

2) *Adoption of Agenda*

Vice Chair Catlett moved to adopt the agenda as presented. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

Chairman Weiss offered the Board’s condolences on the recent passing of Susanne and Larry Taylor. Mrs. Taylor worked for the county for many years, first at the Cooperative Extension office and later as the front receptionist at the Joint Government Center, and Mr. Taylor was an attendant at the Citizen’s Convenience Center on Quarry Road for the last several years. Susanne and Larry were good folk and the community will miss them.

3) *Citizen’s Comment Period*

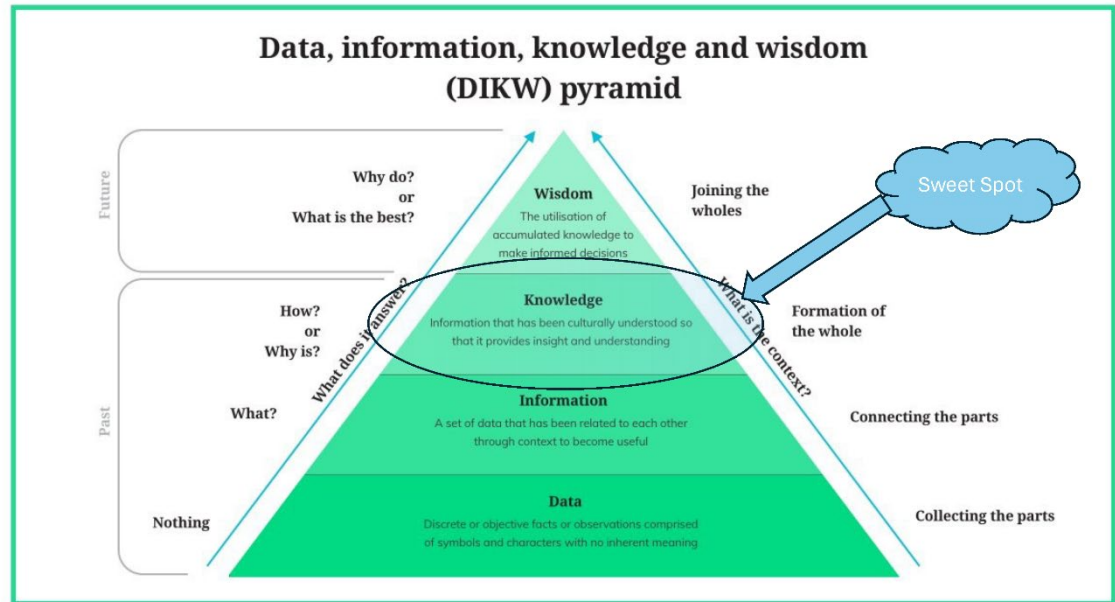
Michael O’Donnell of Millwood Road in Boyce

This is just a quick update based on some data that has been collected from both the Sheriff’s Office and from VDOT, who put up counters before and after – car counters and speed counters. I have already checked with Ed Carter, so there should be no deviation in my analysis versus what Matt Smith will present in his VDOT update.

Its all about the end-game

Prelim reporting of Speed Table Pilot Project in Millwood
Bishop Meade Only

To that end, there are still counters in place on the Millwood portion of the road (723), so we are just talking about Bishop Meade here.



I start with this so we know that we are not just talking about numbers and we are going to add some context to what this data means. When I give you numbers, hopefully, the context I am providing behind that is helpful.

85th Percentile Speed (mph)

- The 85th percentile speed is the speed at or below which 85 percent of the drivers travel on a road segment
- Motorists traveling **above** the 85th percentile speed are considered to be exceeding the safe and reasonable speed for road and traffic conditions
- **Note:** The 85th percentile speed should be taken from speed data collected during a 24-hour weekday period. This has been done by both VDOT and Clarke County Sheriff Department

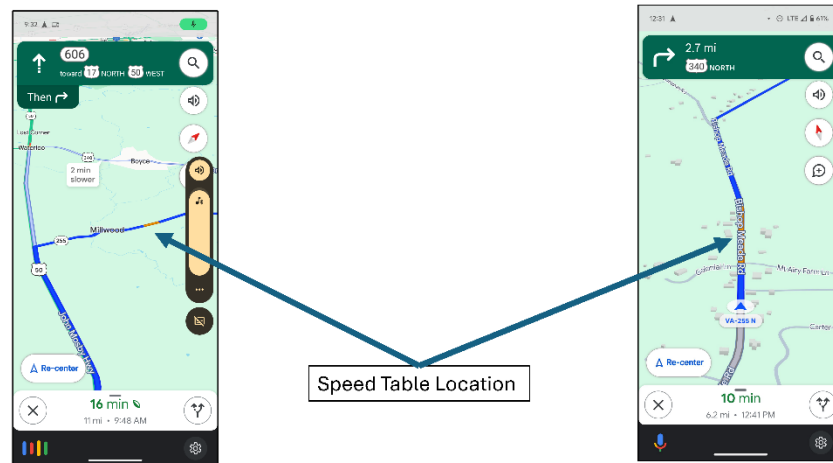
For my own edification, and if you are not familiar with what the 85th percentile speed is, I thought I would just bring it up here, because that is constantly what the Department of Transportation speaks about. The reason this is important is that it is how you determine whether to make changes to a specific roadway.

Do you know (Knowledge)

- There is anywhere between 11 to 25% more Northbound traffic than Southbound traffic through Millwood on Bishop Meade on any given day as measured by both VDOT and Clarke County Sheriff Department
 - This equates to 1,000-2,000 cars/day of the total; ~10,000 cars
 - Northbound traffic of the 85th percentile have **reduced speed from 40mph to 32mph – impressive**
 - Northbound traffic retain higher speeds although this may be due to placement of measuring devices
- Southbound cars of the 85th percentile have **reduced speed by 10mph from 38 to 28 – This is impressive!**

I think these reductions are amazing and the data really speaks for itself.

Google Navigation – Integrated and Changing to Accommodate Obstacles



This I think is super interesting. Mr. Lawrence had asked about this: at what point and how does Google navigation know that we have made changes. I set a route from East on Route 50 to Berryville. Instead of taking me down Millwood Road, it took me directly up Bishop Meade and it showed 2 minutes slower than taking Lord Fairfax Highway. In the more granular version, I picked a route from my house to Berryville. As I went up Bishop Meade Road, it informed me that I was going to come to a slower area. Frankly, I was surprised that Google navigation picked up on this so quickly but there it is technology at work.

Bradley Cook of Longwood Lane in Bluemont

I live over on the mountain on Route 7. Concerning the recent widening of Route 7 by adding asphalt to the shoulders: can anyone tell me whose idea it was, or who directed the contractor, to put the rumble strips on the yellow line on the left side and on the white line on the right side? Now, every time I step outside my house all I hear is tires on rumble strips. It is terrible. Is this a Clarke County thing? I have not seen it done anywhere else. I have lived there twenty-two years and I have not complained about traffic noise until now. My only noise complaint before was Harleys and jake brakes on tractor-trailers coming down the mountain. That is just every now and then. This does not stop; it is day and night every time I step outside my house. I will share a quick email from one of my neighbors that says:

“Hi Bradley, I want to give my support in your efforts to have something done about the excessive noise from the rumble strips. We appreciate the work done in widening the shoulders, but to put the rumble strips in the white line on the edge of the road is terrible. The very loud noise is even worse than the jake brakes on the big trucks. I have lived next to Route 7 for forty years and the road noise has become increasingly worse but never as bad as it is now with the addition of the rumble strips. I agree it would be much better to move them to the outermost part of the pavement, or at least a foot or two off of the white line. That is usually where I see them. I brought this up before when they widened it from Berryville to the river. I was told that it was needed there for a reaction time. I hope that there is something to be done about this very annoying problem. Thanks.”

His name is Tom Holter and he lives on Ross Lane, right there on Route 7.

I am trying to find out who gave the contractors direction to do this, because I have not seen it done like that anywhere else, unless there is no more asphalt to put them on. The road coming up over the mountain is not straight. When people come around the curve, they tend to drive on the lines and directly on the rumble strips. One Saturday evening, I sat outside and heard tires on the rumble strips every minute, that is how bad it is. I would like to get a commitment from someone that when this thing is resurfaced it will be changed.

Chairman Weiss thanked Mr. Cook for his comments and advised that the VDOT representative in attendance could speak to these concerns.

Matt Smith, Assistant Resident Engineer at the VDOT Edinburg Residency, shared the following:

- The rumble strips are placed to alert drivers when they leave the travel lane and get them back, in order to improve safety. Noise is a consequence of that.
- Route 7 is a high-volume, four-lane, divided primary route. It is heavily traveled, high-speed and in a rural area but there are still impacts. Mr. Smith

stated: "It is something that, quite frankly, I never thought about and maybe it was overlooked."

- The focus of the project was to improve safety by keeping drivers within the travel lanes. After the widening and rumble strip components are completed, there is still guardrail work to be done on that project.
- He will get information from the designers to get an answer as to why they are set on the white line instead of outside that line and he will also relay Mr. Cook's concerns.

Chairman Weiss

- Advised that the Board sympathizes with Mr. Cook greatly and the county will help make these concerns known, but what happens is entirely up to VDOT.

4) *VDOT Update*

Matt Smith advised that Ed Carter was on vacation and provided the following update on VDOT activities for the month of August:

Maintenance Items

- Performed litter pickup (300 bags of trash) and shoulder mowing on primary routes and will continue with litter pickup this month.
- Conducted tree-trimming operations on Route 340 from Smallwood Lane to Bishop Meade Road using contractors.
- Installed new pipes on Route 612 (Shepherds Mill Road) and Route 606 (Mount Carmel Road).
- Repaired shoulders and ditching on Route 340 north and will continue this month, including some on Route 7.
- Graded various stabilized roads and will continue this month.
- There was significant flooding and storm damage from Tropical Storm Debby and VDOT will be repairing roadways and cleaning up debris for the rest of this month and into next month.

