

January 17, 2017

Clarke County Board Of Supervisors  
Regular Meeting  
Main Meeting Room

1:00 p.m.

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Berryville Clarke County Government Center, 101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia conducted on Tuesday, January 17, 2017.

#### Board Members

Present: Afternoon and Evening Session Mary L.C. Daniel – Berryville District; David S. Weiss - Buckmarsh / Blue Ridge District; Terri T. Catlett - Millwood / Pine Grove District; Barbara J. Byrd – Russell District; Bev B. McKay – White Post District; Absent: None

#### County Staff Present

David Ash, Tom Judge, Brandon Stidham, Alison Teetor; Deb Bean

#### Constitutional / State Offices

Travis Sumption

#### Press

Cathy Kuehner - The Winchester Star

#### Others Present

George Archibald, Chris Bates, Robina Rich Bouffault, and other citizens

#### 1) Call to Order

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

#### 2) Adoption of Agenda

Miscellaneous: Add FY2016 Audit Review by Robinson Farmer and Cox

**Vice Chair McKay moved to adopt the agenda as modified. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

3) Citizens Comment Period

Robina Rich Bouffault, Boyce resident, distributed and briefly summarized her packet concerning the Clarke County Public Schools' budget titled, "FY18 Budget Considerations."

Chris Bates, White Post resident, addressed the Board concerning the Equine Alliance advising that the organization was well and good. He stated that Robina Rich Bouffault started the Alliance approximately twelve years ago based on a request by the Economic Development Advisory Committee; and with a little bit of funding, she created a viable organization, basically, running it herself investing approximately four to five hundred hours per year of volunteer labor. He informed the Board that to pursue other matters Mrs. Bouffault had decided to step down from Alliance leadership to focus on other matters and to allow other Alliance members to step up and move forward. Mr. Bates further noted that last evening at its Directors' meeting the Equine Alliance established new officers: Dr. Eric Myers, President; Robin Richards, Vice President; and Chris Bates, Secretary / Treasurer. He commented that the Alliance expects to move forward continuing the good work done by Robina Rich Bouffault.

Mr. Bates, referring to the January 9, 2017, Board of Supervisors Organizational Meeting and Work Session, remarked that the Supervisors had recognized the importance of agricultural in the community. He opined that it was time to move forward noting several efforts to reach out to the agricultural community including the recent mailing soliciting contact information, which received limited response. He further opined that having one man to solicit opinions in the County was ineffective. Mr. Bates put forth that last year Loudoun County put out a survey similar to a 2005 survey conducted in Clarke. To aid the Economic Director, he suggested interviewing as many persons as possible in the industry to determine what was needed. He opined that the information gathered in the survey would be used to sell the County, to develop educational programs and career and technical programs, and to develop ordinances.

In closing, he expressed his hope that the Supervisors would make a commitment to conduct, as soon as possible, the much-needed study.

#### 4) VDOT Update

Ed Carter, Assistant Residency Administrator, with Charlie Monroe and Cliff Balderson, appeared before the Board to provide the monthly update.

##### Maintenance:

- Cut brush along slopes on Rt. 50 and will continue this month and along rt. 658;
- Collected large trash items along primary's;
- Made temporary pavement repairs on Rt. 658 until weather permits permanent repair;
- Used contractors for tree trimming along routes 667, 671 and a portion of 608 north;
- Mobilized for two small weather events and sent crews and equipment to Virginia Beach, Hampton Roads and Richmond areas to assist with heavy snow storm;
- Anticipating potholes forming with large temperature swings.

##### Board Issues:

- Discussion on upcoming hard surfacing for Allen Rd. and Lockes Mill Rd. – possible reallocation of funds.
  - Current funding is insufficient to complete the project.
  - VDOT requests the Board consider relocation of funds from the Lockes Mill Road project, FY17/FY18 budget year, to allow completion of the Allen Road project, currently FY19/FY20, budget year.
  - Propose taking all the funds in the six-year plan and apply to completing the second portion of the Allen Road project.
  - Chairman Weiss instructed staff to include discussion of VDOT priorities at its February 13 Work Session.
  - Ed Carter advised that public hearing was not necessary.

#### 5) Habitat for Humanity Presentation by Matthew T. Peterson, Executive Director

Matthew Peterson, with Carol Gregory, Habitat for Humanity Atlanta branch, briefed the Board of Supervisors on Habitat for Humanities' goals and plans. Highlights include:

- Repair Project Program
  - Participated in a repair project during United Way's Day of Caring.
  - Habitat model is based on need, ability to pay and willingness to partner.

