

July 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, 2nd Floor, Berryville, Virginia conducted on Tuesday, July 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; Bev B.
McKay – White Post District

Board Members Absent

Afternoon Session: None

Evening Session: None

Staff Present

David Ash, Ryan Fincham, Tom Judge, Robert Mitchell, Brandon Stidham, Alison Teetor

Constitutional / State Offices

Barbara Bosserman, Travis Sumption

Press

Jim McConville - The Winchester Star

Others Present

Chris Bates, Keith Dalton, Don De Haven, Carol Westervelt, Steven A. Soechtig, Barbara
M. Soechtig and other citizens

1) Call to Order

Chairman Weiss called the afternoon session to order at 1:04 p.m.

2) Adoption of Agenda

David Ash requested the addition of the following items:

- Action Item 10B: Request to award telecommunications contract
- 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.
- Fire & EMS Commission Requested Action to Modify Commission Membership

Supervisor Catlett moved to adopt the agenda as modified. 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

3) Citizens Comment Period

Chris Bates, Stonewall Jackson Highway, White Post: "We have had this type of discussion on Route 522 since 2002. A brief survey of the minutes of this Board finds that the issues that exist to today have existed off and on, sporadically, for the last 15 years that we can record. Today, as I came over, I noticed that VDOT was out making some adjustments on the shoulders. I would suggest here today that you need to ask VDOT exactly what they intend to do, when they intend to do it, what standard they are applying to the job, and what they intend to do to make sure that the road does not get into this condition again.

The second point is the light. VDOT is probably going to ask for an extension and want to do another study on the light to see if it should be turned on. They have a warrant system, or what they call a warrant system; they did it last October. The crowning part of this warrant system is that they do a traffic count. Now, when they did this traffic count through the light, they had a man supposedly sitting there for 12 hours monitoring the machinery counting 14,000, nearly 14,000, vehicles. They took no comments from this guy as to how traffic was handling the intersection. Yet, any of you that have been to the intersection, in fact even Ed [Carter], who was out there today with a traffic engineer, standing there for 15 minutes, found a half a dozen cars that have trouble negotiating the light. The warrant

system is deficient in that it does not identify what the issues are with the light, why you have to come and look.

Thirdly, the accident reporting is remiss. We've had this problem for 20 years. We first ran into the problem when we were talking about subdivision. But, the State Police does not have a system where they can record individual calls to accidents on any particular spot. They only can record, keep track of those accidents that are over \$1,500 supposedly; and then, they report it to the record keeper, which is DMV, which leaves us with a report that is in the warrant search that there are only 4 accidents in the last 3 or 4 years. Of course, I've seen that many while I'm fixing the fence. So, in this particular instance, I would ask that you ask our Sheriff to contact the State Police and work out a system where we keep track of all accidents that occur on this section. It is really important that we know what we are doing and that we correct this problem.

I hope this is the last time, this week, that I'll be here. Thank you."

Supervisor Byrd asked if the greeter at the local Costco was killed there.

Mr. Bates confirmed that he was killed in front of his property.

Supervisor Byrd asked how long after Mr. Bates addressed the Board that the death occurred.

Mr. Bates responded that the death occurred seven days after he addressed the Board about safety issues.

Supervisor Byrd commented that citizens were very upset. She said that she had spoken with one of the first responders on scene and he was "torn up" over it. She continued that everyone that goes to Costco knew this man and persons have now set up a scholarship in his honor.

Supervisor Catlett added that she knew the man killed in the accident.

Mr. Bates stated that there were 22,000 vehicles trips per day through the intersection in question. He opined that the stretch was "accident alley" and just waiting for more accidents to happen.

Vice Chair McKay opined that what made it worse was when the warrants were first done the subdivision was supposed to be age restricted and there was supposed to be an exit out onto Route 277. He said that now the subdivision is no longer age restricted and there is no exit out onto Route 277. He opined that the intersection did not meet the initial intent.

Chairman Weiss stated that the Board was concerned and would be address the matter with VDOT later in the meeting.

Chairman Weiss commented that the Community had suffered two losses, very randomly and very strikingly. Mr. Travis, killed on Route 522 at the intersection in question, and Richard Lewis. He remarked that he found it startling that these two wonderful men were taken so suddenly, so tragically. He extended the Board's thoughts and prayers to the families.

4) VDOT Update

Ed Carter, Assistant Residency Administrator, with Charlie Monroe, appeared before the Board to provide the monthly update.

Maintenance:

- Completed secondary mowing;
- Picked up large trash items on primary's and applied dust control to non-hard surfaced roads;
- We will be performing plant mix leveling on routes 611, 620 and 761;
- Conducting patching operations on routes 627, 628, 644, 658 and 659.

Projects:

- Allen Road R/R is under construction. Trimming, brush removal, grading and base stone placement is complete. Surface treatment is schedule to begin July 26.

Board issues:

- Moose Road – Placed additional signage and chevrons to act as traffic calming. Road is already posted at 25 MPH.
 - Traffic Engineering did review.
 - Signs and chevrons on the turn were added.
 - 25 MPH is the lowest that VDOT can post.
 - VDOT has done all it can do and it is a matter of law enforcement.
- Lake Frederick – VDOT is planning to do another warrants study in September after school starts and summer vacations are over. This will allow us to capture the maximum traffic at the intersection. In the interim we will be doing some additional markings at the intersection to help with traffic flow. Route 522 is a federal highway. This is the first fatality at that intersection; several other fatalities on this road have all resulted by vehicles rear-ended at intersections.

Highlights of discussion include:

- VDOT has surveyed the area.
- Warrants:
 - Another warrants study is planned for after Labor Day to maximize the amount of traffic at the intersection.
 - Warrants are a federal initiative.
 - Route 522 and Route 340 are federal roads; and unless the warrants are met, VDOT does not have the authority to act.
 - Lights on a high-volume, high-speed primary road increase accidents.
 - The recent fatality is the first recorded on that section of highway.
 - There are other fatalities on the road between that point and I66 and all those fatalities were the result of rear-end collisions at a red light.
 - VDOT wants to ensure that it is within the guidelines to minimize accidents as much as possible.
 - For warrant studies, VDOT uses persons to count traffic. At the request of Supervisor Byrd, Mr. Carter will ask about use of cords across the road. He informed Supervisor Byrd that cords used for traffic counts do not record speed.
 - Counts will be conducted several times in the week during peak hours.
- Traffic Engineers have visited and recommend:
 - Line-marking changes at the intersection.
 - Delineate out one of the double left turns.
 - Pronounce stop bars.
 - May paint "Stop Ahead" on the pavement.
- VDOT has been in contact with all the local legislators since the tragedy.
- The intersection has two stop signs and two blinking red lights and police reports indicate that the person who caused the recent accident resulting in fatality chose to pull out in front of another vehicle.
- Today, driver inattention is the number one cause of vehicular accidents.
- VDOT has discussed turn off the blinking light at the intersection; and if the intersection does not meet the warrants in the upcoming study, the lights will be turned off. VDOT will also evaluate the option of "flipping up" the signal lights.
- Lake Frederick subdivision:
 - 300 building permits issued this year for the subdivision and since the last warrant study in October 2015.

- 355 of the 372 single-family units, 52 townhouse units are now occupied; 69 still unoccupied.
- Placement of a traffic light was part of the developer's proffer.
- Development based on forecasted growth prior to the economic downturn.
- The light has been in place for approximately eight to nine years.
- In the October count, there were 676 vehicles exiting the subdivision and approximately 12,500 vehicles running north and south on Route 522.
- With 300 new homes, the restaurant opening and the removal of age-restriction allowing for school-age children, VDOT expects to find increased traffic from the subdivision.
- Rumble Strips / Speed Bumps:
 - VDOT will use rumble strips on some roadways.
 - VDOT does not place speed bumps.
 - Speed bumps can factor in rear-end collisions.
 - Speed bumps snow removal problems.