Board Concerns

- Waiting on survey for proposed industrial property at Camp 7.
- Using money left over from the recently completed rural rustic project on Lockes Mill Road, VDOT is developing a plan/estimate to address drainage issues on Morgans Mill Road. This will probably be a multiyear process depending on available funding. VDOT will bring a proposal to the Board once that estimate is known.

- The Old Charles Town Bridge project is scheduled to go for advertisement to bid on September 10. If there is a successful bid on the contract, construction is expected to start in late December or early January and continue for 15 months.

Supervisor Lawrence

- Stated that there are major flooding concerns in the bridge area that can and should be addressed while the road is closed for that project.

Chairman Weiss

- Inquired if the ditches along Parshall Road (Route 608) would be repaired.
 - Matt Smith responded yes, VDOT will spend the next two to four weeks on cleaning up and repairing damage from Tropical Storm Debby.

Supervisor Shaffer

- Advised, and Vice Chair Catlett concurred, that the stop bars and intersection markings at Route 601 and Route 7 have eroded so far that they are no longer visible so they need to be repainted.

Mr. Smith shared the following regarding speed concerns on Route 601:

- VDOT speed recorders do not show a speeding issue on the southern end of this route. 85% of traffic is traveling within 7mph of the posted speed limit.
- The request for flashing speed signs in something VDOT would not do on rural secondary roads like this one because it would not be effective. If the community and the Board wishes to purchase, install, and maintain the device, VDOT will issue a permit and assist with selecting a suitable location.
- The tragic motorcycle fatality was a result of speeds estimated to be in excess of 70mph. Regrettably, VDOT cannot control the drivers.

Mr. Smith provided the following update regarding the Millwood speed tables:

- The temporary message boards have been removed and the new permanent signs have been installed. Thermo paint has been ordered for the additional pavement markings, which will indicate traffic should slow to 15mph in advance of the speed tables. This should be completed within the next month.

Supervisor Lawrence

- Recalled that Darin Simpson, Staunton District Assistant Engineer, spoke at the Board's June meeting in response to concerns about the speed tables and described them as "speed thumps", as they were somewhere in between a speed hump and a speed table. Mr. Simpson had suggested that VDOT could perhaps grind them down to make the tops flatter.
 - Mr. Smith responded that he had not heard VDOT would be grinding them down. The District Traffic Engineer provided the detail for installing the speed tables. The contractor built and installed them in compliance with those specifications. In fact, the end result was about

2 inches lower than the prescribed design. The speeds there have dropped about 10mph.

Chairman Weiss

- Commented that the speeds have dropped because it is impossible to drive over them at 25mph, despite what was promised when the project was originally presented.
 - Matt Smith observed that there is a 15mph advisory speed for the speed tables area.
- Responded that traveling over the speed tables at 25mph causes vehicle damage and that is not what the Board agreed to.

Supervisor Lawrence

- Added that the visible scars on the tops of the speed tables indicate that people are damaging their vehicles going over them.
 - Mr. Smith opined that vehicles driving over the speed tables at 15mph would be fine but at 25mph, it would be noticeable.

Supervisor Shaffer

- Recalled that the finished speed tables measured about 2 inches lower than the actual design and asked how they measured relative to the speed table design in the actual VDOT manual.
 - Matt Smith responded that the Staunton District Traffic Engineer supplied standards for the speed table design, which were given to the contractor. After installation, VDOT field measurement verification showed all of the speed tables were slightly below the prescribed height. Though he cannot recall the exact figures, they were all in compliance with the Engineer’s design details.

Supervisor McKay

- Shared that he has heard several complaints that if a motorcycle attempts to travel over the speed tables at the posted speed of 25mph, the driver could be ejected.

Chairman Weiss

- Commented that the Board and citizens were told that the speed tables would be drivable at 25mph. They are not and therefore need to be changed because that they are not what the Board signed on for. VDOT needs to explain why they advertised one thing to the community and built something different.

Vice Chair Catlett

- Observed that the flashing “speed humps” sign was up, so drivers had multiple reasons to slow down during the recent speed data collection. It is nice to see cars going slower in Millwood, but the goal was to get them to travel at 25mph and not 15mph.

Supervisor Shaffer

- Opined that the issue is quite simple: the Board wants citizens to be able to travel 25mph on a road with a 25mph speed limit.

Chairman Weiss

- Summarized that the Board agreed to what was presented, which was that speed tables would allow people to drive the speed limit while limiting excessive speeds. The Board appreciates that the speed tables have helped the community and is glad for that. However, the installed tables are not what was promised, are not what was advertised, and are not what the general community thought they would get. Whether they live here or not, people driving through there have the right to drive at 25mph if that what the speed limit is. This Board has a responsibility to allow people to drive the appropriate speed limit without damaging their vehicles. The Board would like VDOT to re-evaluate the situation and advise what they are going to do to fix it.

5) *Voter Registrar Update*

Clarke County Voter Registrar Barbara Bosserman presented the following:

- It is a Presidential election year and the elections office will be busy.
- The dual Presidential Primary in March went smoothly and there was a 20.88% turnout, followed by a Republican Primary for the US Senate in June.
- Early voting and vote by mail for the November election will start on 45 days prior, on September 20.
- Preparation work is on-track and ballot proofing will begin on September 7.
- Staff will attend the next BCCGC Joint Building Committee meeting on September 4 to discuss using the second floor atrium area for early voting.
- In 2020, over 4,000 people opted to vote early in-person and there were over 2,000 in 2023. Staff is prepared, no matter which voting option citizens choose.
- Typically, there is about an 80% voter turnout for Presidential elections in Clarke. There are approximately 12,500 registered voters in the county; staff always orders 100% ballots so that there are no shortages.
- Citizens are already calling to ask about sample ballots, staff anticipates that they will be ready around September 16.
- The state Board of Elections has until September 6 to qualify all the independent Presidential candidates, which tightens the turnaround time but staff will be ready when early voting begins.
- There are currently 117 Officers of Election who have been appointed, have taken their oath, and are ready to work.

- The homeland security grant award was received and implemented; the upgraded security cameras are working well, as are the new access controls.
- Grant funds also purchased generators to be used in the event that a precinct loses power on Election Day.

Chairman Weiss

- Asked how the Governor Youngkin’s Executive Order 35 will affect procedures in the county.
 - Mrs. Bosserman answered that the county is in compliance; Clarke already does most of the things in the order.

Vice Chair Catlett

- Thanked the Voter Registrar and staff for all of their efforts in making elections safe and secure.
 - Barbara Bosserman shared that it is a team effort and everyone in the county works together very well; having support makes it easier to do what they have to do.

Chairman Weiss

- Added that leadership from the Electoral Board and the Voter Registrar also contributes to these successes.

6) *Drought Monitoring Update*

Conservation Planner Lorien Lemmon presented the following:

Drought 2024 update

Lorien Lemmon
August 20, 2024

Overview

- US Drought Map and State drought designation
- Review local groundwater and stream gauges
- Farm Service Agency emergency loan program

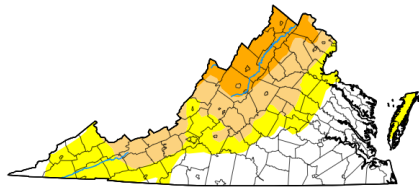
US Drought Monitor Map

Map released: Thurs. August 15, 2024

Data valid: August 13, 2024 at 8 a.m. EDT

Intensity

- None
- D0 (Abnormally Dry)
- D1 (Moderate Drought)
- D2 (Severe Drought)
- D3 (Extreme Drought)
- D4 (Exceptional Drought)
- No Data



Notable Dates:

6/18/2024: Moderate Drought (D1)

6/27/2024: Severe Drought (D2)

7/16/2024: Extreme Drought (D3)

8/9/2024: Tropical Storm Debby

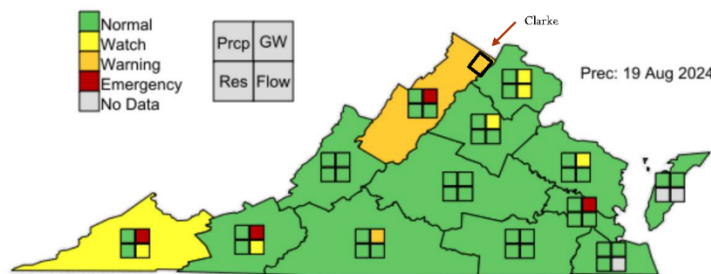
8/13/2024: Severe Drought (D2)

Authors

United States and Puerto Rico Author(s):
[Curtis Riganti](#), National Drought Mitigation Center

DEQ Drought Map

State-level drought designation by watershed (Warning as of August 13)



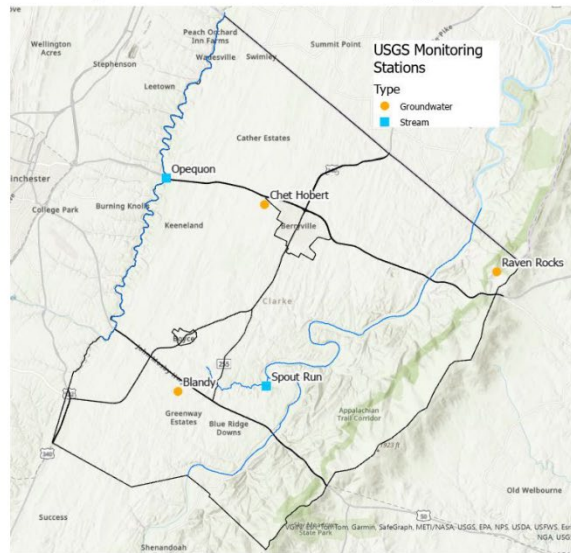
Prcp = Precipitation

GW = Groundwater

Flow = Stream flow

Res = Reservoir (Switzer Lake near Harrisonburg)

