

August 15, 2017

Clarke County Board Of Supervisors  
Regular Meeting  
Main Meeting Room

1:00 p.m.

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Berryville Clarke County Government Center, 101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia conducted on Tuesday, August 15, 2017.

#### Board Members

Present Afternoon and Evening Sessions: 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

Absent Afternoon Session: None

#### County Staff Present

David Ash, Tom Judge, Brian Lichty, Brandon Stidham, Lora Walburn

#### Constitutional / State Offices

Anthony "Tony" Roper

#### Press

Cathy Kuehner - The Winchester Star

#### Others Present

Barbara Bosserman, Anne Chisholm, and other citizens

#### 1) Call to Order

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

#### 2) Adoption of Agenda

David Ash requested the following changes:

- Move Item 5 Closed Session after Board Member Committee Status Report
- Add Miscellaneous Courthouse Benches

**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	- Aye
David S. Weiss	- Aye

3) Citizens Comment Period

No citizens addressed the Board.

4) VDOT Update

Doug Baker, VDOT representative, attended the meeting. Ed Carter, Assistant Residency Administrator, provided a written report via email.

Maintenance

- Completed first cutting on primary roadways and started second round on secondary roadways;
- VDOT will continue mowing secondary roadways this month;
- Continued with cleaning/grading shoulders under guardrail on Rt. 50 and will still be working on it this month;
- Cleaned pipes on routes 602, 653 and 761;
- Performed shoulder work on Rt. 7;
- Conducted grading operations on routes 602 and 637 and will continue this month on other non-hard surfaced routes;
- Cleaned up debris from severe storms;
- VDOT will also be patching on routes 627, 628, 646 and 658 this month.

Projects:

- Second phase of Allen Road will begin this week.

Board Issues:

- Appalachian Trail Parking Rt. 7 – Our Environmental Department cleared the way to begin clearing the undergrowth and the permit for working on the right-of-way is being processed this week.
  - Supervisor Catlett thanked VDOT for its continued effort.
  
- Supervisor Byrd
  - Allen Road: VDOT started the second phase of the project yesterday.
  - Johnson Grass, Milkweed, Thistles: Abundant this year.
  
- Chairman Weiss:
  - North Hill Lane: VDOT will follow up on signage. David Ash reported before meeting's end that Ed Carter, Assistant Residency Administrator, had emailed to advise that as an interim traffic calming measure, VDOT will be setting the speed trailer up at this location for a couple of days.

5) Closed Session Pursuant to §2.2-3711-A7

At 2:35 pm, Supervisor Byrd moved that the Clarke County Board of Supervisors enter Closed Session pursuant to §2.2-3711-A7 Consultation with staff 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.

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 3:00 pm, Supervisor Daniel exited the Closed Session citing conflict of interest within one of the issues discussed.

At 3:05 pm, the members of the Board of Supervisors being assembled within the designated meeting place, with open doors and in the presence of members of the

public and/or the media desiring to attend, Supervisor Catlett 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 Chair 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

No action taken following Closed Session.

#### 6) Approval of Minutes

Supervisor Daniel requested that secondary's and primary's be changed under VDOT's report section.

Supervisor Daniel moved to approve the minutes for July 18, 2017, Board of Supervisors Regular Meeting 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	- Aye
David S. Weiss	- Aye

7) Consent Agenda

Northwestern Community Services FY2018 Performance Contract

# Memorandum

**To:** County Administrators/City Manager

**From:** Michael F. Elwell, Chief Executive Officer 

**Re:** Review of NWCS' Fiscal Year 2018 Performance Contract

**Date:** July 10, 2017

In accordance with State requirements, each locality is asked to review and endorse their area CSB's Performance Contract. Therefore, I am providing pertinent information from that document for your review as submitted to the Virginia Department of Behavioral Health and Developmental Services.

This document reflects allocated Federal, State and local funds, and other reimbursements to be received in order to carry out the work of our Board of Directors for FY 2018.

I am requesting that this be presented to your respective Board/Council for endorsement. **Please complete the bottom portion of this memo and return it to my office by September 19, 2017.**

If you have any specific questions, please do not hesitate to call.