Chairman Weiss stated that prior to the traffic study the Board was asking VDOT to take any measure to create a better system and make it safer in the interim.

Supervisor Byrd reminded of the problems with the shoulders on southbound side of Route 522. She further reminded that the road was built in two stages with the southbound side built first. She opined that the northbound side was a "speed road."

Ed Carter advised that VDOT was currently addressing shoulder issues.

Supervisor Catlett

- Millwood Water Tower: Constituent living next to the water tower is reporting stormwater on property. Ed Carter advised that the road was private. Vice Chair McKay offered to review the matter with Supervisor Catlett.

Supervisor Byrd

- No Parking Signs by Route 340 Cigarette Store: Trucks are parking between No Parking signs. Ed Carter advised that the signs were not placed to block parking but placed to authorize law enforcement to write tickets. Brandon Stidham confirmed that there was no legal parking lot in front of the store.

Vice Chair McKay

- Swift Shoals Road: VDOT's Charlie Monroe looked but did not find the reported culvert. Vice Chair McKay will check with constituent reporting the problem.

5) People Inc. Annual Report by Rob G. Goldsmith, President and CEO

Rob G. Goldsmith distributed the 2015 Annual Report to member of the Board and reviewed those statistics specific to Clarke County. He thanked the Supervisors for appointing Colleen Hillerson as its representative on the People Inc. Board. He further thanked Brandon Stidham for his service on the enterprise development team.

At the request of Chairman Weiss, Mr. Goldsmith provided a brief synopsis of People Inc. Highlights include:

- 52-year old organization
- Non-profit corporation
- Community action agency
- Mission is to provide opportunity for economic development to disadvantages people to reach their goal to enhance their lives, families and community.
- Work with people that a goal and try to take a step forward with their life.
- Approach when expanding into new areas, such as Clarke, is to fill any gaps in coverage.
- Do not try to compete with established non-profits in an area.
- Areas of focus:
 - Provide housing assistance / affordable housing
 - Small business development / job creation opportunities
 - Human development
 - Early childhood development
 - Job training

Chairman Weiss opined that People Inc. does a great job, is great organization, and expressed the Board's appreciation for its service. He advised Mr. Goldsmith to let the Board know of anything it could do to facilitate its efforts to address local needs.

6) Reschedule November BoS Regular Meeting Date from Tuesday, November 15, to Thursday, November 3 – in conjunction with Committee Meetings [no evening session], or Thursday, November 17 or Tuesday, November 22 [no evening session]

Following discussion, by consensus, the Board agreed to Option 1 Thursday, November 3, 2016, Regular meeting in lieu of Work Session and Committee meetings.

David Ash reminded that, due to room availability, it would be afternoon session only.

7) Approval of Minutes

Supervisor Byrd moved to approve as presented the minutes for June 21, 2016 Regular Meeting. 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

Vice Chair McKay moved to approve as presented the minutes for June 29, 2016 Joint Meeting Clarke County Board of Supervisors and Berryville Town Council. The motion carried by the following vote

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

8) Consent Agenda

- A. 2016-10R Resolution authorizing the Sheriff of the Clarke County Sheriff's Office to take all necessary steps to withdraw from membership in the Rappahannock Regional Criminal Justice Academy and to establish membership in the Skyline Regional Criminal Justice Academy

**Resolution authorizing the Sheriff of the Clarke County Sheriff's Office to take all necessary steps to withdraw from membership in the Rappahannock Regional Criminal Justice Academy and to establish membership in the Skyline Regional Criminal Justice Academy
2016-10R**

WHEREAS, the County of Clarke has been a training member of the Rappahannock Regional Criminal Justice Academy since 1998 or thereafter; and

WHEREAS, the County of Clarke has enjoyed an excellent relationship with the other localities participating in the Academy, and has received thorough and effective training for its law enforcement/jail/communications officers at the Academy; and

WHEREAS, an analysis of the current training needs by the Clarke County Sheriff's Office has revealed that participation in the Skyline Regional Criminal Justice Academy would provide a Department of Criminal Justice Services curriculum and result in cost savings; and

WHEREAS, the Sheriff of the Clarke County Sheriff's Office has determined that it is in the best interest of the Clarke County Sheriff's Office and the County of Clarke to withdraw from membership in the Rappahannock Regional Criminal Justice Academy and establish membership in the Skyline Regional Criminal Justice Academy; and

WHEREAS, Section 15.2-1747(D) of the Code of Virginia, 1950, as amended, provides that a governmental unit may withdraw from an academy created under this section or § 15.2-1300 only by two-thirds vote of the Board of Directors of the academy. The governing body of the governmental unit seeking to withdraw from the academy shall signify its desire by resolution or ordinance. The Board of Directors shall consider requests to withdraw in October 2016, and in October of every fifth year thereafter. No requests to withdraw shall be considered at any other time, unless agreed to unanimously. Any withdrawal approved by the Board of Directors shall be effective on June 30 of the following year; and

WHEREAS, at the regular May 12, 2016 meeting of the Criminal Justice Service Board unanimous agreement was given to allow the withdrawal of the Clarke County Sheriff's Office from Rappahannock Regional Criminal Justice Academy membership and allow membership in Skyline Regional Criminal Justice Academy, effective June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED by the County of Clarke that it hereby expresses its desire for the County to withdraw from the Rappahannock Regional Criminal Justice Academy and to establish membership in the Skyline Regional Criminal Justice Academy for criminal justice purposes; and

BE IT FURTHER RESOLVED the Sheriff of the Clarke County Sheriff's Office be, and is hereby, directed to take all actions necessary to effect the withdrawal from the membership of the Rappahannock Regional Criminal Justice Academy and to establish membership in the Skyline Regional Criminal Justice Academy for criminal justice purposes; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Rappahannock Regional Criminal Justice Academy and to the Director of the Virginia Department of Criminal Justice Services.

Adopted at the regular meeting of the Clarke County Board of Supervisors in Clarke County, Virginia held on July 19, 2016.

David L. Ash, County Administrator
Clerk to the Clarke County, Virginia Board of Supervisors

B. ArchiveSocial Contract for Social Media Records Management

Account Set Up Form

Thanks for choosing ArchiveSocial for your social media records solution.

The following document confirms the purchase of ArchiveSocial and is required for set up of a new account. Please complete any incomplete fields below, return by email to us, and we will create your new archive.

Your Subscription Plan: Economy

Account name: Clarke County, Virginia

Billing start date: July 6th, 2016

Plan & pricing: 10 Accounts, 1,000 Records, \$2,388/year

Billing Contact Information

Name: Lora B. Walburn
Title: Records Officer County Administration
Email: lwalburn@clarkecounty.gov
Phone Number: 540.955.5175

Account Administrator Contact Information

Name: David Ash
Title: County Administrator
Email: dash@clarkecounty.gov
Phone Number: 540.955.5100

What's included:

- Unlimited data storage
- Unlimited data exports
- Records from the beginning of your social media pages
- Phone and Email customer support
- Dedicated Account Manager

License agreement: Your use of the service will be subject to our standard terms of service available on our website.

Payment process: We will issue an invoice for 12 months of service which is payable on net-30 terms via check or credit card.

Please complete this form and return it by email for us to complete your account set up.

C. Funding Appropriation to the Conservation Easement Authority Local Fund Moore & Dorsey Conservation Easement Purchase

MEMORANDUM

TO: Board of Supervisors, David Ash

FROM: Alison Teetor

DATE: July 13, 2016

SUBJECT: Application for DUR Purchase – Moore & Dorsey, Inc.