- Repair application is one page. He advised that one application was received today.
- Applicants' gross income cannot exceed 60% of Clarke County's median income.
- Assistance is based on a sliding scale.
- The number of annual projects will be determined by funding levels.
- Restricted donations are accepted.
- Repair program only available in Clarke County.
- FISH and the Millwood Community Association will distribute brochures.
- One-day Community Outreach Event
  - Rock The Block held for the past two years in Winchester.
  - Exploring possibility of conducting a community outreach event in Clarke County.
  - Looking at community space in Millwood and Josephine Street.
- Millwood House
  - A two-story, 1800's house at 1951 Millwood was received through a Wells Fargo foreclosure program.
  - Exploring ways to move forward with the property and to keep with the Wells Fargo program requiring that these properties address community blight.
  - Wells Fargo is providing funding to help address the blight of that property to include rehabilitation or demolition.
  - As an historic home, trying to be very sensitive. Several persons have been consulted including Maral Kalbian, Architectural Historian, as well as Paige Carter, a Class A contractor, and a realtor; but, thus far getting mixed reviews.

Mr. Peterson advised he had submitted an FY2018 funding request to Tom Judge, Joint Administrative Services.

Chairman Weiss expressed the Board's appreciation for Habitat for Humanity's efforts.

6) Revised 2016 Agricultural Land Plan - Set Public Hearing for 6:30 pm, Tuesday, February 21, 2017

Brandon Stidham summarized the proposed revision. Highlights include:

- Agricultural and Forestal District Advisory Committee and the Planning Commission formed a joint committee to review the 1997 plan.
  - PC Members: Robina Rich Bouffault, Randy Buckley and Jon Turkel;

- AFDC Members: Emily Day, Corey Childs.
- The Planning Commission conducted public hearing on the plan at its January 6 meeting and voted to recommend adoption by the Board of Supervisors.
- Goals, objectives and strategies placed at the beginning of the plan.
- Objectives have been matched with goals.
- Questions / Comments of Board:
  - Change on page 11 to local farm bureau.
  - By consensus: Change from vacant and manor house to large homesteads and its associated lands.
  - Check Commonwealth's definition of horticulture and agriculture.

**Supervisor Daniel moved to set public hearing for Tuesday, February 21, 2017, 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
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

7) Telecommunications Infrastructure and Broadband - Next Steps – Discussion and Direction

Brandon Stidham updated the Supervisors on next steps. Three action items were recommended in the study. Highlights of update include:

- Complete zoning ordinance regulations for monopoles.
  - Telecommunications Committee meeting is scheduled for January 24 for continued review of the text amendment.
- Develop and issue a request for proposal or request for information to the telecommunications industry to make it aware of the Supervisors' acceptance of the study and the County's desire to improve telecommunications in the County.
  - Mr. Condyles offered to provide a sample document.
- Establish a Broadband Advisory Committee.
- Highlights Supervisor Byrd's comments:

- Suggested holding action until the Planning Commission has a chance to study and work on the new ordinance.
- There are 14 different businesses that can augment broadband using other methods other than erecting towers.
- Opines that the report accepted by the Board is incomplete.
- Suggested that if another committee is formed to develop the RFI / RFP, it should be comprised of knowledgeable persons including persons currently serving on the Planning Commission's telecommunications and broadband study committee.
  
- Highlights Supervisor Daniel's comments:
  - Would like to establish a group and let them decide what to put out in an RFI.
  - Would like to ask the private sector what it is looking for, what it needs in order to have viable business delivering a necessary service to Clarke.
  - Suggested expanding the list of providers under the Resident Information Internet Access Options on the County's website.
  
- Highlights Chairman Weiss' comments:
  - Would like a better definition of RFI / RFP, what it does and how the information will be used.
  - Suggested creating a formal committee with two supervisors and two planning commissioners – preference for appointing members of the existing broadband and telecommunications. This committee would work with staff to create the RFI / RFP, explore industry disposition and solicit input from members of the community with expertise in this industry.
  
- Highlights Vice Chair McKay's comments:
  - Believes it is best form a committee to include staff and that committee convening while the Planning Commission continues to work on the ordinance.
  - Believes the County should move forward at a more rapid pace.
  - Believes it best to have a corollary group looking at structures, be a convener for what is gleaned from the industry, meet with current providers to determine how to accomplish more internet access to more people.
  - Believes that the County should focus more closely on broadband than telecommunications.
  
- Highlights Supervisor Catlett's comments:

- The study provides some information.
- The Broadband Committee is looking at more information to facilitate the process.
- Hope everyone will be flexible and use the best pieces of the compiled information.