Attachment

pc: Ms. Katie Russell, Chief Financial Officer  
File

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The Board of Supervisors/City Council of \_\_\_\_\_ reviewed and endorsed  
Northwestern CSB's FY 2017 Performance Contract at its \_\_\_\_\_ meeting.

\_\_\_\_\_  
County Administrator/City Manager

**FY 2018 Community Services Performance Contract**

**FY 2018 Exhibit A: Resources and Services**

**Northwestern Community Services**

Consolidated Budget (Pages AF-3 through AF-8)				
Funding Sources	Mental Health Services	Developmental Services	Substance Abuse Services	TOTAL
State Funds	5,346,995	165,120	1,069,288	6,581,403
Local Matching Funds	234,028	44,864	986,775	1,265,667
Total Fees	3,257,847	1,926,141	553,592	5,737,580
Transfer Fees In/(Out)	0	0	0	0
Federal Funds	56,051	0	862,613	918,664
Other Funds	127,540	0	0	127,540
State Retained Earnings	0	0	0	0
Federal Retained Earnings	0		0	0
Other Retained Earnings	0	0	0	0
<b>Subtotal Ongoing Funds</b>	<b>9,022,461</b>	<b>2,136,125</b>	<b>3,472,268</b>	<b>14,630,854</b>
State Funds One-Time	0		0	0
Federal Funds One-Time	0		0	0
<b>Subtotal One -Time Funds</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL ALL FUNDS</b>	<b>9,022,461</b>	<b>2,136,125</b>	<b>3,472,268</b>	<b>14,630,854</b>
<b>Cost for MH/DV/SA Services</b>	<b>7,413,728</b>	<b>2,136,125</b>	<b>2,333,907</b>	<b>11,883,760</b>
<b>Cost for Emergency Services (AP-4)</b>				<b>2,279,921</b>
<b>Cost for Ancillary Services (AP-4)</b>				<b>433,773</b>
<b>Total</b>				<b>14,597,454</b>

Local Match Computation	
Total State Funds	6,581,403
Total Local Matching Funds	1,265,667
Total State and Local Funds	7,847,070
Total Local Match % (Local/Total State + Local)	16.13%

CSB Administrative Expenses	
Total Admin. Expenses	1,937,699
Total Expenses	14,597,454
Administrative Percent	13.27%

*FY2018 Community Services Performance Contract  
Exhibit A: Resources and Services  
Northwestern Community Services  
Financial Comments*

<i>Comment1</i>	MH Total Regional Transfer made up of:
<i>Comment2</i>	\$245,187 WSH Ongoing DAP
<i>Comment3</i>	\$31,134 Total MH Regional Funds
<i>Comment4</i>	
<i>Comment5</i>	
<i>Comment6</i>	
<i>Comment7</i>	
<i>Comment8</i>	
<i>Comment9</i>	
<i>Comment10</i>	
<i>Comment11</i>	
<i>Comment12</i>	
<i>Comment13</i>	
<i>Comment14</i>	
<i>Comment15</i>	
<i>Comment16</i>	
<i>Comment17</i>	
<i>Comment18</i>	
<i>Comment19</i>	
<i>Comment20</i>	
<i>Comment21</i>	
<i>Comment22</i>	
<i>Comment23</i>	
<i>Comment24</i>	
<i>Comment25</i>	

FY 2018 Community Services Performance Contract Financial Summary

Exhibit A: Resources and Services

Mental Health (MH) Services  
Northwestern Community Services

Funding Sources	Funds
<u>FEES</u>	
MH Medicaid Fees	2,973,799
MH Fees: Other	284,048
Total MH Fees	3,257,847
MH Transfer Fees In/(Out)	0
MH Net Fees	3,257,847
<u>FEDERAL FUNDS</u>	
MH FBG SED Child & Adolescent (93.958)	41,404
MH FBG Young Adult SMI (93.958)	0
MH FBG SMI (93.958)	14,647
MH FBG SMI PACT (93.958)	0
MH FBG SMI SWVBH Board (93.958)	0
Total MH FBG SMI Funds	14,647
MH FBG Geriatrics (93.958)	0
MH FBG Peer Services (93.958)	0
Total MH FBG Adult Funds	14,647
MH Federal PATH (93.150)	0
MH Federal CABHI (93.243)	0
MH Federal Pre-Trial Diversion Initiative (16.745)	0
MH Other Federal - DBHDS	0
MH Other Federal - CSB	0
Total MH Federal Funds	56,051
<u>STATE FUNDS</u>	
<u>Regional Funds</u>	
MH Acute Care (Fiscal Agent)	0
MH Acute Care Transfer In/(Out)	76,070
MH Net Acute Care - Restricted	76,070
MH Regional DAP (Fiscal Agent)	0
MH Regional DAP Transfer In/(Out)	703,590
MH Net Regional DAP - Restricted	703,590
MH Regional Residential DAP - Restricted	0
MH Crisis Stabilization (Fiscal Agent)	0
MH Crisis Stabilization - Transfer In/(Out)	0
Total Net MH Crisis Stabilization - Restricted	0



