

December 15, 2015

Clarke County Board Of Supervisors  
Regular Meeting  
Main Meeting Room

1:00 p.m.

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Berryville Clarke County Government Center, 101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia conducted on Tuesday, December 15, 2015.

Board Members Present

Barbara Byrd, John Staelin, David Weiss

Board Members Absent

J. Michael Hobert, Bev McKay

Board Members Elect Present

Terri Catlett, Mary L. Costello Daniel

Staff Present

David Ash, Ryan Fincham, Brandon Stidham, Lora B. Walburn

Constitutional Office Staff

Helen Butts; Anthony "Tony" Roper, Don Chambers, Janine Rose, Travis Sumption

Others Present

Sally Voth and other citizens

1) Call to Order

Chairman Weiss called the afternoon session to order at 1:02 p.m.

2) Adoption of Agenda

**Supervisor Staelin moved to adopt the agenda as presented. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
J. Michael Hobert	- Absent
Beverly B. McKay	- Absent
John R. Staelin	- Aye
David S. Weiss	- Aye

- 3) Oath of Office by the Honorable Helen Butts for members of the 2016 thru 2019 Board of Supervisors

Circuit Court Clerk Helen Butts administered the oath of office to Supervisors Barbara J. Byrd, Terri T. Catlett, Mary L.C. Daniel, and David S. Weiss elected to serve on the Clarke County Board of Supervisors from January 1, 2016 through December 31, 2019.

§ 15.2-1522. When and how officers qualify.

*Every elected county, city, town and district officer, unless otherwise provided by law, on or before the day on which his term of office begins, shall qualify by taking the oath prescribed by § 49-1 and give the bond, if any, required by law, before the circuit court for the county or city, having jurisdiction in the county, city, town or district for which he is elected or appointed, or before the clerk of the circuit court for such county, city, town or district. However, members of governing bodies and elected school boards may qualify up to and including the day of the initial meeting of the new governing body or elected school board.*

*Any such oath of town council members, town mayors or members of Boards of Supervisors may be taken before any officer authorized by law to administer oaths. Such oath shall be returned to the clerk of the council of the town, who shall enter the same record on the minute book of the council, or, for members of the Board of Supervisors, returned to the clerk of the circuit court having jurisdiction in the county for which he is elected or appointed, who shall record the same in the order book, on the law side thereof.*

*Whenever an officer required to give bond is included in a blanket surety bond authorized by § 2.2-1840, such officer shall furnish an extract of the master blanket surety bond on file in the Comptroller's office, reflecting the name or position of the officer and the amount of the coverage, which shall be the equivalent of giving the bond for purposes of qualification.*

*An appointed officer as used in this article means a person appointed to temporarily fill an elected position. District officer as used in this article means a person elected by*

*the people other than national and statewide officers and members of the General Assembly.*

*Code 1950, § 15-475; 1962, c. 623, § 15.1-38; 1972, c. 549; 1979, c. 643; 1993, c. 329; 1996, c. 167; 1997, c. 587; 2000, c. 293.*

§ 49-1. Form of general oath required of officers.

*Every person before entering upon the discharge of any function as an officer of this Commonwealth shall take and subscribe the following oath: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as \_\_\_\_\_ according to the best of my ability, (so help me God)."*

*Any person reappointed to any office filled by gubernatorial appointment for a subsequent term to begin immediately upon expiration of an existing term shall not be required to renew the oath set out in this section; however, the original oath taken shall continue in effect with respect to the subsequent term.*

*Const., § 34; Code 1919, § 269; 1936, p. 49; 1971, Ex. Sess., c. 16; 1980, c. 320; 1988, c. 255.*

4) Clarke County Sheriff's Office Accreditation Presentation

Derrick Mays, Program Manager for the statewide accreditation program, and Capitol Police Sergeant Rebecca Herrera, president of the Virginia Law Enforcement Accreditation Coalition, formally presented Sheriff Roper with a re-accreditation certificate from the Virginia Department of Criminal Justice Services.

Mr. Mays and Sergeant Herrera opined during the presentation that the Sheriff's Office was excellent, professional, and Sheriff Roper awesome.

Mr. Mays informed the Board that to meet the re-accreditation requirements the Sheriff's Department had to prove compliance with 190 standards annually for four years. Sergeant Herrera noted that they received a perfect assessment.

Chairman Weiss remarked that it was an honor for the County to have this accreditation opining that he was always impressed and somewhat in awe of police officers in general, particularly in today's world. On behalf of the Board, he thanked Sheriff Roper and his entire staff.

5) Citizens Comment Period

No citizens appeared to address the Board.