Clarke County USGS Monitoring Stations

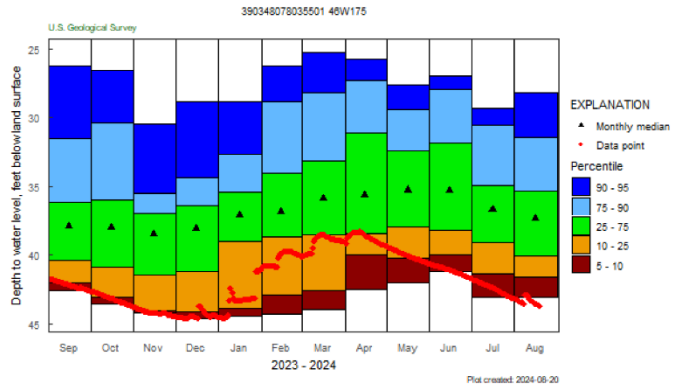


Clarke Drought Indicators and Triggers

Drought Trigger Table for the Northern Shenandoah Region:

Locality	Drought or Low Water Stage	Groundwater/ Spring	Surface Water/ Reservoir	Quarry	Location of Triggers & Other Information
Clarke County	Watch	GW levels fall between the 10 th & 25 th percentile and the DEQ Drought website Watch stage	Stream flows fall between the 10 th and 25 th percentile		Declaration of a drought / low water stage when two or more indicate low water. The resources will include the County monitoring well network; the DEQ Drought Website page; Spout Run USGS gage; and Main Stem Millville USGS gage
	Warning	GW levels fall between the 5 th & 10 th percentile and the DEQ Drought website Warning stage	Stream flows fall between the 5 th & 10 th percentile		
	Emergency	GW levels fall below the 5 th percentile and the DEQ Drought website Emergency stage	Stream flows fall below the 5 th percentile		

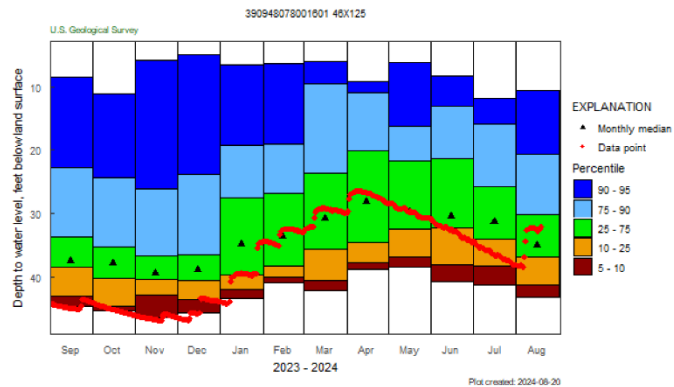
Blandy Groundwater Well



Most Recent Measurement: 43.7 feet below land surface (August 19, 2024)
Water-level Percentile Classification for July: > 5 percentile "Low"

August Lowest Median = 45.3 ft below land surface
August Highest Median = 26.8 ft below land surface

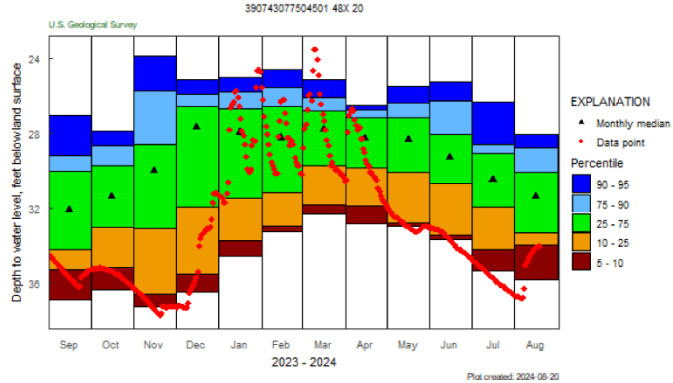
Chet Hobert Groundwater Well



Most Recent Measurement: 32.1 feet below land surface (August 19, 2024)
Water-level Percentile Classification for July: 25th-75th percentile "Normal"

July Lowest Median = 43.3 ft below land surface
July Highest Median = 10.6 ft below land surface

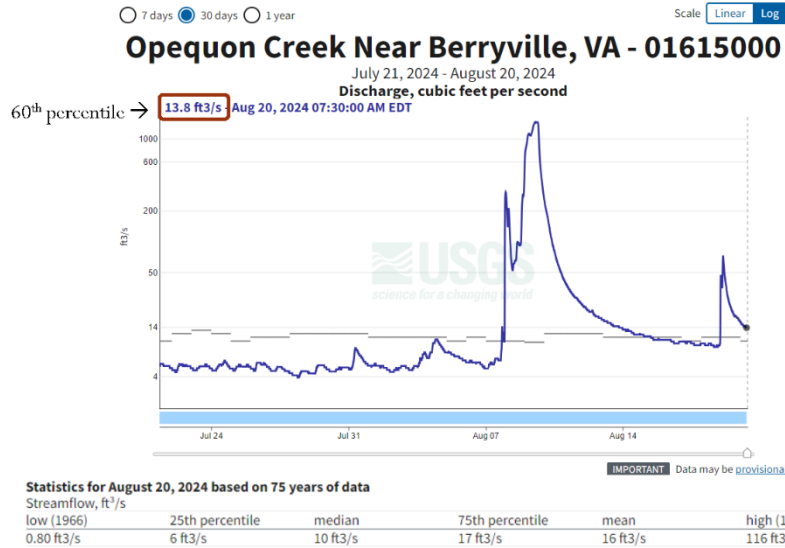
Raven Rocks Groundwater Well

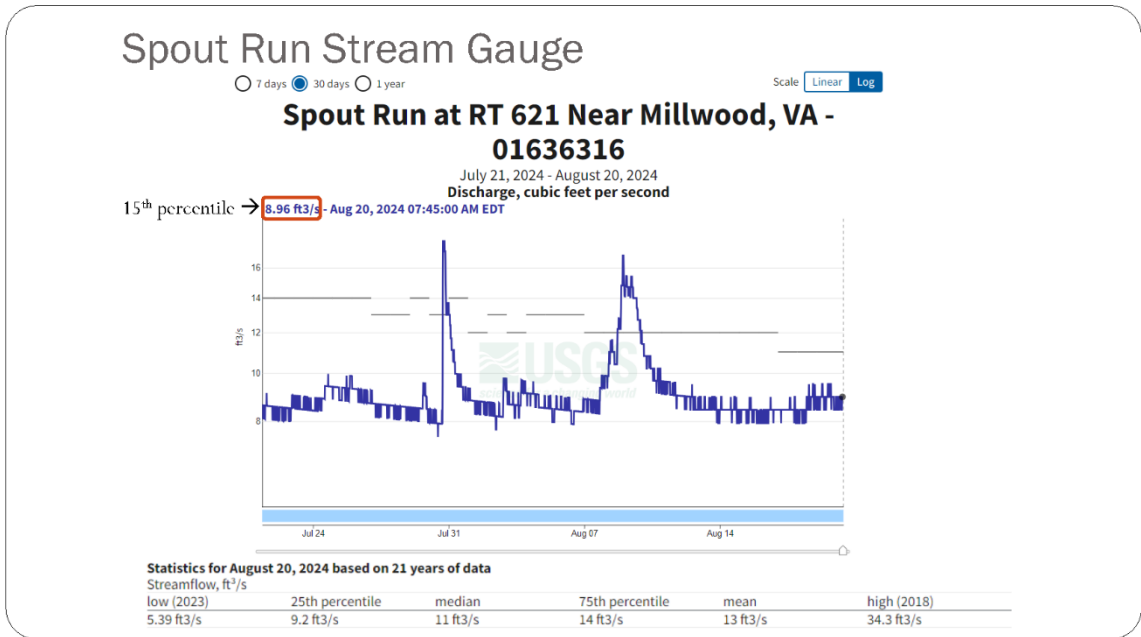


Most Recent Measurement: 34.0 feet below land surface (August 19, 2024)
Water-level Percentile Classification for July: 5th -10th percentile "Much below normal"

July Lowest Median = 36.1 ft below land surface
July Highest Median = 28.0 ft below land surface

Opequon Creek Stream Gauge





Clarke Indicator Summary

Drought or Low Water Stage	Groundwater/ Spring	Surface Water/ Reservoir
Watch	GW levels fall between the 10 th & 25 th percentile and the DEQ Drought website Watch stage	Stream flows fall between the 10 th and 25 th percentile
Warning	GW levels fall between the 5 th & 10 th percentile and the DEQ Drought website Warning stage	Stream flows fall between the 5 th & 10 th percentile
Emergency	GW levels fall below the 5 th percentile and the DEQ Drought website Emergency stage	Stream flows fall below the 5 th percentile

Gauge	Percentile	Designation
Chet Hobart	25-75	Normal
Blandy	>5	Emergency
Raven Rocks	5-10	Warning
Opequon	25-75	Normal
Spout Run	5-10	Warning

Farm Service Agency Emergency Loan Program

- July 29th the US Secretary of Agriculture designated Clarke County a primary natural disaster area due to drought
- Eligible farmers have 8 months from the disaster declaration to apply for FSA emergency loans
- Eligibility:
 - Established family farm operators who own or operate land within the declared disaster area
 - Have suffered at least 30% loss in crop production or a physical loss to livestock, livestock products, real estate, or chattle property
 - Can provide collateral and can show repayment ability
- Max Loan amount is \$500,000 at 3.75% interest (Effective Aug 1, 2024)
- Loan uses:
 - Pay all or part of production costs associated with the disaster year
 - Pay essential family living expenses
 - Reorganize the farming operation and refinance certain debts
- Loan terms are typically 1-7 years (sometimes up to 20-40)

Questions?

Local Farm Service Agency Contact Info:
722 East Queen St.
Strasburg, VA
Phone: 540-465-2424

7) *Approval of Minutes*

Vice Chair Catlett moved to approve the minutes of the July 16, 2024 regular meeting as presented. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Abstain
David S. Weiss	-	Aye

Supervisor McKay abstained from voting because he did not attend the July 16 meeting.