FY 2018 Community Services Performance Contract Financial Summary

Exhibit A: Resources and Services

Mental Health (MH) Services  
Northwestern Community Services

Funding Sources	Funds
MH Recovery (Fiscal Agent)	0
MH Other Merged Regional Funds (Fiscal Agent)	950,857
MH Total Regional Transfer In/(Out)	<u>276,321</u>
Total MH Net Unrestricted Regional State Funds	1,227,178
Total MH Net Regional State Funds	2,006,838
<u>Children State Funds</u>	
MH Child & Adolescent Services Initiative	113,382
MH Children's Outpatient	75,000
Total MH Restricted Children's Funds	<u>188,382</u>
MH State Children's Services	25,000
MH Juvenile Detention	65,880
MH Demo Proj-System of Care (Child)	0
Total MH Unrestricted Children's Funds	<u>90,880</u>
MH Crisis Response & Child Psychiatry (Fiscal Agent)	0
MH Crisis Response & Child Psychiatry Transfer In/(Out)	<u>70,000</u>
Total MH Net Restricted Crisis Response & Child Psychiatry	70,000
Total State MH Children's Funds (Restricted for Children)	349,262
<u>Other State Funds</u>	
MH Law Reform	331,492
MH Pharmacy - Medication Supports	274,679
MH Jail Diversion Services	0
MH Docket Pilot JMHCP Match	0
MH Adult Outpatient Competency Restoration Svcs	0
MH CIT-Assessment Sites	0
MH Expand Telepsychiatry Capacity	14,000
MH Young Adult SMI	0
MH PACT	850,000
MH PACT - Forensic Enhancement	0
MH PSH - CABHI	0
MH Permanant Supportive Housing (Non-CABHI)	0
MH STEP-VA	0
MH Expanded Community Capacity (Fiscal Agent)	0
MH Expanded Community Capacity Transfer In/(Out)	<u>0</u>
Total MH Net Expanded Community Capacity	0
MH First Aid and Suicide Prevention (Fiscal Agent)	0
MH First Aid and Suicide Prevention Transfer In/(Out)	<u>0</u>
Total MH Net First Aid and Suicide Prevention	0
Total MH Restricted Other State Funds	1,470,171

FY 2018 Community Services Performance Contract Financial Summ-

Exhibit A: Resources and Services

Mental Health (MH) Services  
Northwestern Community Services

<u>Funding Sources</u>	<u>Funds</u>
MH State Funds	1,520,724
MH State Regional Deaf Services	0
MH State NGRI	0
MH Geriatrics Services	0
Total MH Unrestricted Other State Funds	1,520,724
Total MH Other State Funds	2,990,895
<b>TOTAL MH STATE FUNDS</b>	<b>5,346,995</b>
<u>OTHER FUNDS</u>	
MH Other Funds	127,540
MH Federal Retained Earnings	0
MH State Retained Earnings	0
MH State Retained Earnings - Regional Prog	0
MH Other Retained Earnings	0
Total MH Other Funds	127,540
<u>LOCAL MATCHING FUNDS</u>	
MH Local Government Appropriations	234,028
MH Philanthropic Cash Contributions	0
MH In-Kind Contributions	0
MH Local Interest Revenue	0
Total MH Local Matching Funds	234,028
Total MH Funds	<b>9,022,461</b>
<u>MH ONE TIME FUNDS</u>	
MH FBG SMI (93.958)	0
MH FBG SED Child & Adolescent (93.958)	0
MH FBG Peer Services (93.958)	0
MH State Funds	0
Total One Time MH Funds	0
Total MH All Funds	<b>9,022,461</b>

