obligations By The Northwestern Regional Jail Authority Pursuant To The Second Amended And Restated Regional Jail Agreement And Other Matters In Connection Therewith. Captain Barr provided the Board with information regarding the cost and the need to replace, update and supplement security components at the facility.

**Supervisor Byrd moved to adopt 2016-04R Resolution Of The Board Of Supervisors Of Clarke County, Virginia, Consenting To The Issuance Of Revenue Obligations By The Northwestern Regional Jail Authority Pursuant To The Second Amended And Restated Regional Jail Agreement And Other Matters In Connection Therewith. The motion carried by the following vote:**

- Barbara J. Byrd - Aye
- Terri T. Catlett - Aye
- Mary L.C. Daniel - Aye
- Beverly B. McKay - Aye
- David S. Weiss - Aye

**Resolution Of The Board Of Supervisors Of Clarke County, Virginia, Consenting To The Issuance Of Revenue Obligations By The Northwestern Regional Jail Authority Pursuant To The Second Amended And Restated Regional Jail Agreement And Other Matters In Connection Therewith  
2016-04R**

**WHEREAS**, the Counties of Clarke, Fauquier and Frederick, Virginia, and the City of Winchester, Virginia (collectively, the “Participating Jurisdictions”), have created the Northwestern Regional Jail Authority (the “Authority”) pursuant to Chapter 3, Article 3.1 of Title 53.1 (the “Act”) of the Code of Virginia, 1950, as amended (the “Code”), for purposes of owning and operating the Northwestern Regional Adult Detention Center (the “Regional Jail”);

**WHEREAS**, the Participating Jurisdictions and the Authority have entered into a Second Amended and Restated Regional Jail Agreement dated as of June 1, 2005 (the “Jail Agreement”), providing for the ownership, operation and financing of the Regional Jail;

**WHEREAS**, the Authority proposes to undertake certain capital improvements to the security system at the Regional Jail (the “Project”);

**WHEREAS**, to finance the Project, the Authority proposes to issue an additional series of Obligations (as defined in the Jail Agreement) (the “2016 Obligations”) payable from and secured by amounts derived from the below-described Participating Jurisdiction Obligations in accordance with the terms of the Act and the Jail Agreement;

**WHEREAS**, pursuant to Sections 4 and 6.F. of the Jail Agreement, the Participating Jurisdictions have each agreed to pay to the Authority amounts sufficient to pay when due its respective share of the principal of and interest on the Obligations, including the 2016 Obligations, based upon the “Allocation Formula” set forth in Section 4.A. of the Jail Agreement as such Allocation Formula may be adjusted pursuant to Section 6.F. in the event the Authority lacks sufficient funds to pay scheduled debt service on the Obligations or certain other costs (the “Participating Jurisdiction Obligations”);

**WHEREAS**, the Authority has determined it is in the best interest of the Authority to sell the 2016 Obligations to the Virginia Resources Authority (“VRA”); and

**WHEREAS**, the Authority has requested the consent of the Participating Jurisdictions to the issuance of the 2016 Obligations as provided in Section 3 of the Jail Agreement and VRA has required the Participating Jurisdictions to enter into certain agreements and to acknowledge certain matters as conditions to VRA’s purchase of the 2016 Obligations;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS (THE “BOARD”) OF CLARKE COUNTY, VIRGINIA (THE “COUNTY”):**

1. The Board approves and consents to the undertaking of the Project, the issuance of the 2016 Obligations by the Authority in a principal amount not to exceed \$2,795,000 in accordance with Section 3 of the Jail Agreement, the use of the proceeds of the 2016 Obligations to finance the Project and the costs of issuance related to the 2016 Obligations and the sale of the 2016 Obligations to VRA.