6) VDOT

Ed Carter, Assistant Residency Administrator, Charlie Monroe and Morris, Traffic Engineer, appeared before the Board to provide the monthly update.

Add to VDOT's appreciation, 100% supported by the Sheriff over the years.

Maintenance:

- VDOT has completed the primary mowing on Rt. 340 north, Rt. 7 and Business 7;
- Will complete the remaining mowing on Rt. 7 south, Rt. 50 and Rt. 255 this month;
- Performed shoulder work and ditching operations on Rt. 7 east of 606 and will be commencing ditching operations in the White Post area and shoulder repairs on other primaries at various locations throughout the County;
- Removed hazardous trees on routes 604 and 606 and will continue at various other locations throughout the county;
- Conducted brush trimming operations along Rt. 7 east of Rt. 606;
- Conducted grading operations on various non-hard surfaced roads and will continue as weather permits;
- Picked up large trash items along primary routes and also 169 tires that were dumped on Rt. 639 near Rt. 632 on two consecutive days. We are working with the Sheriff's office on this issue;
- Performed pothole repairs along some primaries.

Projects:

- VDOT will begin Allen Rd. Rural Rustic as soon as it receives environmental clearance.

Board issues:

- VDOT met with VSP, Sheriff's office and County officials this morning to address speeding concerns on Rt.7 and traffic issues on other roads in the County.

- Truck restriction study and recommendations for Rt. 255 through Millwood between Rt. 340 and Rt. 50 is due by year end. This will probably result in restricting trucks over a certain length through this corridor.
- Rt. 621 between Rt. 608 and Rt. 613 is being evaluated for a speed study.
- A speed study is being conducted on Rt. 642 in Frederick County through to Rt. 644 in Clarke County. The results are expected after the first of the year. In addition, VDOT will be placing a double yellow arrow placard at the end of Rt. 642 where it intersects with Rt. 644.

Supervisor Byrd

- Mowing: Complimented VDOT on the recent mowing of the major roads.

Supervisor Staelin

- Economic Development Advisory Committee commented on having 53 signs, not including the turn signs for road or road name signs, along the road from the West Virginia line to the Route 7 Bypass. Ed Carter will review but cautioned that some are state statutory requirement signs.

Chairman Weiss

- West Business 7 stretch of highway to Route 340: Vehicle operators pose safety concerns when not realizing it is a right-hand turn. Traffic engineering reviewed to ensure that all signage meets VDOT standards but could review again to see if there is an alternative.

7) Board of Equalization Appointment Recommendation to Clarke County Circuit Court

Clerk of the Circuit Court  
102 N. Church Street, 1<sup>st</sup> Floor  
Berryville, VA 22611

Attention: Helen Butts

Re: Board of Supervisors Recommendations for Board of Equalization Appointees

The Board of Supervisors of the County of Clarke, in a meeting assembled the 15th day of December 2015, unanimously voted to recommend the following persons for appointment as members to the Board of Equalization of Real Estate Assessments pursuant to Section 58.1-3370 of the Code of Virginia (1950), as amended:

- |   |  |   |
|---|--|---|
| 1. Joe Blatz<br>P.O. Box 301<br>Millwood, VA 22646    | 3. Lindsay Hope<br>389 Kimble Road<br>Berryville, VA 22611 | 5. Thomas McFillen<br>117 Rosemont Circle<br>Berryville, Virginia 22611 |
| 2. Thomas Dame<br>P. O. Box 334<br>Millwood, VA 22646 | 4. Anne McIntosh<br>P. O. Box 294<br>Millwood, VA 22646    |   |

The Clarke County Board of Supervisors further recommends the term for the members of this Board of Equalization to begin in January 2016 and last for a period of six months. The Board of Equalization should be appointed to hear from property owners who question the determinations made by the County Assessor and/or Commissioner of Revenue.

**Please advise me if this request of the Board of Equalization appointments does not meet with your approval or the approval of the Judge. Your attention to this matter is appreciated.**

Regards,  
David L. Ash  
County Administrator

Cc: Donna Peake, Commissioner of Revenue

Following a brief summary by David Ash, **Supervisor Staelin moved approval of the recommendation to the Circuit Court. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Absent
Beverly B. McKay	-	Absent
John R. Staelin	-	Aye
David S. Weiss	-	Aye

8) Establish Organizational Meeting Date and Time

**Supervisor Byrd moved to set the Organizational Meeting for January 11, 2016 at 10:00 am. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Absent
Beverly B. McKay	-	Absent
John R. Staelin	-	Aye
David S. Weiss	-	Aye

Supervisor Staelin briefly reviewed the Virginia Association of Counties and Virginia Municipal League’s meeting in Richmond from 10 am to 3 pm on Wednesday, January 6. Meeting topics include state revenue, budget and forecasts.