FY 2018 Community Services Performance Contract Financial Summary

Exhibit A: Resources and Services

Developmental Services (DV)  
Northwestern Community Services

<u>Funding Sources</u>	<u>Funds</u>
<u>FEES</u>	
DV Other Medicaid Fees	0
DV Medicaid ICF/ID	1,926,141
DV Fees: Other	0
Total DV Fees	1,926,141
DV Transfer Fees In/(Out)	0
DV NET FEES	1,926,141
<u>FEDERAL FUNDS</u>	
DV Other Federal - DBHDS	0
DV Other Federal - CSB	0
Total DV Federal Funds	0
<u>STATE FUNDS</u>	
DV State Funds	165,120
DV OBRA	0
Total DV Unrestricted State Funds	165,120
DV Rental Subsidies	0
DV Crisis Stabilization (Fiscal Agent)	0
DV Crisis Stabilization Transfer In(Out)	0
DV Net Crisis Stabilization	0
DV Crisis Stabilization-Children (Fiscal Agent)	0
DV Crisis Stabilization-Children Transfer In(Out)	0
DV Net Crisis Stabilization -Children	0
Total DV Restricted State Funds	0
Total DV State Funds	165,120
<u>OTHER FUNDS</u>	
DV Workshop Sales	0
DV Other Funds	0
DV State Retained Earnings	0
DV State Retained Earnings-Regional Prog	0
DV Other Retained Earnings	0
Total DV Other Funds	0
<u>LOCAL MATCHING FUNDS</u>	
DV Local Government Appropriations	44,864
DV Philanthropic Cash Contributions	0
DV In-Kind Contributions	0
DV Local Interest Revenue	0
Total DV Local Matching Funds	44,864
Total DV Funds	2,136,125

FY 2018 Community Services Performance Contract Financial Summary

Exhibit A: Resources and Services

Substance Abuse (SA) Services

Northwestern Community Services

<u>Funding Sources</u>	<u>Funds</u>
<u>FEES</u>	
SA Medicaid Fees	409,875
SA Fees: Other	143,717
Total SA Fees	553,592
SA Transfer Fees In/(Out)	0
SA NET FEES	553,592
<u>FEDERAL FUNDS</u>	
SA FBG Alcohol/Drug Trmt (93.959)	400,532
SA FBG SARPOS (93.959)	92,780
SA FBG Jail Services (93.959)	0
SA FBG Co-Occurring (93.959)	9,643
SA FBG New Directions (93.959)	0
SA FBG Recovery (93.959)	0
SA FBG MAT - Medically Assisted Treatment (93.959)	0
Total SA FBG A/D Trmt Funds	502,955
SA FBG Women (includes LINK at 6 CSBs) (93.959)	78,127
SA FBG Prevention-Women (LINK) (93.959)	0
Total SA FBG Women	78,127
SA FBG Prevention (93.959)	151,531
SA FBG Prev-Family Wellness (93.959)	0
Total SA FBG Prevention	151,531
SA Federal CABHI (93.243)	0
SA Federal Strategic Prevention (93.243)	130,000
SA Federal OPT-R (93.788)	0
SA Other Federal - DBHDS	0
SA Other Federal - CSB	0
TOTAL SA FEDERAL FUNDS	862,613
<u>STATE FUNDS</u>	
<u>Regional Funds</u>	
SA Facility Reinvestment (Fiscal Agent)	0
SA Facility Reinvestment Transfer In/(Out)	0
SA Net Facility Reinvestment	0
<u>Other State Funds</u>	
SA Women (includes LINK at 4 CSBs) (Restricted)	16,200
SA Recovery Employment	0
SA MAT - Medically Assisted Treatment	0
SA Peer Support Recovery	0
Total SA Restricted Other State Funds	16,200