By consensus, the Supervisors agreed on the following next steps:

- Expand information on broadband providers and place in the proper locations.
- Simultaneous activity working through the Planning Commission to create the ordinance.
- Create a subcommittee:
  - Planning Commission Chair appoint two Planning Commissioners
  - Board of Supervisors Chair appoint two Supervisors.

**Vice Chair McKay moved that the Chairman of the Board of Supervisors appoint two people from the Board of Supervisors and the Chairman of the Planning Commission appoint two people, both persons can pick who they want, to form a committee to move the County forward on broadband. This subcommittee will focus on broadband**

Chairman Weiss advanced a friendly amendment, **“to specifically address the RFI recommended.”**

Brandon Stidham advanced a friendly amendment, **“The Planning Commission Chair recommend two Commissioners.”**

**Vice Chair McKay agreed adding “deems appropriate” and the Committee be encouraged to have members of the community that have expertise in this to come and talk to the Board not necessarily at a public hearing.”**

Chairman Weiss restated the motion **“to authorize the Chair of the Board of Supervisors to create a four-person panel utilizing two Supervisors and two Planning Commissioners chosen by the Planning Commission Chair to work through the RFI that has been advised in the study. Staff to that would be Brandon Stidham, Mike Legge and consultant George Condyles.”**

Chairman Weiss confirmed with Vice Chairman McKay that the restated motion encapsulated the intent of the motion he had advanced.

Chairman Weiss called for further discussion. Being none, he called for vote:

**The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

8) Appalachian Trail parking expansion – Pine Grove Road – Discussion

Alison Teetor addressed expansion of the parking lot for the Appalachian Trail. Highlights include:

- Parking lot is off Route 7 North on Route 679 Pine Grove Road.
- The Raven Rocks Trail is very popular with hikers causing an excess of traffic and parking on the right of way, which can result in an unsafe situation.
- Travis Sumption and she met with VDOT, as well as representatives from the Appalachian Trail Conservancy to discuss resolution.
- VDOT right of way can be expanded to accommodate between 30 and 40 vehicles.
- Initial estimate for expansion is approximately \$208,000.
- Seeking Board approval to seek alternate funding including grant funding.
- Supervisor Catlett put forth Loudoun County as a potential funding source.
- Supervisor Weiss postulated that the parking lot could be used by commuters during the week.

**Supervisor Daniel moved to direct staff to explore alternate funding. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

Chairman Weiss asked that the Finance Committee be kept informed.

9) BoS Priorities Calendar Year 2017 – Review and Discussion

Highlights of Board review include:



- Broadband: Ongoing. Supervisor Daniel suggested revising the wording for broadband removing “as opportunity”; add quarterly updates.
- Convenience Center: Ongoing. Chairman Weiss advised that the Supervisor have budgeted the capital expenditure for the convenience center. Staff will clarify status.
- Personnel Policy: Ongoing. Making progress. Hope to have revised draft by the February 13 work session. Revised draft requires review by Constitutional Officers, as well as legal review.
- ERP: Ongoing. Project will continue to take a major effort from most members of staff to complete.
- Economic Development: Add as a separate item on the priority list.
- Fire and EMS: Adjust ranking.

Chairman Weiss directed the County Administrator to reverse Fire and EMS on the chart, add section on Economic Development and provide to the Board for further review at its February meeting.

10) Approval of Minutes

**Vice Chair McKay moved to approve the minutes for:**

- **September 13, 2016 BoS BTC Joint Work Session: Correct Page 710 Book 22 Remove third 800 notation.**
- **December 13, 2016 BoS BTC Joint Special Meeting: As presented**
- **January 9, 2017 BoS Organizational Meeting and Work Session: Correct Page 888 Book 22 nominate and elect Vice Chair change from Supervisor Byrd to Supervisor Daniel.**

**The motion carried by the following vote:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

11) Consent Agenda

- A. Bowen Easement Donation -

MEMORANDUM

TO: Board of Supervisors, David Ash  
FROM: Conservation Easement Authority, Alison Teetor  
DATE: January 6, 2017  
SUBJECT: Item for Consent Agenda –Bowen Easement Donation

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.

William Bowen has requested the Easement Authority to consider acceptance of his property for easement donation. The parcel is 20 acres and located on the north side of Nelson Road approximately 3/10's of a mile north of the intersection with Berrys Ferry Road (~~see attached map~~).

The following guidelines for accepting properties for easement donation were established by the Easement Authority:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the donated conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

The Authority requires that a property meet at least two of the four guidelines for acceptance.

In reviewing the parcel, three of 4 criteria have been met. The Property Resource Score is 57.78, the parcel is adjacent to an existing easement, the owner would like to retire the one remaining DUR, the parcel is not larger than 40 acres in size.