## 9) Grants Identification and Application Assistance Service

*Overview: eCivis was founded in 2000 to provide counties, cities, towns, institutions of higher education, and non-profit organizations with software to improve their ability to find and manage new sources of grants funding. As of 2016, over 3,000 organizations have used our services for researching new opportunities for federal, state, and foundation funding sources. In addition, tracking and reporting services now assist in the management of over \$2 billion in awarded grants.*

*Delivered as an on-demand solution available from any web browser, eCivis is an all-inclusive grants management system that provides organizations of any size with the tools and resources necessary to find, win and manage grant funding. Our suite of web-based software applications, along with our unrivaled grant writing services, cover all aspects of the grants process from start to finish.*

*Over the years, we've done well over 3,000 grant implementations in supporting organizations just like yours follow best practices. eCivis is the most trusted widely used system in the nation. In fact, the largest single source of grant funding for state and local governments. Our cutting edge grant solution, coupled with our dependable customer service, will assist your team through the entire grants process and help increase grant success.*

### *Proposal – eCivis Grants Network eCivis Grant Management Software Overview*

*Our customers report that they are saving 80 percent of their time researching for new funding sources with eCivis. Grants Network saves time, reduces costs, and eliminates frustration by automatically performing and centralizing many of the administrative functions currently done by hand, on paper, and through multiple systems. Tracking and reporting services reduce the time necessary to manage awarded grants and to prepare for compliance audits. With a single entry point for instant performance visibility, you are able to track your project activities at every stage of the grants management lifecycle.*

*Our professional grant writing services brings over 40 years of experience working with customers for grant writing, training and coaching, peer review, and custom research for projects. Including a staff of experts in most areas of federal, state, and foundation grants, our team of grant professionals have assisted communities and institutions to achieve great results in pursuing new grant opportunities.*

*Search, find and manage thousands of grants; eliminate errors with integrated systems; and track your projects through every milestone in the grants process. You will experience ease-of-use and efficiency by eliminating paperwork and providing better transparency from top to bottom. Increase your usable funding, reduce dollars returned, and lower your audit expenses by having access to each grant and all associated documents at every stage in the grants management lifecycle.*

*There are four components to eCivis Grants Management Software:*

- 1. Research*
- 2. Insight (not included but available)*
- 3. Tracking & Reporting*

4. Grant Writing Services (not included but available)

David Ash briefed the Board on the proposal to provide grant identification and application assistance services noting that e-CIVIS has an 84% approval rate for grants written and a customer retention rate of 94%. He assured the Board that the proposal had been reviewed with Alison Teetor, Frank Davis, Mike Legge and Brenda Bennett.

Following brief discussion, the Board concurred that this would be money well spent, **Supervisors Staelin moved to accept the \$4,000 to \$4,800 price for one year. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Absent
Beverly B. McKay	-	Absent
John R. Staelin	-	Aye
David S. Weiss	-	Aye

Chairman Weiss thanked David Ash for finding this service. The Board suggested agencies and departments that could benefit from this service including:

- The Barns of Rose Hill
- Conservation Easement
- Humane Foundation
- Library
- Parks and Recreation
- Public Safety
- Public Schools
- Towns of Boyce and Berryville
- Water and Sewer

10) Approval of Minutes

Supervisor Byrd requested that Book 22 Page 317 be amended to include her comments at the November 17, 2015 meeting.

A. Shenandoah Farms Sanitary District Update

11-05-2015 Summary: Board members were updated on the action creating the district and ongoing discussions with Warren County and Shenandoah Farms residents from Clarke County.



11-17-2015 Action: The Board heard issues raised by residents during the Citizen Comment Period.

David Ash provided the Supervisors with a draft outline of required action for establishment of the Shenandoah Farms Sanitary District.

Chairman Weiss assured Board members that the County was working closely with County attorney Robert Mitchell. He further stated that the Board was taking no affirmative action on physically touching the area.