FY 2018 Community Services Performance Contract Financial Summary

Exhibit A: Resources and Services

Substance Abuse (SA) Services

Northwestern Community Services

<u>Funding Sources</u>	<u>Funds</u>
SA State Funds	1,009,144
SA Region V Residential	0
SA Jail Services/Juv Detention	0
SA SARPOS	43,944
SA Recovery	0
SA HIV/AIDS	0
Total SA Unrestricted Other State Funds	1,053,088
Total SA Other State Funds	1,069,288
TOTAL SA STATE FUNDS	1,069,288
<u>OTHER FUNDS</u>	
SA Other Funds	0
SA Federal Retained Earnings	0
SA State Retained Earnings	0
SA State Retained Earnings-Regional Prog	0
SA Other Retained Earnings	0
Total SA Other Funds	0
<u>LOCAL MATCHING FUNDS</u>	
SA Local Government Appropriations	986,775
SA Philanthropic Cash Contributions	0
SA In-Kind Contributions	0
SA Local Interest Revenue	0
Total SA Local Matching Funds	986,775
Total SA Funds	3,472,268
<u>SA ONE-TIME FUNDS</u>	
SA FBG Alcohol/Drug Trmt (93.959)	0
SA FBG Women (includes LINK-6 CSBs) (93.959)	0
SA FBG Prevention (93.959)	0
SA State Funds	0
Total SA One-Time Funds	0
Total All SA Funds	3,472,268

Conservation Easement Authority – Easement Donation Linda Armbrust

MEMORANDUM

TO: Board of Supervisors, David Ash  
FROM: Conservation Easement Authority, Alison Teetor  
DATE: August 8, 2017  
SUBJECT: Items for Consent Agenda –Armbrust - Easement Donation

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

**Linda Armbrust**

Linda Armbrust has applied to the easement authority for approval of an easement donation. The parcel consists of 18.9 acres located on the north side of Pyletown Road (Route 620) just east of her property located at 1886 Pyletown Road approximately 1.8 miles west of the intersection of Pyletown Road and Route 340.

The property has two (2) unused Dwelling Unit Rights (DUR)s, and is vacant. The applicant would like to retire one DUR. In reviewing the parcel, at three of 4 criteria have been met. The Property Resource Score is 66.93, one DUR is being extinguished, it is next to an existing easement, it is less than 40 acres in size.

The parcel is open pasture and used for grazing and hay production. It is within the groundwater recharge area and the Prospect Hill Spring drainage. The parcel has frontage on Pyletown Road, a State scenic byway for 900'. The parcel is within the Chapel Rural Historic District.

**Supervisor Catlett moved to approve the Consent Agenda. 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

8) Board of Supervisors Personnel Item

A. Expiration of Term for appointments expiring through October 2017

08/07/2017 Summary: The Personnel Committee recommends appointments:

- James Smith Board of Board of Social Services to a term expiring July 15, 2021.
- Sara Davis Family Assessment and Planning Team Parent Representative to a term expiring December 31, 2020.
- Matt Hoff Fire and EMS Commission Boyce VFRC Representative to a term expiring August 31, 2018.
- Jacob White Fire and EMS Commission Blue Ridge VFRC Representative to a term expiring August 31, 2018.
- Van Armacost, Jr. Fire and EMS Commission John H. Enders VFRC Representative to a term expiring August 31, 2018.

08/15/2017 Action: Chairman Weiss reminded members to notify their alternate if unavailable to attend a scheduled meeting. Chairman Weiss further added the following appointments:

- Rives Bacon Conservation Easement Authority to fill the unexpired term of Laure Wallace expiring December 31, 2019.
- William "Bill" Waite Industrial Development Authority of the Clarke County, Virginia to a term beginning October 31, 2017, expiring October 30, 2021. Mr. Waite will fill the position previously held by Allan Frederickson.

**Supervisor Daniel moved to approve the recommendations for appointment. 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 Laure Wallace and Allan Frederickson for their service.

**B. FLSA Exemption Review for CCSO**

08/07/2017 Summary: The Personnel Committee instructed David Ash to contact Jim Klenkar to authorize him to speak directly with the Sheriff and the Commonwealth Attorney.

08/15/2017 Action: David Ash provided an update. Highlights include:

- The Sheriff was asked and authorized to discuss his issues directly with Mr. Klenkar, which has not yet taken place.

- Mr. Klenkar is requesting direct discussion with the Board of Supervisor Chair prior to his discussion with the Sheriff to get a better understanding of whom he is representing and, in particular, a discussion with the Commonwealth Attorney that presents an issue requiring resolution. The discussion would include who is representing who, what, and who is doing the hiring and are they or are they not covered by the Board's policy.