The Conservation Easement Authority is requesting approval of the following easement purchase. Tupper Dorsey is asking for consideration of easement DUR purchases on the following parcels (see attached maps). His goal is to protect the land through conservation while obtaining some capital for investing in the current farming operation and providing marketable properties for future heirs. All parcels qualify for the maximum \$40,000 payment/DUR less the income deduction:

Tax Map 16-A-17 – 134 acres, vacant, 5 DURs – Mr. Dorsey has requested that he be permitted to subdivide this piece into 3 parcels, retiring 2 DURs

Tax Map 16-A-22 – 121 acres, 1 exemption, 4 DUR's – Mr. Dorsey would like to subdivide one 39 acre property adjacent to Rt 7, leaving an 82 acre residual with 4 DURs, He would place the 82 acres in easement retiring 2 DURs with the ability to subdivide into 2 parcels.

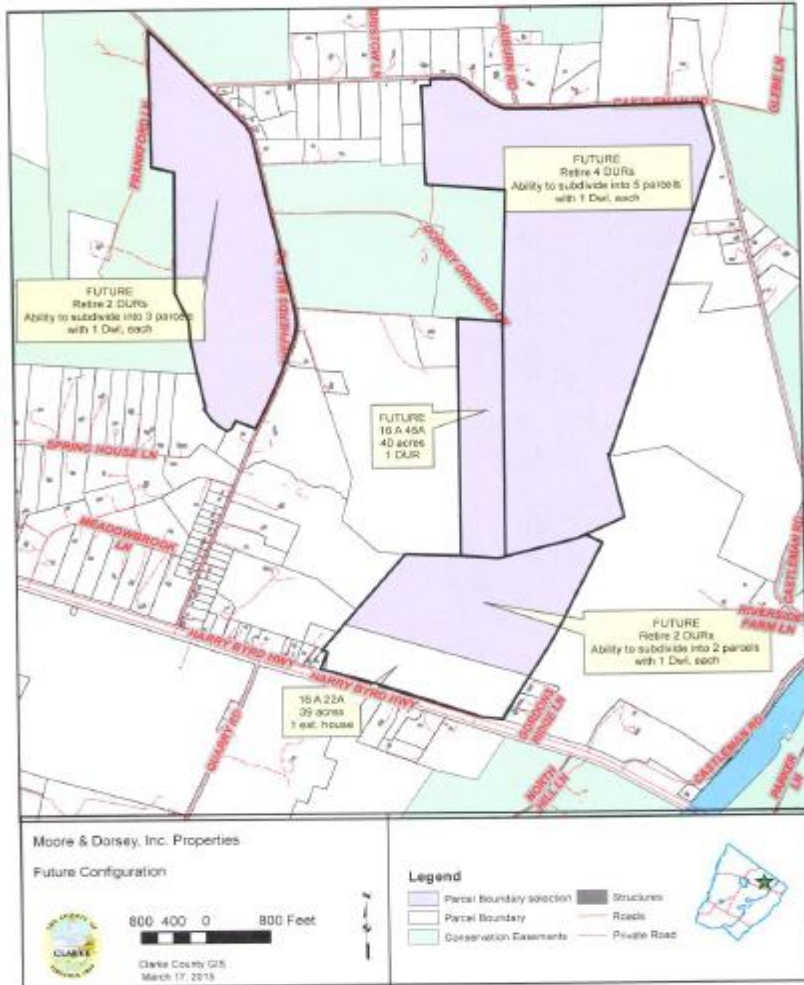
Tax Map 16-A-45 – 287 acres, 1 exemption, 8 DUR's – Mr. Dorsey would like to retire 4 DUR's and retain the right to subdivide the tract into 5 parcels each with one dwelling.

Tax Map 16-A-45A – 40 acres, vacant, 3 DURs – Mr. Dorsey would retire 2 DUR's

The total acreage is 582 acres, 20 DUR's and 2 exemptions. The end result would be placing 543 acres in easement retiring 10 DUR's, maintaining 10 DUR's and 1 exemption on eased property. One exemption would be placed on the 39 acre tract not in easement. Currently there are 4 parcels, if approved 11 parcels could be created.

Based on the criteria adopted by the Authority, offers for parcels with Property Resource Scores greater than 52 shall be calculated by multiplying the number of development rights to be purchased by the value of the development right, as determined by the Easement Authority, not to exceed \$40,000 per development right. In addition, the 3 year average owner income is determined and the applicable percentage set forth in the adopted table is multiplied to determine the final offer.

In this case the potential purchase price for 10 DUR's is \$400,000 multiplied by 40% = \$160,000.



Supervisor 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 - Aye
- David S. Weiss - Aye

9) Board of Supervisors Personnel Item

A. Expiration of Term for appointments expiring through September 2016

07-11-2016 Summary: The Personnel Committee recommends reappointment:

- John Crawford to the Regional Airport Authority for an additional four-year term expiring June 30, 2020.

- William Daniel to the Lord Fairfax Community College Board for an additional four-year term expiring June 30, 2020.
- Diane Shipe to Our Heath [Group A Directors] for an additional three-year term expiring March 15, 2019.
- Angela Stidham to the Lord Fairfax Emergency Medical Services Council for an additional three-year term expiring June 30, 2019.
- Ralph Welliver to the Clarke County Sanitary Authority for an additional four-year term expiring June 30, 2020.

07-19-2016 Action: **Vice Chair McKay moved to approve the appointments as recommended by the Personnel Committee. 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

Chairman Weiss thanked all the recent appointees for their continued willingness to serve the citizens of Clarke County.

B. FY2017 Salary Adjustment Briefing by David Ash

07-11-2016 Summary: Following the presentation of the County Administrator's recommendation for pay adjustments, the Personnel Committee recommended further discussion by all Board members at the following Work Session.

07-19-2016 Action: David Ash reviewed and answered questions from the Board pertaining to his recommendations for FY2017 salary adjustments and adoption of Springsted Option B.

Chairman Weiss remarked that the grades were established by the consultant based on job descriptions that either Springsted received from department heads or constitutional officers or, in the absence of a job description, based on job descriptions of comparable positions in comparable locations. He explained that it was important when viewing the jobs to look at the description not the person currently holding the position. He stated, being based on pre-2008 levels, Option C actually devalued positions, which was not the direction the Board intended. Chairman Weiss put forth that constitutional officers, while they do not like all of it, indicated that they were appreciative of the forward movement.

Following review, **Vice Chair McKay moved to adopt the recommended pay and classification plan discussed in the Work Session and outlined in the handout dated July 8, 2016, a copy sent to Helen Butts, Suni Mackall, Sharon Keeler, Donna Peake, and Tony Roper, and the rise will be the column in blue on the handout – Option B from the Springsted Study. 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

To:	Helen Butts	Sharon Keeler
	Suni Mackall	Donna Peake
	Tony Roper	

From: David Ash, County Administrator

Date: July 8, 2016

Re: FY2017 Salary Adjustment

This document provides you with information detailing the recommendation that I intend to make to the Board of Supervisors on Monday.

Short summary of history:

In 2008 the Board of Supervisors adopted a pay and classification plan recommended by an external consulting firm, Springsted, and made a substantial effort to fund the plan by including employees funded or partially funded by the state through the compensation board, raising all employees to the minimum salaries recommended, and basing payroll adjustments on the midpoint of the grade rather than on current pay levels. The intent of the plan was to establish a method of achieving and maintaining both internal equity and external competitiveness over time.