**Supervisor Byrd commented, “If it is true, if Suni Perka looks at it and finds that these signatures were not in accordance with good rules, not honestly written, does this negate something? Does this start a backwards . . .?”**

**Supervisor Hobert responded that the Board would be getting an opinion from Mr. Mitchell on this matter and he presumed the matter of signatures would be addressed as well.**

**Supervisor Byrd continued, “As far as the judge’s decision on this, would this do something to the judge’s decision?”**

**Supervisor Hobert responded, “it is conceivable that some action could be brought to address it either by people who were adversely affected or the County itself. It might be in the nature of a new action but I think we are past the point of a request for a reconsideration or an appeal.**

**Supervisor Byrd asked, “And, we have 30 days?”**

**Supervisor Hobert responded, “Well, we weren’t really a party; so, I really can’t speak to the issue of whether we could bring a new, independent action based upon these allegations. But, that is something Mr. Mitchell will be able to address.”**

**Vice Chairman McKay opined that he believed it unfair to spend what could be a great deal of tax payer money from the whole county to benefit a few and it might be quite costly to determine who actually owns some of the roads.**

**Supervisor Byrd commented that she wanted to wait for a ruling from Mr. Mitchell and that staff should not spend any more time until it was known whether this was a legal thing or not.**

**Chairman Weiss and Vice Chairman McKay assured Supervisor Byrd that the Board was waiting for legal advice.**

Supervisor Byrd's request initiated a discussion of the Shenandoah Farms Sanitary District matter:

Chairman Weiss commented that he had been in contact with Mr. Mitchell regarding the timing of the petition signatures; and at this time, it appears that the proceedings were appropriate. It is believed that the Board is under obligation to proceed but with caution.

Supervisor Byrd opined that it did not seem proper to have signatures on the petition from persons not living in the area and some petition signatures with misspelled names. David Ash, who attended the hearing, noted that the judge allowed for this issue and still found that there was the requisite number of signatures.

Supervisor Staelin added that the "day was past" to challenge the judge's decision and it was time to move forward.

David Ash told the Board that he was attempting to set expectations low for physical activity such as snow removal, pothole repair, or road improvements until at least after the start of the next fiscal year. He assured that he continued to seek guidance from Bob Childress, Warren County Assistant County Administrator.

David Weiss concluded that the Supervisors must determine with whom they must deal, create a board of Clarke citizens, and work in conjunction with the existing Property Owners of Shenandoah Farms board.

**Supervisor Byrd moved to approve the minutes for November 17, 2015 Regular Meeting as amended. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Absent
Beverly B. McKay	-	Absent
John R. Staelin	-	Aye
David S. Weiss	-	Aye

11) Consent Agenda

2015-11R Resolution of Recognition and Appreciation of J. Michael Hobert

**Resolution of Appreciation for Service to J. Michael Hobert  
Berryville District Supervisor 1999 to 2015  
2015-11R**

WHEREAS, J. Michael Hobert was first appointed to the Clarke County Board of Supervisors as the Berryville District Supervisor on January 8, 1999; and,

WHEREAS, on November 2, 1999, he won his first election and was successfully reelected over the next three election cycles; and,

WHEREAS, he served as Vice Chair from May 13, 2003 through December 31, 2009 and Chaired the Board of Supervisors from January 1, 2010 through January 12, 2015; and,

WHEREAS, during his tenure, he actively served on the Berryville Area Development Authority Comprehensive Plan Committee, Board of Supervisors Finance Committee, Board of Supervisors Personnel Committee, Capital Campaign Committee, Shenandoah Area Agency on Aging, Inc., Clarke County Industrial Development Authority, Clarke County Library Advisory Board, Clarke County School Board, Conservation Easement Authority, Economic Development Advisory Committee, Emergency Services, Green Advisory Committee, Joint Administrative Services Board, Joint Administrative Services Board, Joint Budget Review Committee, Joint Committee on School Construction, Joint Revenue Review Committee, Legislative Liaison and High Growth Coalition, NSVRC Disability Services Board, Parks & Recreation Advisory Board, Technology Committee, and Towns and Villages: Berryville.

NOW THEREFORE BE IT RESOLVED, the Clarke County Board of Supervisors recognizes and congratulates J. Michael Hobert for service to his constituents and all the citizens of Clarke County and that his dedication and loyalty to the County be hereby memorialized as a token of the respect and high esteem in which he is held.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the members of the Clarke County Board of Supervisors assembled on the 15th day of December 2015.