Chairman Weiss added:

- The Sheriff has a difference of opinion on whether or not certain employees are exempt or not.
- The County is attempting to resolve the difference of opinion arising between the Sheriff and a consultant.

9) Finance Committee

A. Commonwealth's Attorney Part Time Hours

Action: The Finance Committee recommends: *"Be it resolved that \$2,492 be transferred from personnel contingency to the Commonwealth's Attorney Office for the purpose of increasing part time salaries."*

08/15/2017 Action: Tom Judge reviewed the request. Chairman Weiss added that the Commonwealth Attorney has agreed to take on zoning matters and extra time for office staff is needed.

**Supervisor Byrd moved to approve 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

B. Sheriff's Distribution of Salary Increase

Action: Information only

08/15/2017 Action: Tom Judge reviewed the request. No action was taken.



C. FY2018 Transfer

Action: *"Be it resolved that \$58,824 be transferred from the General Fund personnel contingency to the County Administrator accounts for the purpose of funding an Administrative Assistant position."*

08/15/2017 Action: Tom Judge reviewed the request.

Supervisor Byrd remarked that Stephanie Smith, Administrative Assistant – County Administration, had done an excellent job coordinating the August 10 VACo Region 6 meeting.

**Supervisor Catlett moved to approve 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

D. FY 18 Supplemental Appropriations

a. Volunteer Fire and Rescue Worker's Compensation

*"Be it resolved that FY2018 Volunteer Fire expenditure and appropriation be increased \$23,995, and that the designation for General Government Savings be reduced in the same amount, all for the purpose of providing Worker's Compensation coverage to Fire/EMS Volunteers."*

b. Volunteer Fire and Rescue Accident and Sickness Policy

*"Be it resolved that FY2018 Volunteer Fire expenditure and appropriation be increased \$12,445, and that the designation for General Government Savings be reduced in the same amount, all for the purpose of providing Accident and Sickness coverage to Fire/EMS Volunteers."*

08/15/2017 Action: Tom Judge reviewed the requests a. and b.

**Supervisor Catlett moved to approve items a and b as presented. 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

c. Rescue Squad Assistance Fund (RSAF) Grant Award (option 3)

*"Be it resolved that the FY2018 General Government Capital Projects Fund budgeted expenditure and appropriation be increased \$5,264, that recognized revenue from the Commonwealth be decreased in the amount of \$18,768 that additional local transfer of \$26,496 be approved, and that the designation for General Government savings be decreased \$26,496, all for the purpose of funding certain EMS equipment."*

08/15/2017 Action: Tom Judge reviewed the request. Brian Lichty answered questions from the Board.

**Supervisor Daniel moved to approve. 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

E. Tax Relief for the Elderly and Disabled

Action: The Finance Committee recommends no change to the schedule.

08/15/2017 Action: Tom Judge reviewed the request opining that Clarke provides the most generous relief in the surrounding communities.

Supervisor Byrd stated that she had advanced this matter to address concerns expressed by a constituent. In light of its current recommendation, she asked members of the Finance Committee to draft a response to her constituent explaining its recommendation not to amend County Code Chapter 165 Taxation, Article VI Exemption for Elderly and Disabled Persons § 165 - 36. Eligibility.

As the members comprising the Finance Committee, Chairman Weiss and Supervisor Catlett explained the rationale behind their decision not to change the schedule noting:

- It was leery of changing policy for one constituent.
- Clarke is more liberal and grants higher limits on the net worth cap, *excluding the house and house site*, than neighboring jurisdictions.
- Clarke is more generous with income limits than neighboring jurisdictions.
- The net reduction is an estimated \$9,000 and every burden shifted from one group is added to another group.

Tom Judge suggested individuals eligible for tax relief contact the Commissioner of the Revenue to work on remedies.

Supervisor Daniel and Supervisor Catlett each noted that Clarke is more generous than other jurisdictions and its caps higher in recognition of the fact that it does cost more to live in Clarke County.