Supervisor McKay moved to approve the minutes of the July 25, 2024 joint meeting with the Industrial Development Authority as presented. The motion carried by the following vote:

- Douglas Shaffer - Aye
- Terri T. Catlett - Aye
- Doug M. Lawrence - Aye
- Beverly B. McKay - Aye
- David S. Weiss - Aye

Chairman Weiss advised that, due to a scheduling conflict, he will be unable to attend the Board of Supervisors Regular Meeting on September 17, 2024.

Supervisor McKay moved to change the date of the September Board of Supervisors regular meeting to Wednesday, September 25, 2024, at 1:00 pm. The motion carried by the following vote:

- Douglas Shaffer - Aye
- Terri T. Catlett - Aye
- Doug M. Lawrence - Aye
- Beverly B. McKay - Aye
- David S. Weiss - Aye

8) Set Public Hearing: Long Branch Special Use Permit & Site Plan (PH2024-14: SUP-23-03/SP-23-04)


Senior Planner & Zoning Administrator Jeremy Camp presented the following:

Clarke County, VA
BOARD OF SUPERVISORS

**Special Use Permit (SUP-23-03) &
Site Development Plan (SP-23-04)**
Minor Commercial Public Assembly

OWNER
Harry Z Isaacs

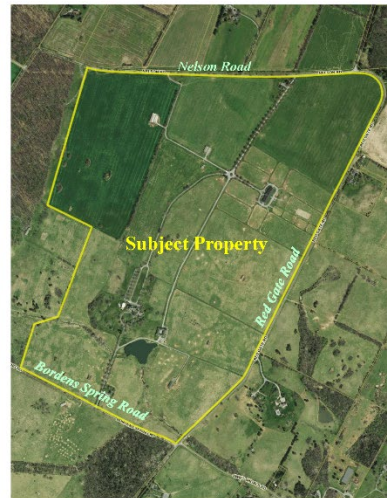
APPLICANT
Long Branch Farm



August 20, 2024 BOS Regular Meeting – Set Public Hearing

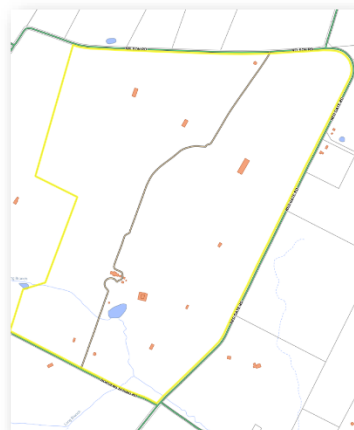
REQUEST

A request to approve a special use permit (SUP) and site development plan (SP) for a Minor Commercial Public Assembly use in the AOC District. The proposed use would utilize the existing historic house and surrounding grounds as a venue for public or private events, for a fee, that are not functions of the existing house museum special use approved in 2002. The previously approved veterinary clinic special use is to be revoked.



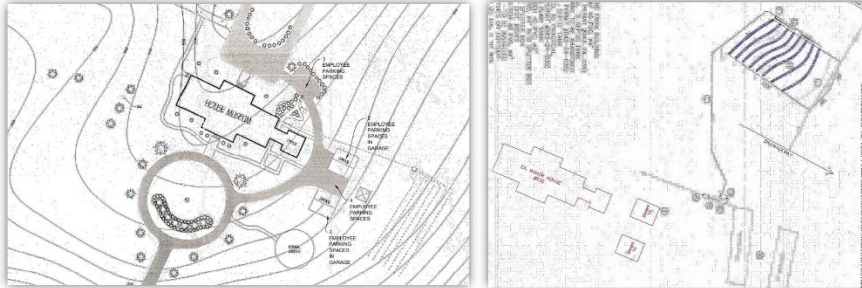
GENERAL INFORMATION

- TM# 29-A-29
- 390.35 acres
- AOC Zoning District
- White Post Election District
- Virginia Outdoor Foundation Easement
- Greenway Rural Historic District
- Virginia Landmarks Register
- National Register of Historic Places
- SUP for veterinary clinic (2002)
- SUP for house museum (2002)



Site Development Plan

No new development is proposed, except for a new on-site sewage disposal system required by the Virginia Department of Health.



PC RECOMMENDATION

On July 12, 2024 the Planning Commission recommended approval of this special use permit and site development plan with 15 conditions. These conditions were drafted to mitigate impacts of the proposed use.

SUP CONDITIONS

The SUP conditions will be presented in more detail at the public hearing and are included in the agenda packet in full. In brief...

- The conditions limit the number of events to **57 per year**. This is further broken down to limit the number, time, & frequency of *amplified events*.
- The veterinary clinic SUP to be revoked; and the house museum SUP to remain independent.
- No fireworks, no lodging, and no food preparation on-site.
- Access shall be limited to the entrances on Nelson Road.
- At the request of the Applicant, the SUP shall terminate if the property is transferred to another entity or person.

STAFF RECOMMENDATION FOR 8/20/2024

Staff recommends scheduling a public hearing on the special use and site development plan applications for the September Board of Supervisors Regular Meeting (September 17).

Supervisor McKay

- Asked if the condition prohibiting on-site food preparation includes caterers.
 - o Mr. Camp answered that caterers would be permitted to bring in food and do final preparations on-site, but the applicant would be prohibited from getting any sort of food service permit from the Health Department.

Vice Chair Catlett

- Commented that this application has been discussed at length in the Planning Commission, who took comments from staff and neighboring property owners. It has been a long process but a worthwhile one.

Supervisor McKay

- Opined that Long Branch is a gem of the county and is a wonderful place for the public to experience.

Supervisor McKay moved to set a public hearing on the proposed Long Branch Special Use Permit & Site Plan (PH2024-14:SUP-23-03/SP-23-04) for September 25, 2024, at 6:30 pm or as soon thereafter as the matter may be heard. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

9) *Set Public Hearing: Regulations for Permanent Campgrounds and Temporary Camping Text Amendment (PH2024-15: TA-23-01)*

Planning Director Brandon Stidham presented the following:



The slide features the Clarke County seal on the left, which includes the text 'THE COUNTY OF CLARKE VIRGINIA 1851'. To the right of the seal, the text reads 'Clarke County Board of Supervisors August 20, 2024 Meeting'. Below this, a horizontal line separates the title from the agenda. The agenda is titled 'Schedule Public Hearings' and lists two items: 'TA-23-01, Regulations for Permanent Campgrounds and Temporary Camping' and 'TA-24-04, Temporary Use of Major Recreational Equipment'.

TA-23-01, Regulations for Permanent Campgrounds and Temporary Camping

- **Proposed text amendment to:**
 - Add a new permanent use, "primitive campground," to Zoning Ordinance Section 5.2D (Recreation/ Education/Assembly Uses)
 - Add a new temporary use, "temporary camping," to Section 5.4 (Uses, Definitions, and Use Regulations – Temporary Uses)
 - Delete "campground" and "summer camp" uses from Section 5.2D.
- **Purpose:**
 - To limit permanent campgrounds operated as a business or by a non-profit or not-for-profit organization to primitive camping only – overnight stays by patrons using their own tents and subject to use regulations – in order to mitigate impact on surrounding properties and the environment.
 - To establish regulations for the maximum duration of camping activities, the long-term lease of a lot for camping, and temporary event camping.
- Primitive campgrounds would be allowed with a special use permit in the AOC and FOC Districts subject to use regulations.
- Temporary camping would be allowed by-right in the AOC, FOC, and ITL Districts subject to use regulations.

Background

- **Current zoning regulations for "campground":**
 - Special use permit (SUP) and site development plan review required for lots containing three or more campsites.
 - Does not distinguish between camping allowed for a fee (e.g., commercial campgrounds, leasing of lots for camping) and camping offered for free to guests.
 - Applies to leasing of land for camping (e.g., "river lot" camping).
 - Could also be applied to camping on private property.
 - Only use regulation is the maximum duration of camping – 15 days in any 30-day period.
- **Planning Commission developed a text amendment in 2023 that would:**
 - Prohibit all new permanent campgrounds including those operated as a business, by a non-profit or similar organization, or as summer camps.
 - Establish new regulations for temporary camping by landowners and their guests, as a long-term lease of a lot for camping ("river lot" camping), and camping in conjunction with temporary events.
- Regulations are necessary to mitigate impacts on surrounding properties and the environment, and to ensure that people are not residing in tents or RVs.
- Commission held public hearing on June 2, 2023 – Received comment to consider allowing public camping options along the Appalachian Trail, deferred action on the text amendment.
- Commission discussed the comment at their July 5, 2023 work session and made no changes to the text amendment.
- Commission voted to forward the text amendment to the Board of Supervisors on September 1, 2023.

Background (cont.)

- Board of Supervisors held public hearing on October 17, 2023 – Received additional comments from citizens concerned about eliminating permanent campgrounds, deferred action on the text amendment.
- Board discussed the comments at their November 7 and December 11 work sessions, agreed by consensus to direct Commission to add regulations for permanent campgrounds on a limited scale:
 - Allow by SUP in the AOC and FOC Districts
 - Tent camping only – no recreational vehicles
 - Limit maximum number of campsites
 - Require forested buffers of a certain width
 - Provide stringent minimum lot size
 - Require property owner or resident manager to live onsite and be present during all camping activities
 - Comply with all Virginia Department of Health (VDH) requirements

Revised Text Amendment

- New “primitive campground” use would allow permanent campgrounds on a limited basis operated as a business or by a non-profit or not-for-profit organization.
- Current “campground” and “summer camp” uses would be deleted, existing campgrounds and summer camps with prior zoning approval would be nonconforming.
- Would be allowed with SUP approval in the AOC and FOC Districts subject to use regulations to ensure that they remain low impact and that adverse impacts to adjacent properties and natural resources are minimized.
- Separate regulations would be established for temporary/ periodic camping activities under new “temporary camping” use.
- New regulations are proposed for long-term lease of lots for camping to recognize the long-standing practice of “river lot camping.”