Unfortunately, the economic collapse occurring that year and continuing in the following years made it impossible for the board to allocate additional funding to this plan. In fact, wages were frozen and positions were cut. Although the plan was not funded, the Board of Supervisors did provide funding for a onetime bonus and also held employees harmless when the General Assembly, in an effort to increase revenue to the retirement program, mandated that local employees give back the retirement funding that had been provided in lieu of a pay increase several years before.

In 2014, the Board determined that the 2008 plan needed updating and again had Springsted review and update the pay classification system. The second review included benchmark entities that were not included in the original and resulted in recommendations that were controversial at the board level. Springsted provided a second set of benchmark entities and made a second recommendation on implementation of the plan based upon those benchmarks. Ultimately, a third set of calculations was developed at

the Board's request and funding for all positions was generated using the final set of comparables. The last pay adjustment also included a calculated amount to be disbursed at the discretion of the Constitutional officer to address compression or other pay anomalies.

Current Situation:

During its session, the General Assembly adopted a budget that has the potential to provide additional money to localities to adjust pay for some local employees that receive funding through the Compensation Board. These adjustments are conditioned upon meeting certain budget targets for the current fiscal year and are not intended to be implemented until December.

There is a second adjustment, also conditioned upon the state meeting certain budget targets, that proposes to address pay compression issues resulting from the long term inability of localities to afford adjustments and the past implementation of compensation board compensation policies (editorial comment!).

Both of these potential adjustments, if funded, will occur after the Board of Supervisors adopts pay adjustments for the fiscal year beginning July 1. Both of these adjustments will be provided to compensation board authorized employees only.

Both will be based upon the compensation board provide compensation only. Both have the potential to cause further problems with any effort to provide fair and equitable pay to all employees.

Recommendation:

- I recommend that beginning July 1, 2016, for full time employees on the County payroll as of June 2016, the Board of Supervisors allocate the funds available within the general fund and the social services fund, identified to support pay adjustments, based upon the mid-point of the grade assigned by Springsted in the 2014 compensation review, option "B". I further recommend that the funds anticipated by the pay plan be aggregated for each independent office and that individual adjustment, so long as it falls within the limits of the position grade be at the discretion of the official.
- I recommend no further general adjustments until such time as the impact of the decisions made by the compensation board are known and implemented and that any funds available for future pay adjustments be used in a manner to mitigate any mandated compensation board adjustments that cause further pay inequities and problems, are based on grade/step pay plans or that commit the county to an increasing expenditure for compensation that is in no way coupled to the fiscal wellbeing of the County.
- I recommend the pay classification plan be adjusted for inflation, and known competitive issues prior to being used to implement additional general pay adjustments.

<i>General Government Offices</i>	<i>FY2017 Est 2.595 Inc B Mid Point</i>	<i>3% Current</i>
County Administration	\$46,061.10	\$46,626.55

Circuit Court	\$2,329.20	\$ 2,161.14
Commissioner of the Revenue	\$2,034.44	\$ 3,016.08
Commonwealth Attorney	\$2,736.07	\$ 2,893.20
Sheriff's Office	\$38,822.07	\$37,383.67
Treasurer	\$2,912.10	\$ 2,962.62
Voter Registrar	\$1,654.97	\$ 1,489.11
Total General Government	\$96,549.96	\$96,532.37

Notes:

In order to better understand the pay and classification plan, you need to know:

1. It is not a grade/step plan and a pseudo grade/step plan cannot be created using the min/mid/max benchmarks.
2. The plan is designed to avoid the problems of scale creep that develop when straight % raises are calculated on current salary.
3. The plan is intended to provide "targets" for fair, competitive compensation for good employees of reasonable tenure.
4. The plan does not establish "starting pay" or "cap" earnings
5. The plan does not account for below par or outstanding performance.
6. The plan does not penalize employees that receive merit pay increases nor does it compel the system to compound the merit increases in the future.
7. The system is not intended to be personality based. It is position based.
8. The system awards points for various levels of nine different components. Component points are graded individually, not all or nothing.
9. No scores have been modified or adjusted internally for this recommendation.
10. If the system is to continue to work, it must be consistently used and maintained.

Clarke County, Virginia
Sorted by Grade; Showing Title and Range Schematic
Implementation Option B - without selected school benchmarks