Attest:

\_\_\_\_\_  
David S. Weiss, Chairman

2015-12R Resolution of Recognition and Appreciation of John R. Staelin

**Resolution of Recognition and Appreciation of John R. Staelin  
Millwood Pine Grove District Supervisor  
1998 to 2015  
2015-12R**

WHEREAS, John R. Staelin was first appointed to the Clarke County Board of Supervisors as the Millwood District Supervisor on May 26, 1998; and,

WHEREAS, he won the seat by special election on November 3, 1998, and was successfully reelected over the next four election cycles; and,

WHEREAS, he served as Chair from January 2, 2002 through December 31, 2009; and,

WHEREAS, during his tenure, he actively served on the Berryville/Clarke County Joint Committee for Economic Development and Tourism, Board of Septic & Well Appeals, Board of Supervisors Finance Committee, Board of Supervisors Personnel Committee, Clarke County Industrial Development Authority, Clarke County Litter Committee, Clarke County Planning Commission, Clarke County Sanitary Authority, Economic Development Advisory Committee, Emergency Services, Housing Rehabilitation Board, Joint Administrative Services Board, Joint Committee On School Construction, Joint Revenue Review Committee, Joint School Board / Board of Supervisors Committee on School Construction, Legislative Liaison and High Growth Coalition, Northern Shenandoah Valley Regional Commission, NSVRC Planning Commission Water Policy Board, Technology Committee, Towns and Villages: Boyce, Millwood, Pine Grove, and Water Resources Policy Committee.

NOW THEREFORE BE IT RESOLVED, the Clarke County Board of Supervisors recognizes and congratulates John R. Staelin for service to his constituents and all the citizens of Clarke County and that his dedication and loyalty to the County be hereby memorialized as a token of the respect and high esteem in which he is held.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the members of the Clarke County Board of Supervisors assembled on the 15th day of December 2015.

Attest:

\_\_\_\_\_  
David S. Weiss, Chairman

2015-13R Resolution of Recognition and Appreciation of Bernard "Bud" C. Nagelvoort

**Resolution of Recognition and Appreciation of  
Bernard "Bud" C. Nagelvoort  
Director Lord Fairfax Soil and Water Conservation District 2002 to 2015  
2015-13R**

WHEREAS, Bernard "Bud" C. Nagelvoort was first elected to serve as on the Lord Fairfax Soil and Water Conservation District Board of Directors in November 2001 taking office January 1, 2002 and successfully running for reelection until his decision to retire from elected office at the end of his current term, which expires December 31, 2005; and,

WHEREAS, during his tenure on the Board of Directors for the Lord Fairfax Soil & Water Conservation District he has served as Vice-Chair, Chair, Treasurer, and Chair of the Finance, Legislative and Conservation/Technical Committees; and,

WHEREAS, during his tenure, he has actively championed environmental initiatives, served on various committees in his capacity as Director and participated in water study groups.

NOW THEREFORE BE IT RESOLVED, the Clarke County Board of Supervisors recognizes and congratulates Bud Nagelvoort for his service to the citizens of Clarke County and that his dedication and loyalty to the County be hereby memorialized as a token of the respect and high esteem in which he is held.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the members of the Clarke County Board of Supervisors assembled on the 15th day of December 2015.

Attest:

\_\_\_\_\_  
David S. Weiss, Chairman

2015-02P Proclamation In Memory Of Gregory "Greg" Lloyd

**PROCLAMATION  
IN MEMORY OF  
Gregory "Greg" Lloyd  
January 20, 1951 to November 13, 2014**

WHEREAS, Gregory "Greg" Lloyd was employed by the Virginia Department of Health Lord Fairfax Health District serving the County of Clarke, Virginia for over twenty years;

WHEREAS, during his tenure, Greg Lloyd faithfully served in the capacity of Environmental Health Specialist;

WHEREAS, while an employee in good standing, Greg Lloyd lost his battle with pancreatic cancer on Thursday, November 13, 2014.

NOW, THEREFORE BE IT RESOLVED, the Clarke County Board of Supervisors does hereby issue this proclamation in remembrance of his excellent character and pleasant demeanor, his loyal service to the employees and citizens of the County and extends its condolences to the family of Gregory Lloyd.

IN WITNESS THEREOF, I have set my hand and caused the seal of the County of Clarke, Virginia to be affixed this 15<sup>th</sup> day of December 2015.

Attest:

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

Letter of Appreciation The 150<sup>th</sup> Committee Members**The 150<sup>th</sup> Committee January 18, 2011 through December 31, 2015**

<i>Name</i>	<i>First Name</i>	<i>Address 1</i>	<i>City</i>	<i>State</i>	<i>Zip</i>
Al-Khalili	Adeela	191 Pleasant Lane	Berryville	VA	22611
Davis	Dorothy	Josephine School Community Museum; 303 Josephine St, PO Box 423	Berryville	VA	22611
Kalbian	Maral	2026 Old Chapel Road	Boyce	VA	22620
Lee	Jennifer	Clarke County Historic Museum; PO Box 306; 32 East Main Street	Berryville	VA	22611
McKay	Beverly	P.O. Box 1; 701 Red Gate Road	Millwood	VA	22646
Means	Howard	P.O. Box 7	Millwood	VA	22646
Morris	Mary	Clarke County Historic Museum; PO Box 306; 32 East Main Street	Berryville	VA	22611
Stieg, Jr.	Robert	P.O. Box 32	Millwood	VA	22646

Dear

I am writing on behalf of the Clarke County Board of Supervisors to express our sincere appreciation for your years of service on The 150<sup>th</sup> Committee. Due to your efforts, Clarke played an integral role in the regional commemoration; and we were especially pleased that the bell in the 104 North Church Street Courthouse contributed to the truly inspiring bell-ringing event held on April 9, 2015.