Vice Chair McKay commented that he believed the explanation for the Finance Committee's recommendation was already in "black and white"; however, he, too, had mixed emotions on the issue. He concurred with the Finance Committee and Supervisor Daniel that Clarke was already more generous than surrounding counties.

Supervisor Daniel recommended that interested persons submit application to the Commissioner of the Revenue.

David Ash contributed that Supervisor Byrd did submit a proposal setting forth income amounts for 20%, 30%, and 40% increments. He opined that he did not know how such change would affect a specific individual. He reminded that the net reduction was an estimated \$9,000; and, the incremental shift might encourage those not currently using the program to enter leading to greater revenue reduction.

**Supervisor Byrd moved to table the matter for thirty days pending further, more thorough research, follow up with her constituent, and to bring her recommendation back to the Supervisors at its September meeting.**

Vice Chairman McKay noted that a change to the schedule would require amendment to the County Code.

Supervisor Daniel remarked that all her questions had been answered; however, if Supervisor Byrd believed there was more information to be considered, it was appropriate to research further.

In conclusion, Chairman Weiss said that he did not know what new information could be derived noting that the Finance Committee had already checked with the

Commissioner of the Revenue, checked with Joint Administrative Services, and checked other localities.

Supervisor Catlett asked that the new information be identified for its September review.

**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	- Nay

**F. Bills and Claims**

Action: The Finance Committee recommends approval of the July 2017 Invoice History Report

**Supervisor Daniel moved to accept the July 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

**G. Standing Reports**

FYI: Reconciliation of Appropriation, Expenditure Summary, Capital Projects Status

**Joint Administrative Services Update by Tom Judge:**

- July and August meetings cancelled.
- Started review of the ERP taxation module August 1, 2, and 3.
- Three additional days scheduled for next week to include data conversion.
- Go live scheduled for December.
- Final piece is Virginia income tax beginning in January.

## 10) Government Projects Update

David Ash provided the monthly project update.

- BCCGC: Meeting Room wing painted.
- Convenience Center:
  - Some issues to discuss during closed session today.
  - Working to secure access to well site.
  - Working with Planning Commission to secure special use permit.
- Primary School:
  - Met with Superintendent Bishop last week.
  - No temporary certificate of occupancy can be issued until fire alarms, exit lighting, and fire codes are complete.
  - Contractor is behind schedule.
  - Work was anticipated to be complete by August 8; however, completion is now closer to the end of August.
  - Penalty for each day past the deadline is \$2,000 per day.
  - School Board agent, the Building Official, and the Fire Chief pushing to ensure that completion efforts are done correctly.
- Pavilion at Park: Not a great deal of information available.

## 11) Miscellaneous Items

### Courthouse Benches

Chairman Weiss stated that he would like the entities requesting the benches to work out the issues with the Courts; and if agreed upon, a minor capital project would be submit to the Finance Committee during budget deliberations for consideration.

David Ash said that he had a lengthy discussion with Angie Jones, Director of Social Services, and, prior to that discussion, he did not believe that Mrs. Jones had any conception of the magnitude of the project. He advised that Social Services was looking at it from the standpoint as to an inexpensive way to try to provide some additional seating and had not considered the impact of the need to purchase commercial-grade benches, secure installation, and meet the security expectations of the court. He added that he had advised Mrs. Jones that if she still thought adding additional seating a good idea it would be incumbent on her to get the conditions, the consensus of the affected parties, and to make the presentation during the regular budget cycle.

Vice Chairman McKay commented that he did not fully understand the drive behind this initiative.

Supervisor Byrd explained that court proceedings in Juvenile and Domestic Relations Court are closed. Persons must wait outside the courtroom until they are called. The primary use of the conference room outside the courtroom is for attorney/client or client meetings with agency representatives. Persons, if standing in the hallway, can disrupt proceedings and present a security challenge. Supervisor Byrd stated that Social Services would like a few benches out on the lawn where families can sit and have asked her to talk with the judges.

Supervisor Daniel interjected that she has spoken with judges and other court personnel. Citing her twenty years working as guardian ad litem for children in abuse and neglect cases, as well as working with victims of domestic violence and sexual assault, she advised the Supervisors of real safety concerns in these situations. She stated the old courthouse was historic, fabulous; but it was not designed for current security concerns. She opined that one way to fix the issue was to move court cases to a different courthouse.