Department	Title	Proposed Range			
		Grade	Min	Mid	Max
Animal Shelter	Kennel Attendant I	4	23,597.74	30,677.06	37,756.38
Administrative/Support	Office Assistant	6	26,016.51	33,821.46	41,626.41
Commissioner of the Revenue	Deputy Commissioner of the Revenue I	6	26,016.51	33,821.46	41,626.41
Treasurer	Deputy Treasurer I	6	26,016.51	33,821.46	41,626.41
Maintenance	Maintenance Assistant	7	27,317.33	35,512.53	43,707.73
Social Services	Office Associate I	7	27,317.33	35,512.53	43,707.73
Administration	Central Receptionist/Administrative Assistant	8	28,683.20	37,288.16	45,893.12
Circuit Court	Deputy Circuit Court Clerk	8	28,683.20	37,288.16	45,893.12
Commissioner of the Revenue	Deputy Commissioner of the Revenue II	8	28,683.20	37,288.16	45,893.12
Parks and Recreation	Administrative Support Technician	8	28,683.20	37,288.16	45,893.12
Treasurer	Deputy Treasurer II	8	28,683.20	37,288.16	45,893.12
Building	Permit Technician	9	30,117.36	39,152.57	48,187.78
Parks and Recreation	Customer Service Specialist	9	30,117.36	39,152.57	48,187.78
Building	Administrative Assistant/Permit Technician	10	31,623.23	41,110.20	50,597.17
Commissioner of the Revenue	Deputy Commissioner of the Revenue III	10	31,623.23	41,110.20	50,597.17
Planning	Administrative Assistant - Planning	10	31,623.23	41,110.20	50,597.17
Sheriff's Department	Administrative Assistant - Sheriff	10	31,623.23	41,110.20	50,597.17
Social Services	Office Associate II	10	31,623.23	41,110.20	50,597.17
Social Services	Human Services Assistant II	10	31,623.23	41,110.20	50,597.17
Treasurer	Deputy Treasurer III	10	31,623.23	41,110.20	50,597.17
Communications	Communications Specialist	11	33,204.39	43,165.71	53,127.02
Maintenance	Maintenance Technician I	11	33,204.39	43,165.71	53,127.02
Social Services	Administrative Program Assistant II	12	34,864.61	45,323.99	55,783.38
Commonwealth's Attorney	Legal Assistant/Administrative Assistant	13	36,607.84	47,590.19	58,572.54
Maintenance	Maintenance Technician II	13	36,607.84	47,590.19	58,572.54
Parks and Recreation	Childcare Specialist	13	36,607.84	47,590.19	58,572.54
Building	Building Inspector	14	38,438.23	49,969.70	61,501.17
Parks and Recreation	Recreation Program Coordinator	14	38,438.23	49,969.70	61,501.17
Sheriff's Department	Court Services Officer	14	38,438.23	49,969.70	61,501.17
Administration	Deputy Clerk to the Board of Supervisors/Executive Assistant	15	40,360.14	52,468.19	64,576.23
Circuit Court	Chief Deputy Circuit Court Clerk	15	40,360.14	52,468.19	64,576.23
EMS	Firefighter/EMT - Intermediate	15	40,360.14	52,468.19	64,576.23
Information Technology	Information Technology/Geographic Information Systems Technician	15	40,360.14	52,468.19	64,576.23
Parks and Recreation	Administrative Services Manager - Parks and Recreation	15	40,360.14	52,468.19	64,576.23
Planning	Zoning/Code Enforcement Officer	15	40,360.14	52,468.19	64,576.23
Sheriff's Department	Deputy Sheriff	15	40,360.14	52,468.19	64,576.23
Social Services	Benefit Programs Specialist II	15	40,360.14	52,468.19	64,576.23
Planning	Biosolids Monitor	16	42,378.15	55,091.60	67,805.04
Sheriff's Department	Deputy Sheriff/Investigator	16	42,378.15	55,091.60	67,805.04
Animal Shelter	Animal Shelter Manager	17	44,497.06	57,846.18	71,195.29
Communications	Assistant Director of E-911 Communications	17	44,497.06	57,846.18	71,195.29
Maintenance	Office Manager - Maintenance	17	44,497.06	57,846.18	71,195.29
Parks and Recreation	Recreation Center Manager/Facilities Superintendent	17	44,497.06	57,846.18	71,195.29
Sheriff's Department	Court Services Sergeant	17	44,497.06	57,846.18	71,195.29
Victim Witness	Victim/Witness Director	17	44,497.06	57,846.18	71,195.29
Planning	Natural Resources Planner	18	46,721.91	60,738.49	74,755.06
Sheriff's Department	Deputy Sheriff Sergeant	18	46,721.91	60,738.49	74,755.06
Sheriff's Department	Deputy Sheriff/Investigations Sergeant	18	46,721.91	60,738.49	74,755.06
Social Services	Family Services Specialist II	18	46,721.91	60,738.49	74,755.06
Communications	Director of E-911 Communications	19	49,058.01	63,775.41	78,492.81
Information Technology	Information Technology/Geographic Information Systems Administrator	19	49,058.01	63,775.41	78,492.81
Registrar	General Registrar	19	49,058.01	63,775.41	78,492.81
Social Services	Benefit Programs Supervisor	19	49,058.01	63,775.41	78,492.81
Planning	Zoning Administrator	21	54,086.45	70,312.39	86,538.33
Social Services	Administrative Services Manager - Social Services	21	54,086.45	70,312.39	86,538.33
Building	Building Official	22	56,790.78	73,828.01	90,865.24
EMS	Emergency Medical Services Director	22	56,790.78	73,828.01	90,865.24
Administration	Director of Human Resources	25	65,742.42	85,465.15	105,187.88
Administration	Director of Economic Development	25	65,742.42	85,465.15	105,187.88
Commissioner of the Revenue	Commissioner of the Revenue	25	65,742.42	85,465.15	105,187.88
Commonwealth's Attorney	Assistant Commonwealth's Attorney	25	65,742.42	85,465.15	105,187.88
Sheriff's Department	Chief Deputy Sheriff	25	65,742.42	85,465.15	105,187.88
Treasurer	Treasurer	25	65,742.42	85,465.15	105,187.88
Information Technology	Director of Information Technology	26	69,029.54	89,738.41	110,447.27
Maintenance	Director of Maintenance	26	69,029.54	89,738.41	110,447.27
Parks and Recreation	Director of Parks and Recreation	26	69,029.54	89,738.41	110,447.27
Planning	Director of Planning	26	69,029.54	89,738.41	110,447.27
Circuit Court	Circuit Court Clerk	27	72,481.02	94,225.33	115,969.63
EMS	Director of Fire, Emergency Medical Services and Emergency Operations	27	72,481.02	94,225.33	115,969.63
Sheriff's Department	Sheriff	28	76,105.07	98,936.59	121,768.11
Social Services	Director of Social Services	28	76,105.07	98,936.59	121,768.11
Administration	County Attorney	29	79,910.32	103,883.42	127,856.52
Commonwealth's Attorney	Commonwealth's Attorney	29	79,910.32	103,883.42	127,856.52
Administration	County Administrator	35	107,087.48	139,213.72	171,339.96

10) Board of Supervisors Work Session

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 to review the proposed Stormwater Ordinance; and, §2.2-3711-A29 Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body to review Telecommunications Engineering Study Procurement.

07-11-2016 Summary:

Supervisor Byrd moved to convene into Closed Session pursuant to §2.2-3711-A7 Item A and §2.2-3711-A29 Item B. 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, **Supervisor Byrd 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

Supervisor Byrd 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

- A. 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 to review the proposed Stormwater Ordinance.

07-11-2016 Summary: Following Closed Session, the Board directed staff to prepare action for consideration at the next regular Board meeting.

TO: Board of Supervisors

FROM: Brandon Stidham, Planning Director

SUBJECT: Set Public Hearing, Repeal of Clarke County Code Chapter 154 – Stormwater Management

DATE: July 12, 2016

On June 15, 2016, Planning Staff received an email from Heather McAlister (Virginia Department of Environmental Quality, Richmond office) regarding the status of the County’s stormwater management ordinance requirements found in Chapter 154. The County’s ordinance contains water quality requirements pertaining to phosphorus that are more stringent than State regulations, and also requires stormwater management compliance for projects with a smaller area of land disturbance than required by State regulations.

Ms. McAlister indicated that according to Code of Virginia § 62.1-44.15:33 (Authorization for more stringent ordinances), the County is not authorized to enforce more stringent stormwater regulations and that the County’s stormwater ordinance is “null and void.” She also noted that State law only authorizes localities to have more stringent regulations if they are a Virginia Stormwater Management Program (VSMP) Authority responsible for

issuing the State permits (an “opt in” locality). She said that localities such as Clarke County that have “opted out” of accepting responsibility of managing the VSMP process are prohibited under State law from applying more stringent regulations. Those counties that have “opted in” and are VSMP Authorities can only have more stringent regulations if they are approved by the State to have such regulations.

The County Attorney was asked to review Ms. McAlister’s position and the referenced State code section and he has determined that the County’s stormwater ordinance cannot be enforced under current State law. Based on this information, Staff recommends that the County’s stormwater management ordinance (County Code Chapter 154) be repealed. This action requires formal Public Hearing as a County Code amendment -- Staff recommends that the Board schedule public hearing on this matter for the August 16, 2016 meeting. Staff notes that if the stormwater management ordinance is ultimately repealed, future applicants will have to comply with all State stormwater permitting requirements through the Virginia Department of Environmental Quality. Staff also notes that additional text amendments to the County’s Zoning and Subdivision Ordinance will be necessary to remove reference to Chapter 154 and ensure that the State stormwater permitting process is incorporated.

If you have any questions or concerns in advance of the meeting, please do not hesitate to contact us.

07-19-2016 Action: Brandon Stidham summarized the action before the Board.

Supervisor Daniel moved to set public hearing to repeal Chapter 154 of the Code of Clarke County Virginia for Tuesday, September 20, 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	- Aye
David S. Weiss	- Aye

- B. Closed Session Pursuant §2.2-3711-A29 Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body to review Telecommunications Engineering Study Procurement.

07-11-2016 Summary: Following Closed Session, **Supervisor Daniel moved to authorize staff to enter negotiation with The Atlantic Group of Companies for procurement. The motion carried as follows:**

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

07-19-2016 Action: Brandon Stidham updated the Board on actions taken subsequent to the Work Session. He recommended a contingency budget of \$5,000 for potential outsourcing of GIS services and authorizing staff to enter into contract.

Supervisor Catlett moved to authorize the County Administrator to enter into a contract with Atlantic Technology Consultants, Inc. in the amount of \$25,050 with a contingency budget for GIS services in the amount of \$5,025. 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

C. Agricultural Business Uses in the AOC District

07-11-2016 Summary: The Board discussed modifications to permitted uses in the AOC District. The Planning Director was asked to prepare for the Board's consideration a referral of this matter to the Planning Commission.

07-19-2016 Action: Brandon Stidham provided an update to the Board.