The property is adjacent to land held in VOF easement on two sides. The property is in land use, and is primarily open pasture. It shares 1,700 feet of property boundary with Blandy Farm.

Nelson Road is a scenic byway and the parcel has approximately 1/10th of a mile frontage on the Road. It is also within the Greenway Historic District.

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

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

12) Board of Supervisors Personnel Item

A. Expiration of Term for appointments expiring through March 2017

01/09/2017 Update: The Personnel Committee recommends appointment:

- Roderick "Rod" DeArment to the Clarke County Sanitary Authority to an additional four-year term expiring January 5, 2021.
- Alexander Mackay-Smith to the Clarke County Sanitary Authority to an additional four-year term expiring January 5, 2021.

**01/17/2017 Action: Vice Chair McKay moved to approve the appointments as recommended by the Personnel Committee. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

**B. Personnel Policy Update**

01/09/2017 Update: David Ash reviewed progress on the personnel policy update. An updated draft will be distributed for review and comment as soon as it is available.

01/17/2017 Summary: Current status of the personnel policy provided under Item 9.

**C. Administrative Assistant / Floating Clerk**

01/09/2017 Summary: The need for clerical support in view of addition of new departments and increasing workloads was discussed. While the Board has not yet approved such a position, the Personnel Committee recommends the County Administrator discuss the need for support with those who have expressed concern and advertise a position meeting the most immediate qualifications in order that the County can act quickly if necessary.

01/17/2017 Summary: David Ash advised that seasonal illness was hampering completion. He advised that the position's pay grade was consistent with the County's pay and classification plan.

Chairman Weiss informed the Supervisors that the Finance Committee had not yet considered this position. He also reminded that County government had been down-sized during the recession; and now, with the uptick in development and the priorities and issues the Board has put forth, it has become clear that there is a need for clerical support on a large scale in various departments.

David Ash added that the Building Department was nearly at pre-economic-collapse levels when it had two full-time clerical, two full-time inspectors and several part-time employees. Currently, there is one full-time clerical, one full-time Building Official / Inspector and one part-time inspector. He further noted that the Director for Fire, EMS and Emergency Operations had no clerical staff.

**Vice Chair McKay moved to authorize the County Administrator to advertise the administrative assistant position. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

13) Board of Supervisors Work Session

A. Organizational Items

01/17/2017 Summary: See 01/09/2017 Clarke County Board of Supervisors Organizational Meeting & Work Session Minutes.

B. Economic Development Director Review and Direction

01/17/2017 Summary: See 01/09/2017 Clarke County Board of Supervisors Organizational Meeting & Work Session Minutes.

Chairman Weiss asked to clarify the matter of economic development. He opined that it might appear from the article in the Winchester Star that agriculture is the only thing the County is trying to do for economic development; and while the conversation on that particular day may have been centered on agriculture, the County intends to continue to do the things it has been doing and the priorities that have been set.

Supervisor Byrd asked that the Economic Development Director provide a graph or listing with the number of businesses and/or the amount of money brought into the County resulting from the Director's efforts.

Chairman Weiss responded that the reports did contain numbers but he could have the Director provide her that information.

Supervisor Daniel put forward that the position of Economic Development Director was full-time in most jurisdictions. She expressed support for consideration in the upcoming budget sessions of expanding the position to full-time.

Supervisor Catlett added that on January 9, the Supervisors had discussed agriculture at length; but agriculture is just one avenue the Board is pursuing for economic development.

#### 14) Government Projects Update

David Ash provided the monthly project update.

- Convenience Center:
  - Work continues.
  - Will be probing for the septic system.
  - Supervisor Daniel is receiving numerous calls from constituents about the discontinuation of glass recycling and will follow up with her contact in Loudoun County re glass recycling.
- Sheriff's Office: Complete.
- Parks Pavilion: Site plan available.
- Ballfield lighting project: Contractor delay, lights are custom built not stock. Contractor assures that work will proceed after the first of the year.

#### 15) Miscellaneous Items

##### FY2016 Audit Presentation by Robinson Farmer Cox

Tom Judge advised that the FY2016 audit remains in a draft state pending resolution of one outstanding detail.

Matthew McLearen, Robinson Farmer Cox, presented the results of FY2016 audit. Highlights include:

- Do not anticipate any changes in the final report.
- Reviewed "Communication with Those Charged with Governance"

##### *CERTIFIED PUBLIC ACCOUNTANTS*

*We have audited the financial statements of the governmental activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of County of Clarke, Virginia for the year ended June 30, 2016. Professional standards require that we provide you with information about our*

responsibilities under generally accepted auditing standards, Government Auditing Standards, and the Uniform Guidance, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated June 1, 2016.

