



Clarke County Board of Supervisors Regular Meeting Agenda

Main Meeting Room Berryville / Clarke County Government Center
101 Chalmers Court, 2nd Floor, Berryville, Virginia

January 18, 2011

Item	Packet Page
Afternoon Session 1:00 PM	
1) Call To Order	5
2) Adoption Of Agenda	6
3) Clarke County School Board Update	7
4) Approval of Minutes	8
– December 21, 2010 Regular Meeting	
5) Consent Agenda	
– Auditor of Public Accounts Report on Annual Audit – Commissioner of the Revenue, Treasurer, Sheriff	50
– Resolution of the Clarke County Board of Supervisors Relating to the Support of the Virginia Sesquicentennial of the American Civil War Commission 11-01R	51
– Proposed Alternative Onsite Sewage System Regulations Letter to Allen Knapp Director, Division of Onsite Sewage and Water Services VDH	53
– Fiscal Agency Agreement between the Town of Berryville and Clarke County for the Berryville Clarke County Government Center	55
6) Citizen's Comment Period	57
7) VDOT	58
8) Energy Management Update by Alison Teetor	59
9) Set Public Hearing TA-10-05	77
The Clarke County Planning Commission recommends the amendment of the County Zoning Ordinance:	
– Section 3-A-1-a, Permitted Uses and Structures in the AOC Zoning District, so as to change the Special Use "Institutional Uses" to "Community Services" and to show "Churches and other places of religious assembly (with a maximum seating capacity of 500 people)" and "Historic Structure Museums" as Special Uses;	
– Section 3-A-2-a, Permitted Uses and Structures in the FOC Zoning District, so as to change the Special Use "Institutional Uses" to "Community Services" and to show "Churches and other places of religious assembly (with a maximum seating capacity of 500 people)" and "Historic Structure Museums" as Special Uses;	
– Section 3-A-3-a, Permitted Uses and Structures in the Rural Residential Zoning District, so as to change the Special Use "Institutional Uses" to "Community Services" and to show "Churches and other places of religious assembly (with a maximum seating capacity of 500 people)" and "Historic Structure Museums" as Special Uses;	
– Section 3-A-12-a, Permitted Uses and Structures in the Neighborhood Commercial Zoning District, so as to change the Principal Use "Institutional Uses" to "Community Services" and to show "Churches and other places of religious assembly" as a Principal Use;	

Note: The order in which Agenda items are considered may be changed to assure that public hearings are started as close as possible to the scheduled time

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– Section 3-A-13-a, Permitted Uses and Structures in the Highway Commercial Zoning District, so as to change the Principal Use "Institutional Uses" to "Community Services" and to show "Churches and other places of religious assembly" as a Principal Use;	
– Section 9-B, Definitions, so as to change the term: "Institutional Uses" to "Community Services" and revise the definition of this use and to establish a definition for the terms: "Churches and other places of religious assembly", "Museums of Historic Structures", and "Passive Use Public Parks".	
10) Board of Supervisors Personnel Committee	81
– Expiration of Term for appointments expiring through March 2011. Action: Approve Committee recommendations.	83
– The Economic Disclosure Forms. Action: Information only.	81
– Appointee Information Feedback Update. Action: Information only.	89
– 2011 Board of Supervisor Assignments by Supervisors. Action: The Personnel Committee asked that individual Supervisors review and comment on their continuing interest and availability to represent the Board in their currently assigned positions.	92
11) Board of Supervisors Work Session	95
– Board of Supervisors Organizational Meeting Action: Information Only	95
– Resolution Sesquicentennial of the American Civil War Commission Action: Referred to the Consent Agenda.	51
– 2035 Transportation Plan Action: Chuck Johnston to seek clarification and make revision to position letter and project list and provide update at the regular meeting.	123
– Mosby Boulevard Status Action: Information from the VDOT Public Hearing scheduled for January 12 may be available at the time of the meeting and provided by VDOT and/or CCPS.	
– Fiscal Agency Discussion Action: Referred to the Consent Agenda.	55
– Construction Close Out and Settlement Action: None – agreements approved at the Work Session in the present form and Chairman Hobert and David Ash authorized to execute the documents.	128
12) Board of Supervisors Finance Committee	150
– Supplemental Appropriations: "Be it resolved that the FY 11 General Government Capital Projects budgeted expenditure be increased by \$25,000, and the same appropriated, that revenue from the Commonwealth of Virginia in the amount of \$25,000 be recognized, and that budgeted capital expenditure for economic development in the amount of \$12,100 be transferred to the Double Tollgate Project, all for the purpose of conducting a study." Action: The Finance Committee recommends approval.	150
– Transfer: "Be it resolved that \$1,000 be transferred from the contingency for professional services to the Board of Supervisors professional services line item, for the purpose of assisting VACO in their legislative efforts." Action: Finance Committee took no action on this matter.	151
– FY 12 Budget Calendar. Action: The Finance Committee recommends approval.	153
– Virginia Regional Transit Route Extension. Action: Finance Committee took no action on this	155

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matter.	
– Acceptance of December 2010 Bills and Claims. Action: Finance Committee recommends acceptance.	159
– Standing Reports: Reconciliation of Appropriations, General Fund Balance, General Fund Expenditure Summary, General Fund Bills and Claims. Action: Information only.	180
13) Government Projects Update	197
14) Miscellaneous	198
15) Summary Of Required Action	199
16) Closed Session with Robert Mitchell § 2.2-3711-(A)(7) briefings by staff members or consultants pertaining to actual or probable litigation and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.	200
17) Board Member Committee Status Reports	201
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Evening Session 6:30 PM	
18) Citizen's Comment Period	202
19) PH 11-01 TA-10-13	204
– The Clarke County Planning Commission recommends the amendment of the County Zoning Ordinance: - Sect 3-A-12-c, Neighborhood Commercial Yard Setbacks, so as change minimum street setbacks to maximum setbacks on parcels of less than 1.5 acres and no required street setbacks for parcels of 1.5 to 3 acres, - Sect 3-A-12-d, Neighborhood Commercial Maximum Height, so as to limit structure height to two stories, in addition to the current limit of 30 feet, - Sect 3-A-13-e, Highway Commercial Maximum Height, so as to limit structure height to three stories, in addition to the current limit of 40 feet; - Sect 3-C-2, Supplementary Regulations for Uses in Various Districts, so as to modify the regulations for Country Inns, so as that the maximum number of guest rooms is increased from 12 to 15;- Section 9-B, Definitions, so as to delete a portion of the definition of "Country Inns", transferring this text to Supplementary Regulations.	
20) PH 11-02 "Be it resolved that public hearing be set on the question as to whether \$151,447 unspent by the School Board in FY10 should be appropriated to the School Board for capital expenditure in FY11."	208
21) Adjournment	210
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Reports in January Packet:	211
1. Clarke County Administration 2010 Annual Report	212



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4. Cooperative Extension – 4-H	266
5. Virginia Transit Report	271
Annual Distribution of Statutorily Required Information: <i>Provided in pdf/electronic format</i>	272
– 2.2-3100 – State and Local Government Conflict of Interests Act	
– 2.2-3700 – The Virginia Freedom of Information Act and 2010 Update by FOIA Council	
– 42.1 - Public Records Act	