“Primitive campground” use

- **Definition** -- *The use of land as the permanent location for primitive camping by a business, by a non-profit organization, or by a not-for-profit organization. Primitive camping is a recreational activity consisting of overnight stays by patrons using their own tents.*
- Allowed only with SUP approval in the AOC and FOC Districts.
- A “campground plan” would be required in lieu of a site development plan.
- Would be the only form of permanent campground allowed and could be operated as a business or by organizations with a non-profit or not-for-profit status.

“Primitive campground” use (cont.)

Use regulations

1. Primitive camping limited to tents brought by customers and guests – RVs and use of temporary or permanent structures provided by the campground owner are prohibited.
2. Owner or onsite manager required to be present during all camping activities.
3. Maximum of 10 campsites and 50 customers, guests, and visitors on the property at one time. Maximum of one primitive campground per lot.
4. Minimum lot size – 40 acres.
5. Setbacks:
 - Structures, campsites, and parking areas – 300 feet from property lines, 500 feet from existing dwellings on adjacent lots, 100 feet from perennial streams
 - Walking trails from property lines – 100 feet

“Primitive campground” use (cont.)

6. Minimum 50 foot buffer containing mature trees shall exist and be maintained along all property lines. Planted buffer and/or greater setback distance may be substituted with an “alternate siting plan.”
7. Campsites, parking areas and walking trails:
 - Shall be unimproved except for gravel, mulch, or similar material for soil stabilization
 - All campsites shall be clearly delineated in a fixed location and identified by number or other designation
 - Campsites may be served with a water source and electricity, and accessories such as picnic tables and chairs may be provided
8. All campsites, parking areas, and accessory structures shall be located within 300 feet of the owner’s or resident manager’s dwelling unless an “alternate siting plan” is approved.

“Primitive campground” use (cont.)

9. Camp stores and onsite food sales are prohibited except for limited sale of firewood, first aid supplies, and bottled water. Renting of camping and recreational equipment is prohibited.
10. Maximum duration of camping by a customer or guest is 7 consecutive days or more than 14 days in a 30-day period. All tents, vehicles, and other belongings shall be removed from the primitive campground by the customer or guest at the end of their occupancy period.
11. Direct access to a public road for public ingress/egress is required.
12. Parking for a minimum of 2 spaces per 5 customers and/or guests shall be provided for each campsite, in a separate parking area, or combination of both. Parking areas are not required to be hard-surfaced.

“Primitive campground” use (cont.)

13. **Campground plan** required in lieu of a site development plan:
- **Boundary survey**
 - **Sketch plan**: Required setback and buffer areas, access easements, existing/proposed structures, campsites, restroom facilities, water supplies, parking areas, walking trails, utility easements
 - **Emergency action plan**: Processes for monitoring campsites, methods to contact law enforcement/first responders, fire prevention and suppression methods, flood response, first responder access, other information deemed relevant by the zoning administrator

“Primitive campground” use (cont.)

14. **Alternate siting plan** - Allows for reduced property line setback and buffer requirements. Empowers the Commission and Board to decide whether alternate sites provide the best visual screening, noise abatement, environmental protection, and general insulation of the campground from adjoining properties.

Review factors include:

- Whether existing mature trees and/or topography in the alternate location provides more effective screening than in a compliant location.
- Whether the alternate location provides a lesser impact on adjacent properties and residences than in a compliant location.
- For requests to reduce setback from onsite residence, whether the alternate location otherwise fully complies with property line setback and buffer requirements.

“Primitive campground” use (cont.)

15. **Outdoor burning** - Confined to fire ring constructed of stone, metal, masonry, or similar fire resistant material and not to exceed 3 feet in width. Shall be covered with a metal screen or other compliant device in accordance with State law when 4PM burning law is in effect. Unconfined bonfires are prohibited. Water source or other fire suppression materials to be provided within 100 feet of all open air fires.
16. Each campsite to have an enclosed trash receptacle and all trash to be stored in an enclosed dumpster or similar container until properly disposed of off-site.
17. No amplified sound shall be audible at or beyond the property lines.

“Primitive campground” use (cont.)

18. Use of motorized/electric vehicles (ATVs, dirt bikes, drones, golf carts) except for customer/guest passenger vehicles is prohibited. Use of motorized equipment such as chainsaws and generators by customers and guests is prohibited.
19. Construction of boat ramps and accesses shall comply with the site and construction regulations in Section 4.2.3D (Permitted Uses and Structures in a Stream Buffer).
20. Campground approval from the Virginia Department of Health (VDH) shall be obtained if required and maintained in good standing.

“Temporary camping” use

- **Definition** -- *A recreational activity conducted on a lot of record involving overnight accommodations on a temporary or periodic basis. If temporary camping is operated in exchange for a fee or other compensation, the use shall only be conducted in accordance with the long-term lease of a lot described in use regulation 5 below.*

- New temporary use would regulate all forms of temporary camping:
 - Camping on private property
 - Long-term lease of a lot for camping
 - Temporary event camping

- Temporary camping operated as a business is prohibited except for the long-term lease of a lot for camping.

“Temporary camping” use (cont.)

Use regulations

1. All camping activities shall not exceed a total of 30 days in any 60-day period and shall not be conducted for more than 14 consecutive days.
 - Allows for 180 days of camping in a calendar year
 - Helps to distinguish between temporary camping and individuals residing in a tent, RV, or other camping structure
 - Allows property owners to invite groups to camp on their property without allowing the property to be established as the permanent location for that group’s camping activities.
2. Temporary camping is limited to RVs and temporary structures such as tents, yurts, and other forms of temporary shelter not permitted for residential use. Temporary or permanent onsite connections for RVs to water, sewage disposal, electric power, or other utilities is prohibited.

“Temporary camping” use (cont.)

3. Temporary camping shall not be publicized as being open to the public or as being the permanent campground for a non-profit or similar organization.
4. Temporary campground approval from the Virginia Department of Health (VDH) shall be obtained if required and maintained in good standing.
5. Long-term lease of a lot to a lessee and their guests for a charge is permissible subject to the following requirements:
 - Minimum duration of a lease shall be 30 days and shall be a written agreement between the property owner and each lessee
 - Maximum of two campsites per lot; each campsite is limited to a maximum of one RV; “campsite” is an area designated in a lease for camping by the specified lessee (maximum of two lessees per lot)

“Temporary camping” use (cont.)

- Long-term leasing of a lot is typically seasonal (May-September).
- Time limit of 14 consecutive days and 30 days in a 60-day period would apply to the long-term leasing of a lot.
- This would allow a lessee with a 4 month lease:
 - To camp for consecutive three-day weekends throughout the lease period
 - To camp for 14 days in a row and still have 16 camping days available for use over the remaining 46 days in the 60-day period
 - To use the campsite during the day for recreational purposes without staying overnight and not have that day count towards the total number of camping days used.
- Compliance with the regulations is required but no permit would be required.

“Temporary camping” use (cont.)

6. Temporary event camping can be approved in conjunction with an agritourism activity zoning permit, a special event permit per County Code Chapter 57, a temporary event held at the Fairgrounds, or as specifically approved by other zoning action. Requirements include:
- Approval of a zoning permit application (unless approved in conjunction with an agritourism activity zoning permit)
 - Temporary campground approval from the Virginia Department of Health (VDH) shall be obtained if required and maintained in good standing
 - Camping activities are limited to the duration of the temporary event
 - Camping plan shall be provided which delineates the area reserved for campsites, all facilities required in conjunction with the VDH temporary campground permit, and any other pertinent information required by the zoning administrator

Planning Commission Recommendation

- Commission held public hearing on July 12, 2024 and voted 9-0-2 (Glover, Ohrstrom absent) to recommend adoption of the text amendment.
- No one spoke at the Commission’s public hearing.

Staff Recommendation

- Staff recommends the Board schedule public hearing for the September 17, 2024 meeting.

Supervisor Lawrence moved to set a public hearing on the proposed Regulations for Permanent Campgrounds and Temporary Camping Text Amendment (PH2024-15:TA-23-01) for September 25, 2024, at 6:30 pm or as soon thereafter as the matter may be heard. The motion carried by the following vote:

- Douglas Shaffer - Aye
- Terri T. Catlett - Aye
- Doug M. Lawrence - Aye
- Beverly B. McKay - Aye
- David S. Weiss - Aye

10) Set Public Hearing: Temporary Use of Major Recreational Equipment (PH2024-16: TA-24-04)

Planning Director Brandon Stidham presented the following:

TA-24-04, Temporary Use of Major Recreational Equipment

- Proposed text amendment to amend “temporary use of major recreational equipment” per Zoning Ordinance Section 5.4 (Uses, Definitions, and Use Regulations – Temporary Uses and Structures).
- Purpose is to clarify that use of major recreational equipment for camping or sleeping is prohibited in the RR, OSR, DR-1, DR-2, and DR-4 zoning districts, and is allowed in the AOC and FOC zoning districts only in accordance with the “temporary camping” temporary use or other zoning approval.
- Also clarifies that major recreational equipment may not be used for residential purposes in these zoning districts except in accordance with the “temporary dwelling” use.

Background

- “Temporary use of major recreational equipment” is the temporary parking, storage, or non-residential use of major recreational equipment on a lot.
- “Major recreational equipment” is defined as:
 - A boat, boat trailer, travel trailer, pick-up truck camper or cap, motor coach, motorized dwelling, tent trailer, or similar recreational vehicle or equipment, as well as any cases, boxes, or towing trailers used for transporting recreational equipment, whether or not occupied by such equipment.
- **Use regulation 1** – No major recreational equipment shall be used for living, sleeping, or other occupancy on lots zoned RR, OSR, DR-1, DR-2, and DR-4 except as a temporary dwelling use.
- Intent is to prevent people from camping or residing in major recreational equipment in these districts.