Thank you for your leadership, inspiration, participation and dedication to Clarke County.

Sincerely,  
David S. Weiss, Chair

Conservation Easement Item: Deed of Amendment – Susan Molden

MEMORANDUM

TO: Board of Supervisors, David Ash

FROM: Conservation Easement Authority, Alison Teetor

DATE: December 9, 2015

SUBJECT: Item for Consent Agenda

The Clarke County Easement Authority has approved the following actions. The Authority requests the Board of Supervisors to authorize the Chairman of the Board of Supervisors to execute deeds, easements, and other documents necessary to the transactions, subject to the property owners and lenders signing the Deed prior to the Chair.

Deed of Amendment – Susan Molden

Ms. Molden has requested approval to construct an indoor riding arena on her property, located at 1 Morning Star Lane, Tax Map# 20-((2))-6. An easement was recorded for the property in 2005. Terms of the easement require that the Authority approve the construction of any farm building or structure exceeding 4,500 square feet. The proposed arena is anticipated to be 180' x 80' or 14,400 square feet. The Authority conducted a site visit on October 7th to review the location. Ms. Molden was present for the site visit and stated that the arena would be constructed using similar materials and colors as the existing barn and would be no higher in elevation than the existing barn. Members approved the construction of the arena on condition that

- 1) the deed is amended to include a paragraph regarding the industrial or commercial activities; and
- 2) that the applicant provide written documentation regarding the type of materials, size, and the fact that the height of the arena will be the same or lower than the existing barn.

A letter was sent to Ms. Molden outlining the approval with the aforementioned conditions. Upon receipt Ms. Molden called and stated that the excavator indicated the arena would likely be 18" taller than the existing barn. She is requesting that the Authority approve the additional height. After discussion on motion of Mr. Ohrstrom, seconded by Ms. Thomas the Authority approved the request to increase the height of the arena to a maximum of 18" above the existing barn with the following additional conditions:

- 1) The deed of amendment is recorded prior to initiating construction;
- 2) A signed letter from you which includes:
  - a. elevation drawings of the arena in relation to the barn – these can be 3-D renderings, they don't have to be construction drawings, but should show an accurate depiction of the barn and arena with regards to color, windows, roofing, etc.
  - b. A statement indicating that you agree to the conditions required by the Authority
- 3) A certification letter from a surveyor showing the height of the arena and barn after the completion of the arena to be provided to the Authority within 30 days of the arena's completion.

**Supervisor Byrd moved to approve the items on the Consent Agenda as presented. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Absent
Beverly B. McKay	-	Absent
John R. Staelin	-	Abstain
David S. Weiss	-	Aye

Chairman Weiss presented Supervisor Staelin Resolution 2015-12R honoring his service to the County.

On behalf of the family of Greg Lloyd, Ryan Fincham, former co-worker and friend, accepted 2015-02P presented by Chairman Weiss.

12) Board of Supervisors Finance Items

1. School Carryover Request

The School Board requests appropriation of the currently designated fund balance for School Operating Carryover for purposes outlined in the attached document. The action for consideration is to set public hearing on the appropriation of these funds.

Tom Judge reviewed the School Board request.

Chairman Weiss expressed appreciation for the placement of the majority of the carryover for use in Primary renovation project.