Sheriff Roper commented that his office took the position in March or April that it was "out of the bench business." He informed the Board that his office interviewed all the court clerks; and from a court security perspective, his office does not care. He continued that adding benches does create maintenance issues and is not as simple as some may think. He said that the law was very specific as to who was responsible for caring for the buildings and courthouse; therefore, whatever the Board of Supervisors decides will be just fine.

In conclusion, Chairman Weiss instructed Supervisor Byrd to continue working on the issue and reiterated his desire for any project that might result to follow the normal process. He urged Supervisor Byrd to follow up with the appropriate channels and work with the Building and Grounds Committee and Maintenance; and next budget cycle, she could submit a package to the Finance Committee for review.

Clarke County School Board Strategic Plan Committee

Chairman Weiss informed the Supervisors that the Clarke County School Board would be working on another strategic plan. He put forth the appointment of Supervisor Catlett, current liaison to the School Board, to serve as the Committee.

**Vice Chair McKay moved to approve the appointment of Supervisor Catlett to the School Board Strategic Plan 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

Supervisor Catlett thanked her peers and asked them to provide comment to her.

David Ash was instructed to provide notice of appointment to the School Board.

12) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process approved minutes.	Lora B. Walburn
2.	Process Northwestern Community Services Contract for FY2018.	Lora B. Walburn
3.	Compile notices of appointment and update database.	Lora B. Walburn
4.	Execute notices of appointment.	David Weiss
5.	Assist Supervisor Byrd with review of proposed Tax Relief for the Elderly and Disabled and add review to the September Agenda.	David Ash
6.	Contact Mr. Klenkar re personnel matters.	David Weiss
7.	Provide notice of appointment to the School Board Strategic Plan Committee.	David Ash

13) Board Member Committee Status Reports

Supervisor Barbara J. Byrd

- Berryville Town Council:
  - o Motion to approve painting Berryville on the side of the water tower died for lack of a second.
  - o Cost of tanker and crew needed to be available during painting operations is \$15,000.
  - o No decision on crosswalks.
  - o Mayor requested legal opinion on dedication of Wheeler Lane. Council decided to hear from the other affected property owner before expending further funds on attorney's fees.
- VACo Region 6:

- Delegates Minchew and LaRock attended the VACo Region 6 meeting on August 10.
- Meeting was well attended.
- Discussed various topics including local rights and Interstate 81.
- Stephanie Smith, Administrative Assistant County Administration, did an excellent job coordinating the meeting.
- Social Services: Jim Smith, pending appointee, attended the meeting.

Supervisor Terri T. Catlett

- Parks and Recreation: Did not meet.
- Clarke County School Board:
  - Two members did not attend so meeting was short.
  - Superintendent will be putting up a google calendar to provide more information.
- Millwood: Did not meet.
- VACo Region 6: Banner provides an excellent backdrop for photographs.

Supervisor Mary L.C. Daniel

- Planning Commission: Did not meet.
- Library Advisory Council: Did not meet.
- Broadband Implementation Committee: Meets next week to review the seven RFI responses.

Vice Chair Bev B. McKay

- Sanitary Authority:
  - Spill of sewage over the weekend. Able to clean up most of the spillage and then properly treat.
  - Discussed water break. CCSA policy is to meet customers half way on cost.
  - Identified and will begin follow up on the seven or eight potential secondary water sources.
- NSVRC:
  - Long discussion about glass recycling.
  - Provided a report on the housing inventory.



Chairman David S. Weiss

- Broadband bill opposition letters: Mailed.
- 57 Ray of Hope Lane [formerly Camp 7]: The State has not yet responded to the Board's letter.
- Convenience Center:
  - Awaiting karst review from engineers.
  - Not all may be ready for the advertised public hearing in September. Brandon Stidham reminded that the public hearing was contingent upon Planning Commission decision.
- Fire & EMS Commission:
  - Brian Lichty is writing standard operating guidelines.
  - At the last meeting, Chief Deputy Sumption presented a proposal that if a Deputy Sheriff is in the area of an emergency call they will respond.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, September 19, 2017, at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

14) Adjournment

At 3:06 pm, being no further business, Chairman Weiss adjourned the meeting.

ATTEST: August 15, 2017

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

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

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