Background (cont.)

- The temporary use does not reference limits on the usage of major recreational equipment in the AOC and FOC Districts.
- Intent is that major recreational equipment can be used for temporary camping by the property owner, family, and guests in these districts.
- Interpretation could also be made that major recreational equipment can be used for residential purposes in the AOC and FOC Districts since these districts are not referenced in the use.

Proposed Text Amendment

- Text amendment creates new use regulation 1 to address use of major recreational equipment in the residential zoning districts (RR, OSR, DR-1, DR-2, and DR-4) and use regulation 2 to address usage in the AOC and FOC Districts.
- Language is included in use regulation 2:
 - Camping or sleeping is allowed only in accordance with the "temporary camping" temporary use (TA-23-01) or in conjunction with other zoning approval.
 - Major recreational equipment can only be used for residential purposes in accordance with the temporary dwelling use.
- Use regulation 3 prohibits parking/storage in front or side yards - new language is added to allow temporary parking in a required front or side yard for up to 24 hours for loading and unloading.

Planning Commission Recommendation

- Commission held public hearing on July 12, 2024 and voted 9-0-2 (Glover, Ohrstrom absent) to recommend adoption of the text amendment.
- No one spoke at the Commission's public hearing.

Staff Recommendation

- Staff recommends the Board schedule public hearing for the September 17, 2024 meeting.

Chairman Weiss

- Inquired if someone who used an RV to travel to visit family for the weekend would be in violation of the proposed regulations by parking the RV at the family home during their stay.

- Mr. Stidham advised yes, they would need to pull it into the side or rear yard, unless they were in the AOC or FOC districts and sleeping in the vehicle in conjunction with a temporary camping use.
- Further observed that this regulation seems very restrictive.

Supervisor Shaffer

- Agreed and added that the Berryville Town Code only requires those vehicles to be parked behind the front setback of the home.
- Further inquired how the vehicle operating condition is determined.
 - Brandon Stidham answered that the first indication is having a current, registered tag, whether the vehicle is on or off of wheels, and whether it is obviously derelict and not road worthy.

Supervisor Lawrence moved to set a public hearing on the proposed Temporary Use of Major Recreational Equipment Text Amendment (PH2024-16:TA-24-04) for September 25, 2024, at 6:30 pm or as soon thereafter as the matter may be heard. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

11) Board of Supervisors Personnel Committee Items from August 12, 2024

A. Expiration of Term for Appointments Expiring through October 2024

2024-08-12 Summary: Following review, the Personnel Committee recommends the following:

- Reappoint Christina McMullen to the Litter Committee for a three-year term expiring September 30, 2027.
- Reappoint Tom Bauhan to the Litter Committee for a three-year term expiring September 30, 2027.
- Reappoint Mary Martin to the Litter Committee for a three-year term expiring September 30, 2027.
- Reappoint John Keim to the Litter Committee for a three-year term expiring September 30, 2027.

- Reappoint Ashley Harrison to the Litter Committee for a three-year term expiring September 30, 2027.
- Reappoint Rodney Pierce to the Industrial Development Authority for a four-year term expiring October 30, 2028.

2024-08-20 Action: Chris Boies reviewed the above summary.

Supervisor Shaffer moved to accept the Personnel Committee recommendations as presented. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

12) *Board of Supervisors Work Session Items from August 12, 2024*

Board of Supervisors Work Session
Berryville/Clarke County Government Center, 2nd Floor
101 Chalmers Court, Berryville, Virginia 22611
August 12, 2024, 10:00 am, Meeting Room AB

Board Members Present: David S. Weiss, Terri T. Catlett, Beverly B. McKay, Douglas Shaffer

Board Members Participating Remotely via Telephone: Doug M. Lawrence

Board Members Absent: None

Officer/Staff Present: Chris Boies, Catherine Marsten, Sheriff Travis Sumption

Others Present: None

Press Present: Mickey Powell, the Winchester Star

2024-08-12 Summary: At 10:02, Chairman Weiss called the meeting to order.

- A. Courthouse Green Update: County Administrator Chris Boies presented the following:

Project Timeline

- March 2021 Monument Committee presented recommendations
- February 2022 County hired RHI for conceptual design
- July & November 2022 Two public forums held and input from public received on conceptual design
- August 2023 Board approved Master Plan Final Report
- December 2023 Board approved contract for design development and contest guidelines
- August 2024 Board review of design development plan

Second Feature

- Current work included RHI outlining a process the county could use for selecting the second feature.
- The second feature location is in front of the Circuit Courthouse so construction work (grading, sidewalks, some of the landscaping) would need to be completed before the second feature is installed.
- Timing will be important, don't want to start art commissioning process too early because there won't be a place to put the feature until construction is completed.

Part A: Selecting an Artist

Step 1: County should formulate a Stakeholder Group (SG) once timeline and funding has been established

- SG will be key in assisting the Board of Supervisors (BoS) with developing the artwork brief, timetable for the competition, establishing a budget, fundraising methods and selection criteria.

Step 2: Develop an Artwork Brief

- For example: An invited competition for a permanent memorial at the Clarke County Courthouse

Open to honor African Americans from the County who participated in the Civil War.

Step 3: Research qualified artists with VMFA, CODAwork, others (5-10 artists)

- CODAwork can assist with setting up public art commissions specifically for Sculpture, writing RFP's.

screening first round of entrants and selecting finalists from a narrowed down list.

- This step can occur in conjunction with step 2.

Step 4: Invite artists (5-10) who have experience producing public art and acquire about subconsultants and/or

fabrication partners they work with.

Step 5: Engage with artists and provide references for relevant research and community groups they can talk to.

Step 6: Shortlist artists (5 finalists) based on credentials and past works.

Step 7: Provide each finalist with a stipend of \$2.5K for a proposal.

Step 8: Shortlisted artists are interviewed and present their proposed concept.

- Artists should also provide a cost estimate and schedule of anticipated completion for the sculpture.

Step 9: Final artist chosen from shortlist.

Part B: Collaborating with the Artist

- **Step 1:** Artist develops and refines the concept, including artist's statement.
- **Step 2:** Artist creates a model with input from BoS and SG.
- **Step 3:** Artist creates a Maquette based on the approved model.
- **Step 4:** Final approval by BoS and SG
- **Step 5:** Continue fund raising based on final estimate of fabrication and installation costs.
- **Step 6:** Fabrication, Implementation and dedication.

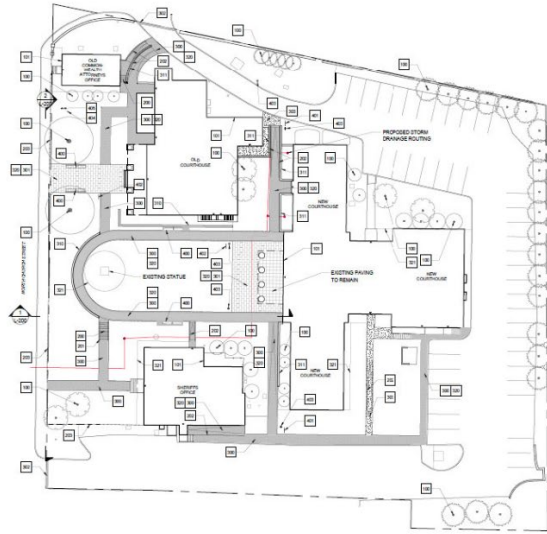
Courthouse Green Design



Demolition Plans



Site Plan



Elevation Looking East



Next Steps

- Development of Construction Drawings
- RHI proposal
- Currently \$200k in fund balance designation
- Would need to appropriate funding and approve contract
- Once construction drawings are completed, Board would decide when to get to bid and identify funding source. Staff will look for grant opportunities while construction drawings are being completed.

The Board asked several questions and discussed various elements of the Courthouse Green, the design development process, and the artist selection process.

By consensus, the Board agreed to request a contract proposal from RHI for the development of construction drawings and that the Finance Committee will consider that contract in September.

The Board also briefly discussed the upcoming purchase of the former Camp 7 property. Staff reviewed that the Planning Commission proposes to form a workgroup that will create a new zoning district to which the property will be eventually rezoned. The zoning district will define allowable uses, required setbacks, and other details that will guide development. The Board expressed preference for uses that are clean, that balance the needs of the community and the state, that fit the size and general character of the county, that will provide tax revenue, and that support the local agricultural community. The Board noted they want to have a representative on the work group.

At 11:05 am, Chairman Weiss adjourned the meeting.

2024-08-20 Action: Chris Boies reviewed the above summary:

- Staff is waiting for the contract proposal. Once received, the Finance Committee will consider it in September.

13) *Board of Supervisors Finance Committee Items from August 12, 2024*

- A. FY25 Supplemental Appropriation Request for Victim Witness Grant: The Commonwealth Attorney’s Office is requesting expenditure and revenue supplemental appropriation of \$5,053 for additional grant funds received from the Virginia Department of Criminal Justice Services for the Victim Witness program. These additional funds are to be used for new expenses that are not currently budgeted. JAS staff is currently working with the Victim Witness Coordinator to determine the best use for these additional funds. No local funds are needed with this request.

2024-08-12 Summary: Following review, the Finance Committee recommends, “Be it resolved that FY25 Victim Witness Program budgeted expenditure and appropriation be increased \$5,053 and that budgeted revenue from the State be increased and recognized in the same amount, all for the purpose of

receiving additional funding from the Virginia Dept. of Criminal Justice Services, for the Victim Witness Program.”

2024-08-20 Action: Brenda Bennett reviewed the above summary.

Vice Chair Catlett moved, be it resolved, that FY25 Victim Witness Program budgeted expenditure and appropriation be increased \$5,053 and that budgeted revenue from the State be increased and recognized in the same amount, all for the purpose of receiving additional funding from the Virginia Dept. of Criminal Justice Services, for the Victim Witness Program. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

B. FY25 Capital Project Request from Clarke County Registrar/Electoral Board

2024-08-12 Summary: Following review, the County Administrator will move leftover Capital funds from other projects to cover this expense in order to allow this contract to be awarded as soon as possible.