Following review, **Supervisor Byrd moved to set public hearing for January 19, 2016 at 6:30 pm or as soon thereafter as the matter may be heard. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Absent
Beverly B. McKay	-	Absent
John R. Staelin	-	Aye
David S. Weiss	-	Aye



School Carryover Request				
Carryover from FY15 to FY16				
Account Number	Current Balance 11/9/15	Re-allocation Amount	New Balance	Notes
30200250/Roofing	\$152,600	\$250,000	\$402,600	Several roofing projects over the next 4 years. Anticipated expense of \$250,000 in Summer 2016 for JWMS. Projected expense the following year is more than \$500,000 to replace the Cooley Upper roof.
30200200/HVAC	\$24,324	\$300,000	\$324,324	(1) Replace water source heat pump for cafeteria at Boyce. Repair impossible due to age of equipment. (2) Replace two boilers at JWMS. Boilers are nearly 40 years old with significant repair costs over the past 5 years. (3) Replace cooling tower at Lower Campus. Not done as part of recent renovation. Inactivity for a number of years has caused issues.
30200040/Band-Music	\$14,509	\$35,000	\$49,509	Purchase acoustical shells/repair and purchase equipment
30200080/Vehicle	\$9,990	\$15,000	\$24,990	Purchase a second van for transportation
30200230/Primary School	\$1,438	\$502,936	\$504,374	With the anticipated renovation of the former BPS, it is recommended that funds be set aside to offset any future costs associated with the project.
		\$1,102,936		

2. Acceptance of Bills and Claims

**Supervisor Staelin moved to accept the November Bills and Claims. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Absent
Beverly B. McKay	-	Absent
John R. Staelin	-	Aye
David S. Weiss	-	Aye

3. Standing Reports

Expenditure Summary

13) Joint Administrative Services Update

Highlights of Tom Judge's review include:

- Met on November 23
  - o ERP implementation continues to move forward

- Payroll:
  - November payroll did have some minor issues. Still working to identify the reasons for the problems.
  - Working this morning on resolving issues.
  - December payroll will be checked against known issues.
  - Tyler will provide additional support.
- General Billing, Accounts Receivable, Business License, Animal License, Permits and Code Enforcement
  - First four should be implemented by the end of February.
  - Treasurer and her staff have been very cooperative to get implemented. Coming in after hours for data entry to ensure it is set up right.
  - Commissioner of the Revenue's office has been very cooperative on business licenses.
  - Current system requires annual re-entry of all animal and business licenses.
  - Permits and code enforcement requires a great deal of complicated set up. Building and Planning are cooperating in structuring the set up.
  - Tom Judge opined that ultimately the inspection module would work but the County will have to keep focused on implementation to make sure its right.
- Utility billing starts in early January.
- Taxation starts mid spring.
- Treasurer and the Finance Department will share the same system for the first time - relief from the double duty will be beneficial for everyone.
- Hope lives on despite the many problems that have continued to have to work through.
- Social Services:
  - JAS has processed its payroll for a long time.
  - JAS has started processing its accounts payable.
  - Working to create an export between the state and local system.
  - Tom Judge is determined to work with Social Services until it is satisfied with the new system.
- Part-time Staffing:
  - Tom Judge is still considering using part-time staff for data entry.

- Due to the time involved to familiarize and train part-time staff, Sally Sheckels, Joint Administrative Services Payroll and Benefits Coordinator, decided against using part-time personnel.
- Building Department – Staffing & System Set Up
  - Building Department may require assistance.
  - Inputting codes is not difficult. Tom Judge is inputting codes and he and Gordon Russell could get the system set up for the Building Department.
  - Need Building Department to tell him what it wants.
  - Uncertain whether the County will have to spend money on additional personnel for it should not be too time consuming.
- Planning Department – Staffing and System Set Up
  - Brandon Stidham stated that his department so specialized it does not help to bring in part-time personnel.
  - Selected Alison Teetor to staff the office during system set up.
  - The actual building of the system will involve his time; and given his workload over the next few months, he is not certain that he will be able to keep to the schedule for the go live date.
  - Must input historical data and new permit application. Must also build the system from the ground up with fees, applications, screens, reviews, and then ensure that all are connected properly and working properly, which is the most time consuming piece requiring his attention.

Chairman Weiss cautioned Tom Judge and Gordon Russell not to take on too much placing stress on themselves individually and on the system.

Tom Judge remarked that he would ask for help if needed. He opined that he always knew that the project would require everyone to stretch and he hoped all would continue to stretch. He noted that the County was three quarters of the way through the project. He opined that it would start to alleviate soon but noted that the County was still dealing, to some extent, with certain first phase and second phase issues and was now on to implementation of the third phase. He stated that there were still issues to solve from the past; but at some point, everything would start to settle down.