Vice Chair McKay moved to request the Planning Commission to evaluate agricultural business uses currently allowed only in the Highway Commercial or Neighborhood Commercial Districts and determine whether they would be appropriate in the Agricultural-Open Space-Conservation District. The evaluation should, at a minimum, include the following:

- 1. Determine whether such uses should be limited to properties with direct access to primary highways.**
- 2. Determine whether such uses should be added to the AOC District as by-right or special uses.**

The motion carried by the following vote:

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

Brandon Stidham advised that Board that the matter would be reviewed by the Planning Commission at its September meeting.

D. World War I and World War II Commemoration Designated Local Contact

07-11-2016 Summary: Supervisor Byrd agreed to attend the organizational meeting of the Commission and to report to the Board any need for further action.

07-19-2016 Action: Discussed under Committee reports.

E. 2016-10R Resolution authorizing the Sheriff of the Clarke County Sheriff's Office to take all necessary steps to withdraw from membership in the Rappahannock Regional Criminal Justice Academy and to establish membership in the Skyline Regional Criminal Justice Academy.

07-11-2016 Summary: The Board agreed to adopt 2016-10R at its next regular meeting. The Board further agreed to authorize the County Administrator to execute documents implementing the establishment of the Skyline Regional Criminal Justice Academy in accordance with this resolution.

07-19-2016 Action: See Consent Agenda Item A. **Supervisor Byrd moved to authorize the County Administrator to approve other documents in furtherance of this request. 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

F. FY2017 Salary Adjustment Discussion

07-11-2016 Summary: Following discussion, the County Administrator was asked to provide the 2014 Springsted Compensation Study final plan to Supervisors Catlett and Daniel. Action was deferred to the regularly scheduled Board of Supervisors meeting.

07-19-2016 Action: See Item 9 B.

11) Board of Supervisors Finance Items

1. Berryville Main Street MOU

07-11-2016 Summary: Amy Barley requested various modifications to the loan repayment terms for the Firehouse Gallery. These included lengthening the repayment period, eliminating the interest calculation, and increasing the number of annual installments. The Finance Committee recommends increasing the number of annual installments from two to four.

07-19-2016 Action: Tom Judge briefed the Board on the request.

Vice Chair McKay moved to approve the recommendation 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	- Aye
David S. Weiss	- Aye

2. Economic Incentive for Handsome Brook Farm Egg Processing Facility

07-11-2016 Summary: The Committee discussed an appropriation for the County share of the economic incentive for the egg processing facility. It was determined that the appropriation would not be made until there was an offsetting revenue (tax payments), and that this might not occur in the current year.

07-19-2016 Action: Tom Judge briefed the Board on the matter. No action was taken.

3. Equine Alliance Economic Development Funding Request.

07-11-2016 Summary: The Equine Alliance requests funding of \$10,043 to perform a census of equine groups in Clarke County. The Finance Committee expressed support for this initiative, but delayed further consideration until the final FY 16 accounting is completed.

07-19-2016 Action: Tom Judge briefed the Board on the matter. No action was taken.

4. Preventative Maintenance of County Radios (subscriber units).

07-11-2016 Summary: The Sheriff asks to repurpose funds budgeted in the Capital Projects fund for use in performing preventative maintenance on certain radio equipment. *"Be it resolved that the FY 16 Capital budget for Mobile Radios be reduced \$9,300, and be it further resolved that the FY 17 Sheriff's budget be increased \$9,300."*

07-19-2016 Action: Tom Judge briefed the Board on the matter.

Supervisor Byrd moved to approve "Be it resolved that the FY 16 Capital budget for Mobile Radios be reduced \$9,300, and be it further resolved that the FY 17 Sheriff's budget be increased \$9,300." 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

5. Compensation Board Premium Recoveries.

07-11-2016 Summary: Please see the attached memo from the Compensation Board. They will be reducing the revenue they send Clarke County in July at an amount greater than budgeted to recover insurance premiums that have experienced an increase of 73%, and which are being recovered from communities utilizing a new methodology.

07-19-2016 Action: Tom Judge briefed the Board on the matter. No action was taken.

6. Commonwealth of Virginia Compensation Increase.

07-11-2016 Summary: The following facts are known. However, the narrative will keep changing as the Commonwealth seeks to determine its course of action:

- a. The Commonwealth will provide FY17 salary increases if FY16 revenue is sufficient. This is still being determined.
- b. If there is sufficient revenue, the Commonwealth will fund a 2% salary increase effective December 1 for compensation board employees, as well as provide funding for connection of the "compression" issue effective January 1.
- c. If there is not sufficient revenue, there may be partial funding for salaries or none at all.
- d. If a locality grants an increase prior to December 1, and the Commonwealth grants an increase effective December 1, then it may be required that the Commonwealth increase be in addition to the local increase, instead of offsetting the local increase.

- e. There is no direction from the Commonwealth about when the answers to these questions will be known. It may be as late as the fall.
- f. Revenue for the state portion of the salary increase was not included in the FY17 budget.

07-19-2016 Action: Tom Judge briefed the Board on the matter. No action was taken.

7. Certified Planning Commissioner program.

07-11-2016 Summary: Please see the attached memorandum requesting reappropriation of funds for training of two Planning Commission members. The Finance Committee expressed support, but delayed further consideration until the Final FY 16 accounting is completed.

07-19-2016 Action: Tom Judge briefed the Board on the matter. No action was taken.

8. ArchiveSocial.

07-11-2016 Summary: The County Administrator requested authority to contract with the software firm ArchiveSocial to provide archiving of Social Media websites used by the County. This is necessary to comply with the Freedom of Information Act. The Committee recommends approval from existing appropriations.

07-19-2016 Action: See Consent Agenda Item B.

9. Moore & Dorsey Conservation Easement Purchase.

07-11-2016 Summary: The Finance Committee recommends the following action: "Be it resolved that the FY 17 Conservation Easement budgeted expenditure and appropriation be increased in the amount of \$160,000, that \$80,000 of revenue from the Commonwealth be recognized, and that the general fund balance designation for Conservation Easement purchases be decreases by \$80,000, all for the purpose of purchasing conservation easements on land owned by Moore & Dorsey, inc. "

07-19-2016 Action: See Consent Agenda Item C.

10. Acceptance of Bills and Claims

07-11-2016 Summary: Acceptance of this report is recommended.

07-19-2016 Action: Supervisor Catlett moved to accept the June invoice history report 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	- Aye
David S. Weiss	- Aye

11. Monthly Reports.

Reconciliation of Appropriations, General Fund Balance, Expenditure Summary, Capital Projects.

Miscellaneous

Tom Judge added that on July 18, 2016 Purchasing had opened the two bids received for the ballfield lighting project.

Chairman Weiss reminded members of the following:

- Ballfield lighting project: volunteers have given a tremendous amount for the project but it is still up to the Supervisors to decide whether it will cover any funding shortfall.
- Convenience / recycling center project: Currently on hold but engineer is preparing the project for bid.
- County Salary: FY2017 adjustment will not completely fix salary issues and the Board must be ready to consider addition of contingency funds.
- Fund Balance: funds taken to fund a variety of issues including Berryville Primary renovations. The Supervisors need to remember to put funds back into savings so as not to run short for future projects.
- Money is not a finite source and funds are moved to cover Board priorities.
- Critical to address priorities in a uniform fashion, which is typically done at the beginning of the budget session and varied from only in extreme necessity.
- Budgeted for FY2017 a [\$280,000] deficit in anticipation of covering the shortfall with FY2016 savings.

12) Government Projects Update

David Ash provided the monthly project update.