2024-08-20 Action: Brenda Bennett reviewed the above summary:

- Staff determined that there were capital projects funds available to fund this request, as other projects were completed under-budget.
- The initial request was for electronic poll books. Subsequent to that request, the Electoral Board voted to incorporate a change in software vendors as well because the current vendor no longer supports the software being used.

Supervisor Shaffer

- Asked if the unsupported software would be used for the upcoming election in November.
 - Chris Boies answered no, the new software and vendor will be in place for the November election. Using existing capital funds allowed staff to be able to act on the request and issue a contract as soon as possible, which is one reason that the Board and staff chose that route.

Chairman Weiss

- Stated that this is another example of good stewardship of the county’s capital funds.

C. Clarke County Public School Division Supplemental Appropriation Requests

1. FY25 George Mason University Grant: The School Division was awarded a \$4k grant from George Mason University to be used for STEM Club lesson writing training, lesson writing workshops and stipends. \$3,300 is unspent at the end of FY24. This request is for an FY25 supplemental expenditure and revenue appropriation of \$3,300 to be used during FY25. No local funds are being requested.

2024-08-12 Summary: Following review, the Finance Committee recommends, “Be it resolved that Clarke County Public Schools FY25 Operating budgeted expenditure and appropriation be increased \$3,300, that budgeted revenue in the same amount be increased, all for the purpose of receiving grant funds of \$3,300 from George Mason University for STEM Club lesson writing training and workshops.”

2024-08-20 Action: Brenda Bennett reviewed the above summary.

Supervisor Lawrence moved, be it resolved, that Clarke County Public Schools FY25 Operating budgeted expenditure and appropriation be increased \$3,300, that budgeted revenue in the same amount be increased, all for the purpose of receiving grant funds of \$3,300 from George Mason University for STEM Club lesson writing training and workshops. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

2. FY25 Claude Moore Foundation Grant: The School Division has received an FY25 grant in the amount of \$30,783 from the Claude Moore Foundation. This is a reimbursable grant and the funds are to be used for Certified Nurse Assistant course expenses. The grant funds should be spent out by June 30, 2025. This request is for FY25 supplemental expenditure and revenue appropriation of \$30,783. No local funds are being requested for this grant.

2024-08-12 Summary: Following review, the Finance Committee recommends, “Be it resolved that Clarke County Public Schools FY25 Operating budgeted expenditure and appropriation be increased \$30,783,

that budgeted revenue in the same amount be increased, all for the purpose of receiving grant funds of \$30,783 from the Claude Moore Foundation for Certified Nursing Assistant Courses.”

2024-08-20 Action: Brenda Bennett reviewed the above summary.

Supervisor Shaffer moved, be it resolved, that Clarke County Public Schools FY25 Operating budgeted expenditure and appropriation be increased \$30,783, that budgeted revenue in the same amount be increased, all for the purpose of receiving grant funds of \$30,783 from the Claude Moore Foundation for Certified Nursing Assistant Courses. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

3. FY24 Capital Projects School Safety and Security Grant: CCPS has been awarded one-time grant funds of \$127,384 from the Virginia Department of Education for a School Safety and Security Grant. The grant funds may be used for equipment purchases and installations, software purchases, planning, and on-site training to improve the safety and security of public school buildings. The grant consists of \$75,579 in state funding and \$51,805 in federal funds and CCPS is required to spend the grant funds by June 30, 2025. The state portion of this grant revenue was received in FY24; however, the federal portion of the grant funds will be received on a reimbursable basis during FY25. This request is for FY24 supplemental expenditure and revenue appropriation of \$75,579 to the Capital Projects Fund Safety and Security account to recognize the State portion of the grant and FY25 supplemental expenditure and revenue appropriation of \$51,805 to recognize the Federal portion of the grant. Any unspent funds at the end of FY24 will be requested to carry forward into FY25. No local funds are required for this grant.

2024-08-12 Summary: Following review, the Finance Committee recommends, “Be it resolved that Clarke County Public Schools FY24 Capital Projects Fund budgeted expenditure and appropriation be increased \$75,579, that budgeted revenue from the State be increased and recognized in the same amount, all for the purpose of receiving Safety and

Security Grant funds from the Virginia Department of Education.”

The Finance Committee further recommends, “Be it resolved that Clarke County Public Schools FY25 Capital Projects Fund budgeted expenditure and appropriation be increased \$51,805, and that budgeted revenue from the Federal Government be increased in the same amount, all for the purpose of receiving federal flow through funds from the Virginia Department of Education for a Safety and Security Grant.”

2024-08-20 Action: Brenda Bennett reviewed the above summary:

- This request involves two different sources of revenue coming in two different fiscal years.
- The revenue will go into the school’s capital projects fund to be used for safety and security improvements.

Supervisor McKay moved, be it resolved, that Clarke County Public Schools FY24 Capital Projects Fund budgeted expenditure and appropriation be increased \$75,579, that budgeted revenue from the State be increased and recognized in the same amount, all for the purpose of receiving Safety and Security Grant funds from the Virginia Department of Education. Be it further resolved that Clarke County Public Schools FY25 Capital Projects Fund budgeted expenditure and appropriation be increased \$51,805, and that budgeted revenue from the Federal Government be increased in the same amount, all for the purpose of receiving federal flow through funds from the Virginia Department of Education for a Safety and Security Grant. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

- D. FY24 Supplemental Appropriation Request for Insurance Recovery Expenses:
The Sheriff’s Office is requesting FY24 expenditure and revenue appropriation of \$3,346. This additional appropriation would allow the Sheriff’s Office to recognize revenue received from the County’s insurance carrier, as a result of auto claims filed, and cover the related expenses.

2024-08-12 Summary: Following review, the Finance Committee recommends, “Be it resolved that FY24 Sheriff’s Office operating budgeted expenditure and

appropriation be increased \$3,346, and that budgeted revenue be increased in the same amount, for the purpose of receiving insurance claim revenue and covering the related auto repair expenses.”

2024-08-20 Action: Brenda Bennett reviewed the above summary:

- Chris Boies added that, in previous years, the insurance company paid the repair shop directly and so there was no impact to the Sheriff’s Office budget. That has changed and now VACORP sends payment to the Treasurer, so there is no expenditure or revenue appropriation.

Vice Chair Catlett moved, be it resolved, that FY24 Sheriff’s Office operating budgeted expenditure and appropriation be increased \$3,346, and that budgeted revenue be increased in the same amount, for the purpose of receiving insurance claim revenue and covering the related auto repair expenses. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

- E. FY24 Supplemental Appropriation Request from Fire & EMS: Clarke County Fire and EMS received an FY23 LEMPG grant award of \$7,500 from VDEM however; the grant funds were not used during FY23 and were extended into FY24. The FY23 and FY24 grant funds (\$7,500 each) were spent in FY24. This expenditure and revenue supplemental appropriation of \$7,500 is needed to recognize the expenses and revenue in the year they occurred. Both the FY23 & FY24 grant expenses were complete at the end of FY24.

2024-08-12 Summary: Following review, the Finance Committee recommends, “Be it resolved that FY24 Fire & Rescue Department operating budgeted expenditure and appropriation be increased \$7,500, that budgeted revenue from the Virginia Department of Emergency Management be increased and recognized in the same amount, all for the purpose of receiving State revenue for the LEMPG grant.”

2024-08-20 Action: Brenda Bennett reviewed the above summary:

- This request cleans up accounting on grant funds that were carried forward into FY24 that were not previously used.

- It needs to be appropriated now because it was not used in the year that it was awarded.
- This action will recognize the grant funds received and expended in FY24.
- The funds were used to update critical equipment for the Emergency Operations Center.

Supervisor Lawrence moved, be it resolved, that FY24 Fire & Rescue Department operating budgeted expenditure and appropriation be increased \$7,500, that budgeted revenue from the Virginia Department of Emergency Management be increased and recognized in the same amount, all for the purpose of receiving State revenue for the LEMPG grant. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

- F. Discussion regarding Sheriff’s Office Participation with the CITAC Center: The Sheriff’s Office is requesting approval to participate in staffing the CITAC Center at Winchester Medical Center and receive revenue to cover expenses. The Sheriff’s office will bring supplemental appropriation requests periodically during the fiscal year to budget for the expenses and revenue once the amounts are known.

2024-08-12 Summary: Following review, the Finance Committee agreed to allow the Sheriff’s office to incur these expenses because offsetting revenues will be received to cover the costs. An update on this effort will be provided to the Finance Committee in January and an appropriation request for the actual amounts expended and received will be presented to the Committee and eventually the full Board for approval.

2024-08-20 Action: Brenda Bennett reviewed the above summary:
Chairman Weiss

- Advised that the CITAC Center is staffed by deputies from area jurisdictions on an overtime basis. The Center provides a safe, secure place for people experiencing mental health crises to be held and monitored, allowing deputies to return to their regular law enforcement duties.

- The Sheriff’s Office participated in this program previously and would like to do so again.
- Qualified deputies would have the opportunity to staff the CITAC Center during their off-duty hours. The county would pay those deputies at their hourly overtime rate and the program would reimburse the county for the deputies’ time.
- The Finance Committee preferred to wait until actual dollar amounts are known before requesting supplemental appropriation; staff plans to bring a request forward in January.

Vice Chair Catlett

- Added that the Center received state grant funds to increase their capacity from two to eight beds and are hoping to move to third party staffing and management in the future.

4. Bills and Claims

2024-08-12 Summary: Following review, the Finance Committee recommends approving the July 2024 Invoice History report.

2024-08-20 Action: Brenda Bennett reviewed the above summary.

Supervisor Lawrence moved to approve the July 2024 Invoice History Report as presented. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

5. Standing Reports

- Year to Date Budget Report
- Reconciliation of Appropriations
- Capital Projects Report

2024-08-20 Action: Information Only.