Professional standards also require that we communicate to you the following information related to our audit.

### **Significant Audit Findings**

#### Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by County of Clarke, Virginia are described in Note 1 to the financial statements. As described in Note 1 to the financial statements, County of Clarke, Virginia changed accounting policies related to investments, investment pools and pensions by adopting Statement of Governmental Accounting Standards (GASB Statement) Nos. 72 Fair Value Measurement and Application, 79 Certain External Investment Pools and Pool Participants, and 82 Pension Issues - an amendment of GASB Statements No. 67, No. 68, and No. 73. We noted no transactions entered into by the entity during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the County of Clarke Virginia's financial statements were:

*Management's estimate of the depreciable lives of capital assets is based on historical experience and industry standards. We evaluated the key factors and assumptions used to develop the estimate of depreciable lives of capital assets in determining that it is reasonable in relation to the financial statements taken as a whole.*

*Management's estimate of the allowance for uncollectible property tax revenue is based on historical experience and standard methods of computing the allowance. We evaluated the key factors and assumptions used to develop the estimate of allowance for uncollectible property tax revenue in determining that it is reasonable in relation to the financial statements taken as a whole.*

*The financial statement disclosures are neutral, consistent, and clear.*

#### Difficulties Encountered in Performing the Audit

*We encountered no significant difficulties in dealing with management in performing and completing our audit.*

### Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

### Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

### Management Representations

We have requested certain representations from management that are included in the management representation letter dated January 3, 2017.

### Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the entity's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the entity's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

### Other Matters

We applied certain limited procedures to management's discussion and analysis and the schedules related to pension funding, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI. Our

*responsibility with respect to the budgetary comparison information, which also supplements the basic financial statements, is to evaluate the presentation of the schedules in relation to the financial statements as a whole and to report on whether it is fairly stated, in all material respects, in relation to the financial statements as a whole.*

*We were engaged to report on combining and individual fund financial statements and schedules, supporting schedules, and the schedule of expenditures of federal award, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.*

*We were not engaged to report on the introductory section or statistical section, which accompany the financial statements but are not RSI. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.*

*Restriction on Use*

*This information is intended solely for the use of the Board of Supervisors and management of County of Clarke, Virginia and is not intended to be, and should not be, used by anyone other than these specified parties.*

*DRAFT  
Charlottesville, Virginia  
January 3, 2017*

- Reviewed *Independent Auditors' Report*
- Reviewed *Management's Discussion and Analysis*
- Reviewed the *Balance Sheet* on page 14 of the draft audit report.
  - Unassigned \$170, 301
  - Assigned \$13,628,633
  - Total fund balance \$14,042,364
- Reviewed *Statement of Revenues, Expenditures, and Changes in Fund Balances* on page 16
  - Fund balance increase of \$421, 212 for the year.



- Bond rate agencies use 25% as the common benchmark. Formulated as fund balance as a percentage of the final budgeted expenditures, Clarke’s fund balance is approximately 45% of the budgeted expenditure.
- Tom Judge added that the County’s fiscal policy designates percentages for liquidity and stabilization funds.
- Reviewed *Independent Auditors’ Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards* page 136.
- Reviewed *Independent Auditors’ Report on Compliance For Each Major Program and on Internal Control over Compliance Required by the Uniform Guidance* on page 138.
- RFC will expedite the final report upon receipt of the remaining detail.

16) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Add review of VDOT priorities for Allen Road and Lockes Mill Road to the February 13 Work Session.	David Ash
2.	Re-draft the BoS Priorities list.	David Ash
3.	Clarify Convenience Center funding.	David Ash
4.	Follow up with Alison Teetor on energy report.	David Ash
5.	Provide Supervisor Byrd with list or graph of new businesses and/or amounts of money brought into the County resulting from the Economic Development Director’s efforts.	Len Capelli
6.	Arrange for Len Capelli to address the Supervisors.	David Ash
7.	Develop / process public hearing notice.	Lora B. Walburn
8.	Process approved minutes.	Lora B. Walburn
9.	Update appointment database and process notice of appointment.	Lora B. Walburn
10.	Process letters of appointment and update database.	Lora B. Walburn
11.	Respond to Delegate Minchew re sanitary district bill.	Supervisor Daniel
12.	Follow up with Loudoun County contact re recycled glass.	Supervisor Daniel

## 17) Board Member Committee Status Reports

### Supervisor Barbara J. Byrd

- Social Services: Meets tomorrow morning.
- Regional Jail: Meets later this month.
- Northwestern Regional Juvenile Detention Center Commission: Parking lot enlarged.
- Litter Committee: Suggested taking the committee off the BoS list until the duties are assumed.
- CEA: Meeting Thursday for annual luncheon at Camino Real.
- Humane Foundation: Meeting tomorrow.
- Town Council: Voted to change parking ordinance.
- Northern Shenandoah Substance Abuse Coalition: More report in February.