- Ballfield lighting project: Will be working on the bid details.
- Convenience Center: Engineer authorized to move forward with completion of the design specifications, site plan and special use permit. Will require a special use permit application and will need to coordinate with the leaseholder.
- General District Courthouse: Crane used in repair of the HVAC that was falling through courtroom ceiling.

13) Miscellaneous Items

Fire & EMS Commission Membership Request

Motion for Meeting This Afternoon

From : Elizabeth Leffel <ekleffel@gmail.com>

Subject : motion for meeting this afternoon

To : David Ash <dash@clarkecounty.gov>

Cc : dweiss@clarkecounty.gov

Dear David,

Tue, Jul 19, 2016 11:20 AM

I promised David Weiss that I would be at the meeting this afternoon to present an action item from the last Commission meeting. Unfortunately, something has come up this morning that I cannot control and there is no way that I will be in town by the time you have the BOS meeting.

Please see the motion below, approved in an unanimous vote by the Commission. I hope that David will be able to relay my regrets to the other Supervisors and present this on my behalf. The Commissioners felt that this was an urgent matter and should be enacted swiftly.

Approved Motion: The Fire & EMS Commission recommends that the membership of the Commission be changed, as follows: eliminate the two positions currently designated as "Fire & Rescue Association" members; add three new positions to be filled by one member to represent each volunteer company; member from the volunteer companies should be determined by the Company but cannot be the individual currently serving as Chief of the organization.

Proposed Code amendment to Chapter 17

B. Membership Composition; Term. The Commission shall consist of ~~seven (7)~~ **eight (8)** members including one (1) member of the Board of Supervisors; the Clarke County Sheriff; ~~two (2) representatives recommended by the Clarke County Fire and Rescue Association to represent Fire and EMS services respectively;~~ **one(1) representative from each of the volunteer fire and EMS companies;** and three (3) citizens-at-large representing consumers of fire and EMS services. The ~~two (2) Fire and Rescue Association~~ **three (3) volunteer fire and EMS company** representatives shall serve one-year terms **and shall be appointed by the Board of Supervisors with recommendation to be provided by the volunteer companies.** The three (3) citizens-

at-large shall be appointed for initial terms of one (1) year, two (2) years, and three (3) years and thereafter for four (4) year terms. The Sheriff shall serve a term coterminous with the term of office. The Board of Supervisors shall appoint a representative annually at or shortly after their annual organizational meeting to serve a one-year term.

David Ash reviewed the Fire and EMS Commission recommendation.

Chairman Weiss provided a brief synopsis of the Commission's history.

Supervisor Daniel moved to set public hearing for Tuesday, September 20, 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	- Aye
David S. Weiss	- Aye

David Ash requested that the Code amendment be further discussed at the August meeting.

By consensus, the Board requested an update at its August meeting from Frank Davis, Director of Fire, EMS and Emergency Operations.

Blue Ridge Volunteer Fire Company, Inc., \$400,000 Borrowing for New Fire Engine

Chairman Weiss reviewed the requested borrowing. Highlights include:

- Blue Ridge has contemplated the purchase of a new fire engine for quite some time.
- Some monies raised by Blue Ridge to help cover the purchase.
- Seeking loan from Bank of Clarke County to cover the remainder.
- Blue Ridge conducted a public hearing on the borrowing as required.
- Blue Ridge VFC Treasurer assures that all is in good stead.
- Bank of Clarke County advises that Blue Ridge VFC has met all its requirements.
- Clarke County is not co-signing.
- Blue Ridge will secure the loan by a mortgage on its fire station.

Supervisor Byrd moved to authorize the Chairman of the Board of Supervisors to sign the form provided by the Bank of Clarke County. 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

CHIEF ELECTED OFFICER'S APPROVAL
Pursuant to Section 147 (f) of the
Internal Revenue Code of 1986, As Amended

Chief Elected Executive Officer's Name: David Weiss

Chief Elected Executive Officer's Title: Chairman, Board of Supervisors

Political Subdivision: Clarke County

Volunteer Fire Company: Blue Ridge Volunteer Fire Company, Incorporated

Under Section 147 (f) of the Internal Revenue Code of 1986, as amended, the undersigned hereby certifies that:

1. I am the Chief Elected Executive Officer, as such term is used in section 147 (f) of the Code, of the above Political Subdivision.
2. The Volunteer Fire Company is required by written agreement with the Political Subdivision or by an ordinance, resolution, or other law adopted by the Political Subdivision (the "Service Agreement") to furnish firefighting and rescue services in an area which is within jurisdiction of the Political Subdivision and which is not provided with any other firefighting and rescue services and the Service Agreement is, and is expected to remain, in full force and effect.
3. I hereby approve the Volunteer Fire Company entering into a loan agreement ("Loan") for the principal amount stated below to finance the equipment described below.

Amount to be Financed: \$ 400,000.00
 Equipment: Finance New Fire Engine
 Location: with 1st Credit Line Deed of Trust on:
 131 Retreat Rd
 Bluemont, VA 20135

This approval is given following a public hearing held at the time, date, and place stated on the attached copy of a Notice of Public Hearing and is solely for the purpose of satisfying the requirements of Section 147 (f) of the Code. I hereby inform all recipients of this Approval that the Political Subdivision has no obligation (as lessee or otherwise) to pay any rent/interest or to observe any agreement under the Loan.

IN WITNESS WHEREOF, I have duly executed and delivered this instrument as of the date set forth below.

(Signature of Chief Elected Executive Officer)
David Weiss

(Date)

14) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Reschedule November meeting to November 3.	Lora B. Walburn / Susanne Vaughan
2.	Process approved minutes.	Lora B. Walburn
3.	Process 2016-10R.	David Ash
4.	Process and submit ArchiveSocial.	David Ash
5.	Update appointment database and process notice of appointment.	Lora B. Walburn
6.	Process implementation of Springsted Option B.	David Ash
7.	Provide FY2017 salary adjustment to Payroll.	David Ash
8.	Process and advertise public hearings for September.	Lora B. Walburn
9.	Draft Code amendment for Chapter 154 [CC-2016-04] repealing chapter.	Brandon Stidham
10.	Draft Code amendment for Chapter 17 [CC-2016-05] to change Fire and EMS Commission membership.	Lora B. Walburn
11.	Add review of proposed Code Amendment [CC-2016-05] to August BoS Work Session.	David Ash
12.	Add update from Director Fire, EMS and Emergency Management for August BoS Work Session.	David Ash
13.	Update and process amendment CC-2016-03 to County Code.	Lora B. Walburn
14.	Add continued public hearing PH16-19 to the September 20, 2016 Board of Supervisor Regular Meeting.	Lora B. Walburn

15) Board Member Committee Status Reports

Supervisor Barbara J. Byrd

- Board of Social Services: Angie Jones is working to fill two positions.
- Clarke County Humane Foundation: Reaching resolution with neighbor.
- NW Juvenile Detention Center: Increasing the parking lot.

- World War I and World War II Commission:
 - Civil War commission has been tasked with the WWI and WWII anniversary.
 - Clarke received an award for its Civil War commission.
 - Most persons attending were from museums and historic places.
 - Should form a committee to determine what artifacts, statues, and citizens could be put forward.
 - Nathan Stalvey, Director Clarke County Museum, would be excellent choice.
 - Someone is needed for public relations.
- Town of Berryville:
 - Withdrew \$5,000 from Parks and Recreation.
 - Withdrew \$50,000 previously approved from fire and rescue - over 50% of fire and rescue calls come from Berryville. Payment to the County is not due until December.
 - David Weiss and Bev McKay are meeting with Town Council members July 21.
 - Chairman Weiss plans to list reasons why the County believes it appropriate to continue funding.
- Northern Shenandoah Substance Abuse Coalition: Met with Senator Warner.