14) *Joint Administrative Services Board Update*

Brenda Bennett advised the following:

- The Joint Administrative Services Board did not meet in July.
- Outstanding issues with Benefit Plan Administrators (BPA) have finally been resolved. The county secured a refund in the amount of \$138,000 and those accounts have been closed out.
- Staff is finishing payroll items for the fiscal year change as well as onboarding new teachers and staff. There have been many VRS and system changes and a myriad of payroll/HR items to work through.
- Audit work begins in September and will carry on through December.

15) *Government Projects Update*

Chris Boies provided the following update:

- Fall tends to be a busy time and there are some upcoming important dates. The October work session is set aside to discuss the Capital Improvements Plan (CIP) and legislative priorities. The Board will review the FY26 budget calendar and FY25 capital carryforward at the October regular meeting. The November work session will be the reassessment and FY26 budget priorities. Fund balance will be reviewed at the November regular meeting.
- The Board will need to appoint a Board of Equalization this fall. That process will be discussed at the October Personnel Committee meeting.
- Staff would like to schedule the Board’s annual Legislative Luncheon as soon as possible. The Barns of Rose Hill is available for this event on October 22 or October 29; staff plans to offer both of those dates to legislators to see their availability.
- The county continues to work with the Virginia Department of General Services (DGS) on the purchase of the Camp 7 property. There are two small tasks to be completed before the transaction can occur. Staff is also working on a grant application with GoVirginia to potentially fund the site and building assessment work. Thanks to Michelle Ridings for putting together the meeting at the Camp 7 property, it was a great way to kick off that project.
- The next regional broadband update will be held September 16; hopefully they will report progress is being made. There is also a regional meeting about opioid abatement funds on August 22.
- Thanks to all county employees who helped to make the Fair a success. The Sheriff’s Office obviously helps a lot, but we also had many other employees and Board members volunteer to park cars, work the admission gates, and work in the kitchen.

Vice Chair Catlett

- Thanked staff for coordinating with the railroad to secure permission and then remediating graffiti on the railroad bridge.

Chairman Weiss

- Requested that the county look into a better system for landscaping at the government center building, as the current landscaping is not attractive.

Supervisor Lawrence

- Observed that, when the Courthouse Green work is completed, it will likely necessitate hiring a part-time gardener and that position could also help at the government center building.

16) *Miscellaneous Items*

None presented.

17) *Summary of Required Action*

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process and post approved minutes	Catherine Marsten
2.	Request contract proposal from RHI	Chris Boies
3.	Execute appointment letters	David Weiss
4.	Process approved personnel appointments	Catherine Marsten
5.	Schedule & advertise public hearings	Catherine Marsten
6.	Process approved finance actions	Brenda Bennett
7.	Process bills & claims	Brenda Bennett

18) *Board Member Committee Status Reports*

Supervisor Douglas Shaffer

Library Advisory Council

- Resolved confusion over name on Money Market account. On the bank’s advice, they will convert those funds to CDs.
- Held a library tour for new teachers.
- Approved a donation of \$1,000 to the Barns of Rose Hill reading program, reviewed the Council bylaws and proposed changes.

Litter Committee

- Discussing the process and timeline for potentially moving to a non-profit status.

Josephine School Community Museum Board

- Has not met.

Legislative Updates

- Nothing to report.

Northwestern Regional Adult Drug Treatment Court Advisory Committee

- Has not met.

Northwestern Regional Juvenile Detention Center Commission

- Has not met.

Sheriff's Office

- Held a retirement luncheon honoring Pam Hess.

Town of Berryville

- Nothing to report.

Parks and Recreation Advisory Board

- Had to cancel the last meeting, will meet on August 21.

Supervisor Bev McKay

Town of Boyce

- Nothing to report.

Northern Shenandoah Valley Regional Commission

- Missed the last meeting, due to VACO County Officials Summit.

Regional Airport Authority

- Nothing to report.

Economic Development Advisory Committee

- Nothing to report.

Conservation Easement Authority

- Nothing to report.

Sanitary Authority

- Nothing to report.

Berryville-Clarke County Joint Building Committee

- Nothing to report.

- Attended the Virginia Association of Counties Public Officials' Summit, made a motion for VACO's Ag Committee support county input into nutrient credit banks, if that issue was introduced in legislation.

Vice Chair Terri Catlett

Career and Technical Education

- Did not meet.

Clarke County Humane Foundation

- Catherine Marsten introduced to explain new role overseeing the Animal Shelter.

Village of Millwood

- Speed tables issue discussed earlier in meeting.

Planning Commission

- Update provided earlier in meeting.

Community Policy & Management Team

- Ongoing discussions on policies and strategic plan.

Virginia Association of Counties

- Regional meeting is August 23, will be held online.
- Important to discuss key issues with legislators, especially regarding local control and land use.

Supervisor Doug Lawrence

Berryville-Clarke County Joint Committee on Economic Development & Tourism

- Has not met.

Board of Social Services

- Will meet August 21 and will continue discussion from last month on administrative vs advisory capacities.

School Board

- Hired Ricky Bolling to be the new superintendent.
- Clarke won the National Guard Cup for the best in-state academics within the Virginia High School League.
- Clarke also led the Bull Run District in total points across all sports.
- School Board Clerk Renee Weir received a RISE Award.

Regional Jail Authority

- Meets August 22.

Chairman David Weiss

Berryville-Clarke County Joint Committee on Economic Development & Tourism

- Has not met.

Board of Septic and Well Appeals

- Has not met.

Historic Preservation Commission

- Missed the last meeting.

Industrial Development Authority

- Update on Camp 7 provided at the July 25 joint meeting.
- Offered the Board's compliments to all the volunteers who worked the Fair this year.

19) *Closed Session pursuant to §2.2-3711(A)(7)*

At 2:43 pm, Supervisor Shaffer moved to enter closed session pursuant to §2.2-3711-(A)(7) to consult with legal counsel regarding actual litigation concerning a zoning matter, where such briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

At 3:15 pm, with 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 Shaffer moved to reconvene in open session. The motion carried as follows:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

Vice Chair Catlett 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:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

No action was taken following the Closed Session.

At 4:04 pm, Chairman Weiss recessed the meeting.

At 6:30 pm, Chairman Weiss reconvened the meeting.

20) *Citizen's Comment Period*

No persons appeared to address the Board.

21) *Public Hearing: Budget Amendment to Approved FY25 Budget (PH2024-13)*

County Administrator Chris Boies presented the following:

- The Clarke County Historical Association received a grant of \$850,000 from the Commonwealth of Virginia to fund repairs to the Burwell-Morgan Mill and dam in Millwood.
- The state is requiring that the money come to the county and for the county to then give the money to the Historical Association.
- The money coming in was not anticipated and therefore not budgeted originally. Because the amount of the grant is greater than 1% of the total budget amount, the Code of Virginia requires a public hearing to be held before amending the budget. This public hearing was duly advertised in the Winchester Star and on the county's website.

- Following the public hearing, there are three items for the Board to consider approving:
 - An amendment to the FY25 Capital Projects budget to bring in the \$850,000 and to show the same amount as an expense to CCHA.
 - A memorandum of understanding between the Virginia Department of Historic Resources (DHR), Clarke County, and the Clarke County Historical Association (CCHA). The county’s responsibility is to be the fiscal conduit between the state and the CCHA; the county must receive the money and transfer it to CCHA. Additional responsibilities of the DHR and of the CCHA are also laid out in this MOU.
 - The county created a separate MOU between Clarke County and the CCHA. This MOU provides further assurance that the CCHA is responsible for the grant paperwork, for completing the project, and for any required repayment of funds if such situation arises.

Chairman Weiss opened the public hearing at 6:35 pm.

Jamie Mason of Bishop Meade Road in Millwood

I have not met the Historical Association but I read the notice in the paper and am coming here on behalf of my church, Shiloh Baptist Church in Millwood and the Millwood Community Center. My question to the Clarke County Historical Association is, how do we, as an organization and church, apply for grant funding to enable us to do much needed repairs to our church building, parsonage, and building/grounds at the community center?

Chairman Weiss advised Mrs. Mason that she could speak with the members of the CCHA immediately following the meeting.

Chairman Weiss closed the public hearing at 6:38 pm.

Supervisor Lawrence

- Asked if a contractor had been chosen for the project.
 - CCHA Director Nathan Stalvey answered that, though it was difficult to find one with the specialized knowledge and ability to work on a dam and water wheel, they were successful and chose a contractor local to Middleburg.

Chairman Weiss

- Offered the Board’s compliments and appreciation to the CCHA for the efforts involved in applying for and receiving this grant.

Vice Chair Catlett moved, be it resolved, that the FY25 Clarke County Capital Projects fund budget and appropriation be increased \$850,000 and that budgeted revenue from the Virginia Department of Historic Resources be increased in the same amount, all for the purpose of receiving state grant funds for the dam and water wheel restoration work at the Burwell-Morgan Mill and that Clarke County, acting as the fiscal agent, will transfer the funds to the Clarke County Historical Association for the management and completion of the project, and further moved to approve the “Memorandum of Understanding Among the Virginia Department of Historic Resources and Clarke County and the Clarke County Historical Association for the Administration of the FY2024-2025 State Grant for Historic Preservation” and the “Memorandum of Understanding Between Clarke County and the Clarke County Historical Association Regarding State Funding in the Amount of \$850,000”. The motion carried by the following vote:

Douglas Shaffer	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

22) *Adjournment*

Chairman Weiss adjourned the meeting at 6:41 pm.

23) *Next Regular Meeting Date*

The next regular meeting of the Board of Supervisors will be held on Wednesday, September 25, 2024, at 1:00 pm in the Berryville Clarke County Government Center, Main Meeting Room, at 101 Chalmers Court, Berryville, Virginia.

ATTEST: August 20, 2024

David S. Weiss, Chairman

Chris Boies, County Administrator

Recorded and Transcribed by Catherine D. Marsten