### Supervisor Terri Catlett

- Millwood Community: Moving forward with plans to offer aid to pay water bills.
- School Board:
  - No meetings conducted since the Supervisors' December 20 meeting.
  - Two Supervisors may take the walk-thru tour at a time. She will tour on February 10.
- Parks and Recreation Advisory Board: Discussing work on trail that is considered one of the most used areas.

### Vice Chair Beverly McKay

- Clarke County Sanitary Authority: Meets next week.
- NSVRC: Christmas party at George Washington Hotel, which Supervisor Daniel attended.
- Joint Building Committee: Discussed possibly moving drop boxes, indoor painting needs, door issues and joint seal.

### Supervisor Mary L.C. Daniel

- Library Advisory Council: Did not meet.
- Planning Commission:
  - Organizational meeting Friday, January 6.

- Chair George Ohrstom, II
- Vice Chair Anne Caldwell
- Remixed standing committees
- Conducted Agricultural Plan public hearing.
- Legislative Liaison:
  - Sanitary Districts: Delegate Minchew forwarded an email advising that he submit a bill about sanitary districts. The bill will have its first committee hearing tomorrow. By consensus, Supervisor Daniel will follow up on this matter for the Board.
  - VOF Board: Chairman Weiss sent letter re power line route.

Chairman David S. Weiss

- Fire and EMS Commission:
  - Director Brian Lichty doing well.
  - Organizational Meeting:
    - Chair Van Armacost
    - Vice Chair Matt Hoff
  - Career staff playing key role in reducing response time.
  - Continue to work on strategic plan.
- Joint Meeting with School Finance Committee:
  - Reviewed CCPS budget.
  - Budget to be presented next week to the School Board.
  - Johnson Williams Middle School has a new roof.
- EDAC: Berryville businesses experienced excellent holiday sales.
- MOU Committee: Meeting scheduled for Friday morning.

18) Closed Session

No Closed Session conducted.

Chairman Weiss recessed the meeting at 3:40 p.m.

Chairman Weiss reconvened the meeting at 6:32 p.m.

19) Citizen Comment Period

No persons addressed the Board.

20) PH 17-01 Zoning And Subdivision Ordinance Text Amendment (TA-16-04) Amend Stormwater Management Regulations.

*Description: Proposed text amendment to amend Zoning Ordinance §3-A-8, Business Commercial (BC); §3-A-9, Business (B); §3-A-10, Business Park (BP); §3-E-1, Flood Plain District (FP); §4-F, Drainage; and Article 6, Site Development Plans; and to amend Subdivision Ordinance Article 4, Procedure for Subdivision Approval; §8-I, Drainage; §8-J, Private Access Easements; and §11-A, Improvements. The purpose is to reconcile the Zoning and Subdivision Ordinances with the recent repeal of Chapter 154, Stormwater Management, of the Code of Clarke County. Former local stormwater management regulations will be replaced with reference to State regulations, and additional edits are proposed for clarity purposes.*

Brandon Stidham, Director of Planning, summarized the proposed text amendment. He answered Supervisor Byrd’s questions about State regulations for karst areas.

At 6:39 pm, Chairman Weiss opened the public comment portion of the public hearing.

George Archibald, Town of Berryville: Distributed and reviewed his written comments for the Board.

Being no other persons desiring to address the matter, Chairman Weiss closed the public hearing.

**Vice Chair McKay moved to approve text amendment TA-16-04 as presented. The motion carried by the following vote:**

Barbara J. Byrd	- Aye
Terri T. Catlett	- Aye
Mary L.C. Daniel	- Aye
Beverly B. McKay	- Aye
David S. Weiss	- Aye

**ZONING ORDINANCE**

Section	Title	Current	Proposed
3-A-8-g-5-b-3	BC District, Additional Regulations, Site Plan	b.Site plans shall include provisions for: (1) adequate public facilities, (2) development phasing, (3) stormwater management facilities to address the ultimate development coverage within	b.Site plans shall include provisions for: (1) adequate public facilities, (2) development phasing, (3) stormwater management facilities <i>that comply with State stormwater management</i>