#### 14) Government Projects Update

David Ash provided the monthly project update. Highlights include:

- Chet Hobert Park lighting project:

- Anderson and Associates is working with him on field design and Brandon Stidham on changes to the zoning ordinance.
- Spoke with David Juday and looking toward a January meeting with the engineer and the proposed contributors to nail down the nature, type and extent of contributions so they can be written into the contract documents as being the most cost effective way.
- Ordinance is drafted and will go to the Planning Commission in January to set public hearing.
- Confirmed that David Juday is the appropriate persons with whom to deal for this project.
- Convenience Center:
  - Working with VDOT on entrance and standards.
  - Should have answers by budget season.
  - Planning Commission:
    - Need to prepare a site plan once the traffic layout is complete.
    - Need a revised site plan to present for special use permit.
  - Entrance is on Quarry Road.
- BCCGC:
  - No update at this time. Will schedule Bob Mitchell to update the Board on all projects in January or February.
- Sheriff's Office
  - Some paving is still needed otherwise the project is complete.

## 15) Miscellaneous Items

### Jack Enders Boulevard Section Improvement

Chairman Weiss informed the Board that he had received a written response from Mayor Wilson Kirby [below]. He asked that the Board review the matter at its next meeting.

December, 8 2015

Mr. David Weiss, Chairman  
Clarke County Board of Supervisors

101 Chalmers Court  
Berryville, VA 22611

Dear David:

We are in receipt of your letter dated 16 November regarding Jack Enders Blvd. The letter in question proposes that the County of Clarke provide a lump sum payment to the Town of Berryville, thus providing the Town with funds improve a section of Jack Enders Blvd. so that it can be accepted into the Secondary Street System.

As you know, Jack Enders Blvd. is designated as a collector street in the Berryville Area Plan (a component of both the Town and County Comprehensive Plans). Completion of this street section from Main Street to Buckmarsh Street is of great importance to this community.

In short, the Town's position regarding Jack Enders Blvd. can be summarized as follows:

- the street must eventually connect to Buckmarsh Street,
- the temporary terminus of the street on the east side of the N&S tracks must be constructed in a manner that accommodates the street's extension west across the N&S tracks (at grade),
- as the developer of the street, the County is responsible for the full cost of completing the street so that it may be accepted in to the Secondary Street System, and
- the work necessary to gain acceptance into the Secondary Street System should be completed as soon as possible.

We suspect that the County's position in this matter mirrors the Town's.

This matter will be placed on the agenda for the next Streets and Utilities Committee meeting. The Committee's deliberations on the matter will begin with an opportunity for the County to address their plans and concerns regarding the completion of Jack Enders Blvd.

We look forward to discussing this matter with you.

Sincerely  
Wilson Kirby Mayor

16) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Forward Board of Equalization recommendations to the Circuit Court.	Lora B. Walburn
2.	Coordinate meeting room schedule, public announcement and publication on the website for the	Lora B. Walburn Susanne Vaughan

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
	January 11 organizational meeting.	
3.	Execute and forward eCIVIS agreement.	David Ash
4.	Process approved minutes as amended.	Lora B. Walburn
5.	Process letters of appreciation for the 150 <sup>th</sup> .	Lora B. Walburn
6.	Execute letters of appreciation.	David Weiss
7.	Develop and process public hearing notice for January 19 meeting.	Lora B. Walburn
8.	Add discussion of Jack Enders Boulevard improvement to the next work session.	David Ash

17) Board Member Committee Status Reports

Chairman David Weiss

- Fire and EMS Commission:
  - Working through performance metric to implement strategic plan.
  - Communications system works well for CCSO but not as well for volunteer companies; need to get systems in better sync.

Supervisor Barbara Byrd

- Social Services: Meeting went well.
- Regional Jail: At the last meeting, adopted a \$2mm security system and are seeking to borrow funds.
- Juvenile Jail: Meets Thursday.
- Humane Foundation: Money is coming in following a solicitation of funds sent out by George Ohrstrom, II.
- Library: Discussing space issues.
- Drug Task Force:
  - Attorney General Mark Herring produced a 45-minute long documentary on the drug problem in Virginia and the country. The cities of Richmond, Newport News and Winchester are featured.
  - Working with the appropriate parties to see if it can be shown in the schools.

Supervisor John Staelin

- CCSA:
  - Met this morning.
  - Old tower coming down now.
  - The three towers are now better interrelated - all the same height and load.
- Planning Commission: Working on several text amendments. Will bring to the Supervisors as a group starting in February.
- Economic Development Advisory Committee:
  - Discussing the number of road signs.
  - Considering locations for placement of additional Welcome to Clarke County signs.
  - At present, higher priority goes to visitor center signs.

18) Closed Session

No Closed Session was conducted.

19) Adjournment

At 2:35 pm, being no further business, Chairman Weiss adjourned the meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, January 19, 2016 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: December 15, 2015

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

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David L. Ash, County Administrator

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Minutes Recorded and Transcribed by: Lora B. Walburn, Deputy Clerk, Board of Supervisors