



Board of Supervisors Legislative Luncheon Summary
The Barns of Rose Hill
95 Chalmers Court, Berryville, Virginia 22611

November 9, 2023, 11:00 AM

Board Members Present: David S. Weiss, Terri T. Catlett, Matthew E. Bass,
Beverly B. McKay

Board Members Absent: Doug M. Lawrence

State Representatives Present: Senator-Elect Timmy French, Delegate-
Elect Delores Oates

Other Elected Officials Present: Donna Peake – Commissioner of the
Revenue, Anne Williams – Commonwealth’s Attorney, Carol Coffelt –
Boyce Town Councilor, William Steinmetz – Berryville Town Councilor,
Emily Windle – Winchester City Councilor

County Staff Present: Chris Boies – County Administrator, Catherine
Marsten, Cathy Kuehner – Public Information Officer, Wayne Whetsell
– Chief of Fire, EMS, & Emergency Management

Press Present: Mickey Powell, Winchester Star

At 11:10 am, Chairman Weiss opened the meeting by welcoming Senator-Elect Timmy French and Delegate-Elect Delores Oates to Clarke County and offering congratulations to all the elected officials for their successful campaigns.

Chairman Weiss presented the following 2024 Legislative Priorities and Positions for Clarke County. The legislators asked questions, gave feedback, and discussed the various issues. Staff and local officials provided context and background information as needed.

Top Priorities for 2024

Issue: Local Land
Use Control

Introduction: Local citizens through their local elected governing body should retain the right to control how their communities grow and develop over time. We strongly oppose any legislation eroding this authority.

Nutrient Credit Trading Program: According to DEQ, 1,082 acres in Clarke County have been converted to generate nonpoint source nutrient credits. This represents the second highest acreage converted of Virginia's ninety-five counties despite Clarke County being 89th out of 95 counties in land area. Entire farms in Clarke County have been converted to trees in order for development to occur in northern Virginia. The impact to prime agricultural land has been real. We request that local governing body approval be required before new nutrient banks are allowed to be created in our locality.

Solar: Goals created by the Commonwealth are placing a lot of pressure on farmland to be converted to solar. Clarke County has allowed a solar installation in the county and our zoning ordinance provides direction on where these facilities may be located. We request the continued authority to locally control zoning for solar so we can prevent important farmland from being consumed. We encourage urban and suburban solar siting alternatives to prevent rural areas from bearing the burden of solar development.

Fill Dirt: We support legislation that allows the County to regulate the dumping of fill dirt, especially dirt hauled from other localities, through local zoning and erosion and sediment control ordinances. We have had properties in Clarke County receive tremendous amounts of dirt from construction sites in adjoining jurisdictions and have received numerous citizen complaints about the truck traffic and erosion and sediment control issues. Statewide exemptions for agricultural fill operations prevent localities from ensuring neighboring lands are not adversely affected by these dumping operations.

Issue: Mental
Health

Introduction: People who have mental health issues are not always able to receive the help they need. The system is broken and major state-level reforms are needed.

Hospital Beds: The demand for State adult and juvenile mental hospital beds exceeds supply. More capacity needs to be created and initiatives like the crisis stabilization center at Winchester Medical Center and converting the CITAC Center through Northwestern Community Services Board into a 24-hour center need to be fully funded.

Student Mental Health: We support increased budget allocations to address student mental health issues in our local school system.

Alternative Transportation Plan: Law enforcement has no problem transporting clients to a receiving facility but waiting with a client for up to 72 hours or more in the Emergency Room while they wait on placement is not sustainable.

Issue: Funding

Introduction: The State should fulfill its financial obligations instead of pushing these costs onto localities. We oppose unfunded mandates and the shifting of fiscal responsibility from the state to localities.

State Funding for Schools: We urge the General Assembly to address funding issues outlined in the recently released JLARC study on the K-12 funding formula. We support eliminating the cap on support positions, revising how salary and other cost assumptions are calculated, adjusting SOQ funding, and revising staffing ratios. We support a review and rewrite of the local composite index formula. We support using the land-use assessment value rather than full market value in the composite index. We also support eliminating the income factor given that local governments cannot tax personal income. There is a flaw in the formula when a small rural county like Clarke has a higher composite index (.5728) than one of the richest counties in the country, Loudoun County (.5450).

Employee Compensation: We urge the Commonwealth to meet its full funding obligations for Constitutional Officers and their state mandated positions. In addition, if the state provides pay increases for local, state-supported positions, the state should fully fund these increases. We request significant support for teacher pay increases to help retain and attract teachers.

Regional Jails: We appreciate movement in a positive direction on the funding of state prisoners housed in our regional jail. We request funding be based on actual costs as determined by the Annual Jail Cost Report, published by the Compensation Board.

Other Issues of Importance

Issue: Education

Teacher licensing requirements should be made more flexible to enhance the availability of qualified teachers to address the growing teacher shortage. We also support legislation which increases penalties for fake school threats and legislation supporting school anti-hazing efforts.

Issue: Public Notice/Public Meeting Requirements

Support legislation which allows localities to use their websites and social media accounts, instead of print media, to post legally required advertising for public hearing notices, procurement solicitations, and similar items requiring advertisement in a local newspaper. We also seek legislation which makes it clear governing body members can, for informational purposes, attend meetings held on public business matters without public meeting notices so long as the governing body members aren't actively participating in the meeting.

Issue: Renewable Energy Commitments

We feel the General Assembly should closely study, and slowly implement, major commitments related to renewable energy. The Virginia Clean Economy Act and legislation requiring Virginia to follow emissions limits set by California will have unintended consequences which have not been fully understood.

Issue: Route VA 7
Pedestrian Bridge

The number of people attempting to cross VA 7 on foot at the top of the mountain, near the Clarke County and Loudoun County boundary, continues to increase. This location is very dangerous for pedestrians to cross because of the topography, along with the speed and volume of vehicular traffic. We request state and federal funding sources to construct the proposed elevated pedestrian crossing. We also request state funding to perform studies outlined in our updated Transportation Plan which address the Route 601/Route 7 intersection as well as other critical transportation infrastructure in the County.

Issue: Availability /
Quantity and Quality
of Water Resources

Availability / Quantity: Clarke supports proactive state action in reviewing and establishing regulations and programs to ensure that localities water sources are protected and that water quantity, as well as quality be protected.

Clarke supports the Commonwealth allowing localities to regulate quantity.

Clarke believes that protecting water availability for residents and local businesses should be a priority by ensuring that future large water users are required to demonstrate through scientific research and water availability studies adequate water supply for the proposed use.

Quality: Clarke supports cost effective measures aimed at reducing loadings of pollutants in state waters from both point and non-point sources but urges the Commonwealth to consider the impacts of such measures will have on both local governments and agriculture.

Clarke believes reliable forms of financial and technical assistance will be required to help localities and agriculture meet the Commonwealth’s goals with regard to water quality and quantity.

Issue: Land
Conservation

Clarke County supports the Purchase of Development Rights program, the Tax Credit program for the donation of easements, the transferability of tax credits.

At 12:45 pm, Chairman Weiss ended the meeting by thanking the legislators for their efforts and willingness to serve as representatives.

ATTEST: November 9, 2023

David S. Weiss, Chairman

Chris Boies, County Administrator

Transcribed by Catherine D. Marsten