ZONING ORDINANCE

Section	Title	Current	Proposed
		the district, (4) lighting and signing, (5) building placement and lot configuration, and (6) other special site features and land use considerations deemed necessary to serve the district.	<del>regulations to address the ultimate development coverage within the district,</del> (4) lighting and signing, (5) building placement and lot configuration, and (6) other special site features and land use considerations deemed necessary to serve the district.
3-A-9-g-5-b-3	B District, Additional Regulations, Site Plan	b.Site plans shall include provisions for: (1) adequate public facilities, (2) development phasing, (3) stormwater management facilities to address the ultimate development coverage within the district, (4) lighting and signing, (5) building placement and lot configuration, and (6) other special site features and land use considerations deemed necessary to serve the district.	b.Site plans shall include provisions for: (1) adequate public facilities, (2) development phasing, (3) stormwater management facilities <i>that comply with State stormwater management regulations to address the ultimate development coverage within the district,</i> (4) lighting and signing, (5) building placement and lot configuration, and (6) other special site features and land use considerations deemed necessary to serve the district.
3-A-10-g-4-e	BP District, Site Plans and Special Use Permits	e. Site plans for development in BP Business Park Districts shall include provisions for (a) adequate public facilities, (b) development phasing, (c) stormwater management facilities to address the ultimate development coverage within the district, (d) lighting and signing, and (e) other special site features and land use considerations deemed necessary to serve the industrial district.	e. Site plans for development in BP Business Park Districts shall include provisions for (a) adequate public facilities, (b) development phasing, (c) stormwater management facilities <i>that comply with State stormwater management regulations to address the ultimate development coverage within the district,</i> (d) lighting and signing, and (e) other special site features and land use considerations deemed necessary to serve the industrial district.
3-E-1-e	Design Criteria for Utilities and Facilities in Flood Plain Districts	3. All storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. The proposed system shall insure drainage away from buildings and on-site waste	3. All storm <del>water drainage</del> facilities shall <i>comply with State stormwater management regulations be designed to convey the flow of surface waters without damage to persons or property.</i> <del>The</del>

ZONING ORDINANCE

Section	Title	Current	Proposed
		<p>disposal sites. The County may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.</p>	<p><del>proposed system shall insure drainage away from buildings and on-site waste disposal sites. The County may require a primarily underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.</del></p>
4-F	<del>Drainage-Stormwater Management</del>	<p>When required by the Planning Commission or the Virginia Department of Transportation, drainage systems shall be provided by means of culverts, ditches, catch basins, cross drains, curbs and gutters, and any other facilities that are necessary to provide adequate drainage and disposal of surface and storm waters from or across all streets and adjoining properties. Appropriate drainage easements shall also be provided as required by the Planning Commission, Board of Supervisors, and/or the Virginia Department of Highways and Transportation.</p>	<p>When required by <del>the Planning Commission or</del> the Virginia Department of Transportation <del>or by State stormwater management regulations,</del> <del>drainage stormwater management</del> systems shall be provided by means of culverts, ditches, catch basins, cross drains, curbs and gutters, and any other facilities that are necessary to provide adequate <del>drainage and disposal management</del> of surface and storm waters from or across all streets and adjoining properties. <del>Stormwater management features shall comply with State stormwater management regulations.</del> Appropriate drainage easements shall also be provided as required by the Planning Commission, Board of Supervisors, and/or the Virginia Department of Highways and Transportation.</p>
6-G-16	Site Development Plans; Contents	<p>Provision for the adequate disposition of natural and storm water indicating the location, sizes, types, and grades of ditches, catch basins, detention ponds (showing 10-year and</p>	<p><del>For projects located in the Berryville Annexation Area,</del> <del>Provision for the adequate disposition of natural and storm water indicating the location, sizes, types, and grades of</del></p>

ZONING ORDINANCE

Section	Title	Current	Proposed
		100-year elevations), and pipes and connections to existing drainage systems. Plans shall be in accordance with the Berryville Stormwater System Master Plan.	ditches, catch basins, detention ponds (showing 10-year and 100-year elevations), and pipes and connections to existing drainage systems. Plans shall be in accordance with the Berryville Stormwater System Master Plan.
6-H-8	Site Development Plans; Improvements and Minimum Standards; Stormwater Management	Stormwater management facilities shall be provided in conjunction with land development activities, which require the submission of a Site Plan. An evaluation shall be performed for each proposed land development project in accord with Clarke County Code Chapter 154. Stormwater Management.	Stormwater management facilities shall be provided in conjunction with land development activities, which require the submission of a Site Plan. <i>All stormwater management facilities shall comply with State stormwater management regulations. A copy of the permit or approval letter from the State stormwater management program authority shall be provided as a condition of final site plan approval. An evaluation shall be performed for each proposed land development project in accord with Clarke County Code Chapter 154. Stormwater Management.</i>
6-H-15-e-4	Site Development Plans; Sinkhole and Karst Features; Requirements and Restrictions	Stormwater runoff shall be addressed as outlined in the Chesapeake Stormwater Network (CSN) Technical Bulletin No.1 "Stormwater Design Guidelines for Karst Terrain in the Chesapeake Bay Watershed" Version 2.	Stormwater <del>runoff</del> management facilities shall comply with State stormwater management regulations for Karst Terrain be addressed as outlined in the <del>Chesapeake Stormwater Network (CSN) Technical Bulletin No.1 "Stormwater Design Guidelines for Karst Terrain in the Chesapeake Bay Watershed" Version 2.</del>