Supervisor Terri Catlett

- Parks and Recreation Advisory Board: Did not have a meeting. Mr. Kohn would like to accelerate the process to transition the property over to parks and recreation.
- School Board: Discussed sidewalk funding again but did not change decision. Discussed dual enrollment program with LFCC.

Supervisor Mary L.C. Daniel

- Library Advisory Council: No meeting.
- Planning Commission: Set public hearing for September for waterworks and distillery regulations.

Vice Chairman Beverly McKay

- Sanitary Authority:
 - Had a spill out of the water tower because of a malfunctioning altitude adjusting valve.
 - Drilling caused spring to become turgid but it settled when disturbance ceased.

- Sewage spill on street to the left past railroad track in Boyce.
- Transitioning to new billing software that reads in 10-gallon increments.
- Setting a new rate in 2017, which should result in some increase in funds.
- NSVRC: Did not attend

Chairman David S. Weiss

- Fire and EMS Commission: Covered under Miscellaneous
- Conservation Easement Authority: Summer Intern in place.
- Town of Berryville: Meeting with Pat Dickinson and Erica Gibson.
- School Board: Met informally with School Chair and Superintendent. Will request an update on Berryville Primary.

16) 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.

At 1:10 p.m., **Supervisor Byrd moved that the Clarke County Board of Supervisors enter Closed Session pursuant to Section 2.2-3711-A7 Code of Virginia re consultation with legal counsel. 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

At 1:24 p.m., 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 Daniel 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

Supervisor Daniel 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

No action was taken on matters discussed in closed session.

Chairman Weiss recessed the meeting at 4:00 p.m.

Chairman Weiss called the evening session to order at 6:33 p.m.

17) Citizen Comment Period

No persons addressed the Board.

Public Hearing Notices

The Clarke County Board of Supervisors will hold public hearing on Tuesday, July 19, 2016, at 6:30 PM, or as soon thereafter as the matter may be heard, in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, 2nd Floor, Berryville, Virginia to consider the following matters:

PH 16-18: CC-2016-03 Clarke County Code Chapter 40 Voting Districts 40-3. Polling Places established to change Millwood Precinct polling place from Powhatan School 49 Powhatan Lane, Boyce, VA 22620 to Veterans of Foreign War Post 9760 425 South Buckmarsh Street, Berryville VA 22611.

PH 16-19: Appeal of Board of Septic Appeals Decision - Steven Soechtig. Location: Subject property is located on Blue Ridge Mountain Road, Paris, VA; Property identified as Lot 23 Section B of Paris Heights subdivision; Tax Map Parcel #40A-1-23 Request: The applicant is appealing the Board of Septic and Well Appeals decision to uphold Staff's application of Chapter 143-9(B) and Table 1 of the Clarke County Septic Ordinance specifically, "The minimum separation distance from a Soil Treatment Area to springs at a lower elevation than the septic system is 500 feet".

Pertinent information in connection with the above matter is available to the public in Clarke County Administration during regular working hours. Any person desiring to be heard regarding the above matters should appear at the appointed time and place. Written copies of statements at public hearings are requested but not required.

David L. Ash - County Administrator

18) PH 16-18: CC-2016-03 Clarke County Code Chapter 40 Voting Districts 40-3.

Polling Places established to change Millwood Precinct polling place from Powhatan School 49 Powhatan Lane, Boyce, VA 22620 to Veterans of Foreign War Post 9760 425 South Buckmarsh Street, Berryville VA 22611.

Don De Haven, Electoral Board Chair, with Carol Westervelt, Electoral Board Secretary, and Barbara Bosserman, General Registrar and Director of Elections, briefly reviewed the need to relocate the Millwood precinct polling location.

At 6:34 pm, Chairman Weiss opened the public comment portion of the public hearing.

Robert C. Halcomb, Officer of Election Millwood Precinct Polling Place, spoke in support of approval.

Jean Lee, Millwood: commented that she had only just read about the polling place change and asked numerous questions answered by the Electoral Board and Barbara Bosserman, Voter Registrar. Highlights include:

- Powhatan School will accommodate through the November 2016 elections.

- Electoral Board will distribute a brochure to voters at the November 2016 election.
- Polling locations must adhere to Federal guidelines requiring ADA compliance.
- If a better location is found, the polling location can be moved.

Being no other persons desiring to address the Board, Chairman Weiss closed the public hearing at 6:42 pm.

Vice Chair McKay moved to approve CC-2016-03 as presented effective after the November 2016 election. The motion was approved 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

Chapter 40 Voting Districts

§ 40-3. Polling Places

established

[Amended 2005-08-16; 2007-01-16; 2014-07-15; 07-19-2016]

For Millwood Voting District:

(1) For Millwood Precinct:

~~Powhatan School
49 Powhatan Lane, Boyce, VA 22620~~

(1) For Millwood Precinct:

*(VFW) Veterans of Foreign War Post 9760
425 South Buckmarsh Street
Berryville, VA 22611*

19) PH 16-19: Appeal of Board of Septic Appeals Decision - Steven Soechtig.

Location: Subject property is located on Blue Ridge Mountain Road, Paris, VA; Property identified as Lot 23 Section B of Paris Heights subdivision; Tax Map Parcel #40A-1-23 Request: The applicant is appealing the Board of Septic and Well Appeals decision to uphold Staff's application of Chapter 143-9(B) and Table 1 of the Clarke County Septic Ordinance specifically, "The minimum separation distance from a Soil Treatment Area to springs at a lower elevation than the septic system is 500 feet".

July 15, 2016

Mr. Ryan Fincham
Senior Planner & Zoning Administrator
101 Chalmers Court, Suite B

Berryville, Virginia 22611

RE: Appeal of the Board of Septic and Well Appeals Decision; Owners and Applicants: Steven A. Soechtig and Barbara M. Soechtig Property: Lot No. 23, containing 1.575 acres, Paris Heights, Section "B" Subdivision, Clarke County, Virginia.

Dear Ryan:

I represent the above owners and applicants.

With respect to the appeal to the Board of Supervisors of the Board of Septic and Well Appeals decision on May 26, 2016 to uphold Staffs application of Chapter 143-9 B. Site restrictions; Table 1 of the Clarke County Septic Ordinance, this is to request that the public hearing scheduled for July 19, 2016 be continued and any action on this appeal by the Board of Supervisors of Clarke County at its meeting on July 19, 2016 be continued until the next meeting of the Board of Supervisors.

The reason for this request is to provide counsel and the applicants more time to research the issues and to discuss the matter with various professionals.

Can you please confirm to me that this public hearing and action on this item is continued from the Board of Supervisors meeting on July 19, 2016.

Let me know if there are any questions or comments.

Sincerely yours,
E. Scott Smalley
cc: Mr. and Mrs. Soechtig

Chairman Weiss stated that Mr. Soechtig's attorney was asking a continuation of the public hearing.

At 6:45 pm, Chairman Weiss opened the public comment portion of the public hearing.

Mr. Soechtig asked if granting a continuance waived the schedule.

Chairman Weiss stated that everything remained the same and Soechtig's would not lose any days.

Being no further persons desiring to address the Board, **Supervisor Byrd move to continue public hearing PH16-19 to the September 20, 2016 Board of Supervisor Regular Meeting. 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

20) Adjournment

At 6:47 pm, **Supervisor Daniel** moved to adjourn the meeting. **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

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, August 16, 2016 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: July 19, 2016

David S. Weiss, Chair

David L. Ash, County Administrator

Minutes recorded and transcribed by: Lora B. Walburn, Deputy Clerk to the Board of Supervisors