2. The Board (i) acknowledges that the 2016 Obligations will be payable from and secured by amounts derived pursuant to the Participating Jurisdiction Obligations, (ii) acknowledges that VRA would not purchase the 2016 Obligations without the security and credit enhancement provided by the Participating Jurisdiction Obligations, (iii) acknowledges that both the 2016 Obligations and the Participating Jurisdiction Obligations are "local obligations" within the meaning of Section 62.1-199 of the Code, (iv) agrees that VRA is a third party beneficiary of the Jail Agreement, and (v) agrees that the Jail Agreement may not be modified or amended without VRA's prior written consent.
3. For purposes of Section 265(b)(3)(C)(iii) of the Internal Revenue Code of 1986, as amended, the County irrevocably agrees that the amount of the 2016 Obligations shall be allocated to each Participating Jurisdiction in the same proportion that each Participating Jurisdiction has been allocated payment responsibilities under the "Allocation Formula," determined for Fiscal year ending June 30, 2016, under the Jail Agreement with respect to the 2016 Obligations.
4. The County Administrator is hereby authorized and directed to execute and deliver such other documents as are necessary to enable the Authority to finance the costs of the Project, including, but not limited to, any agreements or certificates requested by VRA. Any other County official so designated by the County Administrator is hereby similarly authorized and directed to execute and deliver such other documents.
5. All other acts of the officers of the County, heretofore or hereafter taken, that are in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the 2016 Obligations by the Authority and the undertaking of the Project, are hereby approved, ratified and confirmed.
6. Nothing in this Resolution or in the Jail Agreement is or shall be deemed to be a lending of the credit of the County or other Participating Jurisdictions to the Authority or to any holder of any of the 2016 Obligations or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County or the other Participating Jurisdictions within the meaning of the Constitution of Virginia.
7. This Resolution shall take effect immediately.

Adopted: April 11, 2016

**CERTIFICATE**

The undersigned Clerk or Deputy Clerk to the Board of Supervisors of Clarke County, Virginia hereby certifies that the foregoing is a true, correct and complete copy of a Resolution adopted by a majority of the Board members present and voting at a meeting duly called and held on April 11, 2016, in accordance with law, at which meeting a quorum was present and acting throughout, and such Resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof.

WITNESS my hand this 11th day of April, 2016.

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

Administrator  
Clerk to the Clarke County,  
Virginia Board of Supervisors

04-19-2016 Action: Information Only

B. Potential Issue with "Waterworks" Regulations in Zoning Ordinance

04-11-2016 Summary: Brandon Stidham brought to the Board's attention a potential problem with the Zoning Ordinance with the installation of waterworks in the AOC/FOC Districts by users of permitted activities. Mr. Stidham recommended the Board forward this issue to the Planning Commission for consideration of a text amendment. The Board concurred.

04-19-2016 Action: Information Only

C. Initial Review - Code of Clarke County, Virginia Proposed Amendment CC-2016-02 Chapter 24 Officers and Employees Article IV Employment, licensing and volunteer service; background check.

04-11-2016 Summary: The County Administrator reviewed a proposed ordinance providing for background checks and fingerprinting and recommended that the matter be placed on the April 19 agenda to set public hearing. Chief Deputy Travis Sumption provided changes to 24-6 C and D.

04-19-2016 Action: **Supervisor Byrd moved to set public hearing for Tuesday, May 17, 2016 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
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Absent
David S. Weiss	- Aye

D. Closed Session Pursuant to §2.2-3711-A7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

04-11-2016 Summary: **Supervisor Daniel moved to convene into Closed Session pursuant to §2.2-3711-A7. The motion carried as follows:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

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, **Vice Chairman McKay moved to reconvene in open session. The motion carried as follows:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

**Vice Chairman 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
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

04-19-2016 Action: Information Only

11) Board of Supervisors Finance Items

1. FY 16 Supplemental Appropriations

04-11-2016 Summary:

- a. Salary Increase Adjustments. *The Finance Committee recommends the following: "Be it resolved that the attached adjustments totaling \$49,696 be transferred from the personnel contingency to respective departments to cover the salary increase granted earlier this fiscal year".*

04-19-2016 Action: **Supervisor Byrd moved to approve the resolution as proposed. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Absent
David S. Weiss	- Aye

- b. Greenway Court. *The following action is proposed: "Be it resolved that the FY 16 General Government Capital Projects fund budget be increased \$33,900, and the same appropriated, and that revenue from the Commonwealth be recognized in the amount of \$23,900, and revenue from the Greenway Court Foundation recognized in the amount of \$10,000, all for the purpose of restoring the Greenway Court historic structures."*

04-19-2016 Action: **Supervisor Catlett moved to approve the resolution as proposed. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Absent
David S. Weiss	- Aye

2. Modification to Planning Fees and Request for Waiver.

04-11-2016 Summary: The Finance Committee heard a citizen request for refund of a portion of planning fees arising from a situation where a boundary line adjustment results in the need for a rezoning. This situation results in a fee that is disproportionate to the review time required by County staff. The Planning Director proposed bringing forward a recommendation for a new fee to cover such situations at the May Finance Committee. Since the Committee meeting it has become clear that the full fee has already been paid, though the check has not been cashed. **Action: The Board should consider two options:**

- a. Grant a waiver now that would refund a portion of the fee, and consider the policy next month.
- b. Consider the policy next month, and adopt it with a retroactive clause that would ensure that this particular case was treated under the new policy, including a refund if applicable.