SUBDIVISION ORDINANCE

Section	Title	Current	Proposed
4-G-2-b-3	Action on Preliminary Plat	Has adequate drainage. In making this determination, it shall consider whether or not the surface or subsurface water retention and/or runoff is such	<i>Complies with all State stormwater management regulations. Has adequate drainage. In making this determination, it shall consider</i>

**SUBDIVISION ORDINANCE**

Section	Title	Current	Proposed
		that it constitutes a danger to the structural integrity of proposed dwelling units or other proposed on site structures, and whether or not proposed site grading and development will create harmful or damaging effects from erosion and siltation on downhill or downstream land.	<del>whether or not the surface or subsurface water retention and/or runoff is such that it constitutes a danger to the structural integrity of proposed dwelling units or other proposed on site structures, and whether or not proposed site grading and development will create harmful or damaging effects from erosion and siltation on downhill or downstream land.</del>
4-H-1-a	Submission of Plans and Profiles	Five copies of the complete Construction Plans and Profiles, including storm sewer design computations and storm water inlet computations.	Five copies of the complete Construction Plans and Profiles, including storm sewer design computations and storm water inlet computations. <i>Where applicable, a copy of the permit or approval letter from the State stormwater management program authority shall be provided as a condition of record plat approval.</i>
8-l	Drainage	Subdivisions shall be protected from flood hazard and inundation by storm water, springs, and other surface waters. The design and construction of drainage facilities shall be such that all water courses traversing the subdivision and water emanating from outside and/or within the subdivision will be carried through and off the subdivision without creating an adverse drainage condition to roadway, residential sites, or residences to be installed within the tract, and without any injury to roadways, residential sites, residences, structures, farmland, or open space abutting or in the vicinity of the tract. Stormwater Management shall be designed as described in the Clarke County Code	Subdivisions shall be protected from flood hazard and inundation by storm water, springs, and other surface waters. The design and construction of drainage facilities shall be such that all water courses traversing the subdivision and water emanating from outside and/or within the subdivision will be carried through and off the subdivision without creating an adverse drainage condition to roadway, residential sites, or residences to be installed within the tract, and without any injury to roadways, residential sites, residences, structures, farmland, or open space abutting or in the vicinity of the tract. Stormwater Management shall be designed as <i>required by State stormwater</i>



**SUBDIVISION ORDINANCE**

Section	Title	Current	Proposed
		Chapter 154.	<i>management regulations described in the Clarke County Code Chapter 154.</i>
8-J-2-c-15	Design Standards (private access easements)	storm drain culverts shall meet VDOT standards; and	<i>stormwater management features, including storm drain culverts, shall meet VDOT standards and State stormwater management regulations, if applicable ; and</i>
11-A-6	Improvements; <i>Drainage Stormwater Management</i>	When required by the Planning Commission or the Virginia Department of Transportation, drainage systems shall be provided by means of culverts, ditches, catch basins, cross drains, curbs and gutters, and any other facilities that are necessary to provide adequate drainage and disposal of surface and storm waters from or across all streets and adjoining properties. Appropriate drainage easements shall also be provided as required by the Planning Commission, Board of Supervisors, and/or the Virginia Department of Highways and Transportation.	When required by <del>the Planning Commission or</del> the Virginia Department of Transportation <del>or by State stormwater management regulations,</del> <i>drainage stormwater management</i> systems shall be provided by means of culverts, ditches, catch basins, cross drains, curbs and gutters, and any other facilities that are necessary to provide adequate <del>drainage and disposal management</del> of surface and storm waters from or across all streets and adjoining properties. <i>Stormwater management features shall comply with State stormwater management regulations.</i> Appropriate drainage easements shall also be provided as required by the Planning Commission, Board of Supervisors, and/or the Virginia Department of Highways and Transportation.

**Next Regular Meeting Date**

The next regular meeting of the Board of Supervisors is set for Tuesday, February 21, 2017 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

**21) Adjournment**

Approved February 21, 2017

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At 6:47 pm, being no further business, Chairman Weiss adjourned the meeting.

ATTEST: January 17, 2017

\_\_\_\_\_  
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 to the Board of Supervisors