04-19-2016 Action: **Following discussion, the Board chose Option b. and deferred action until May when the new fee with retroactivity clause is considered.**

3. Acceptance of Bills and Claims

Following explanation by Tom Judge of one-time vendor payment process, **Supervisor Byrd moved to accept the March 2016 Bills and Claims as presented. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Absent
David S. Weiss	- Aye

4. Standing Reports

Reconciliation of Appropriations, General Fund Balance, Expenditure Summary/YTD Budget Reports

12) Joint Administrative Services Update

Tom Judge provided an update. No action items were identified.

13) Government Projects Update

David Ash provided the monthly project update. By consensus, the Board supports moving forward on the engineering work for the convenience center site plan and special use permit applications.

14) Miscellaneous Items

Help With Housing

David Ash advised the Board that Help with Housing is ceasing operation on April 28 and FISH is interested in taking over the lease.

Following discussion, the Board supports having the County Attorney review the lease and determine best course of action moving forward to allow FISH to lease the building.

Discussion of Possible Need for a Burn Ban

David Ash told the Board that at the advisement of the Fire and EMS Director, Frank Davis, there might be a need to initiate a burning ban due to a continued lack of rain. He informed the Board that County ordinance granted him the authority to issue a burn ban.

15) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Correct and process approved minutes.	Lora B. Walburn
2.	Process and advertise Hunt County Cluster Special Event Permit Application for public hearing.	Lora B. Walburn
3.	Process 2016-03R and 2016-05R.	Lora B. Walburn
4.	Update appointment database and process notice of appointment.	Lora B. Walburn
5.	Process 2016-04R.	David Ash
6.	Process and advertise Code Amendment for public hearing.	Lora B. Walburn

16) Board Member Committee Status Reports

Supervisor Mary L.C. Daniel



- Library Advisory Committee:
  - Attended her first meeting.
  - Money bequeathed to Handley Regional Library must be spent on the premises of the Winchester library.
  - Considering a suitable event to honor the late Charles Burwell, a great patron and library supporter.
- Planning Commission:
  - Received the same potential waterworks issues update by Brandon Stidham.
  - Continue to monitor Hecate submission. Public hearing scheduled for May 6.

Supervisor Terri Catlett

- Millwood Community:
  - Met last evening.
  - Thanked County and VDOT for addressing its concerns.
  - One citizen suggested installation of a plug-in for electrical cars at the Mill as a way to attract tourists.
- School Board: Presented plans for Berryville Primary.
- Parks and Recreation Advisory Board: Meets tomorrow.

Supervisor Barbara J. Byrd

- Board of Social Services: Meets this week.
- Litter Committee: Group does not meet regularly.
- Town of Berryville: Candidates for Town Council spoke. Some town citizens seem to be confused about the reassessment.
- Clarke County Humane Foundation: Waiting on notice of acceptance from a potential new member.
- Juvenile Detention Center: All things working well. Sheriff Milholland will represent the jail board. Clarke County was issued a refund.
- Regional Adult Detention Center: Committed to the new security system.
- CEA: Meets next week.

Chairman David S. Weiss

- Fire and EMS Commission:
  - Frank Davis and the volunteers are making progress.

- Reducing response times.
- All working to implement portions of the strategic plan.
- In an effort to help increase coverage, Omnicon researched the portable radio system and made recommendations for Commission review.
- Economic Development Advisory Committee: Len Capelli doing good work – still pushing in different areas such as the Artisan Trail. Some businesses are expressing interest.

17) Closed Session

No Closed Session called.

18) Adjournment

At 2:43 pm, being no further business, Chairman Weiss adjourned the meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, May 17, 2016 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: April 19, 2016

\_\_\_\_\_  
David S. Weiss, Chair

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

\_\_\_\_\_  
Minutes Recorded By: David Ash, Clerk to the Board of Supervisors, and Brandon Stidham,  
Planning Director

Formatted and Edited By: Lora B. Walburn, Deputy Clerk to the Board of Supervisors