

CLARKE COUNTY BOARD OF SUPERVISORS
March 17, 2009 Regular Meeting 1:00 p.m.
Main Meeting Room

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Main Meeting Room, 2nd Floor Berryville Clarke County Joint Government Center, 101 Chalmers Court, 2nd Floor, Berryville, Virginia on Tuesday, March 17, 2009.

Board Members Present

Barbara Byrd; A. R. Dunning, Jr.; J. Michael Hobert; John Staelin; David Weiss

Staff Present

David Ash, Lisa Cooke, Chuck Johnston, Donna Peake, Jesse Russell, Alison Teetor, Lora Walburn

Others Present

Dr. Michael Murphy, Robina Rich Bouffault, Keith Dalton, Rick Boor, David Nelms, Frazer Watkins, Clay Schutte, Chip Schutte, John Schutte, Gem Bingol Laura Oleniacz, Layla Wilder and other citizens

Call to Order

Chairman Staelin called the meeting to order at 1:00 p.m.

Adoption of Agenda

Supervisor Byrd moved to approve the agenda as modified:

- **Add to Miscellaneous**
 - o Discussion PATH Line
 - o Alternate Sewer System Veto
- **Add to Special Event Permit**
 - o Watermelon Park Application – Set Public Hearing

The motion carried by the following vote:

John R. Staelin, Chair - Aye

J. Michael Hobert, Vice Chair - Aye
Barbara J. Byrd - Aye
A.R. Dunning, Jr. - Aye
David S. Weiss - Aye

Clarke County Public Schools Update

Dr. Michael Murphy, with Robina Rich Bouffault, appeared before the Supervisors to provide the monthly update for the Clarke County Public Schools. Highlights include:

- School Board reaffirmed executive summary of the FY10 School Budget at March 16 meeting. Stimulus money is included in the adopted budget.
- With the restoration of funding, a plan is in place to restore: employee flex medical payment; staffing levels; middle level sports program; reformatted LYNCS program for K-8; reformatted summer school.
- A technology priorities setting and planning meeting was conducted with Mike Murphy, David Baggett and Gordon Russell.
- Review and approval of the Joint Administrative Service Agreement has not been completed.
- \$92,000 in capital expenditures for Schools has been set for infrastructure improvements including: chillers, boilers, field improvements, and a gravel parking lot for a softball field.
- ADM is running good.
- Schools have moved away from contracted services for special education and are using in-house staff.
- Construction Committee Meeting High School: under 140,000 sq ft space; continue to work on space; more flexible auditorium; larger lunch room; competition gym; Ag will be left at the current high school; have a site sketch plan with a parking lot options; working on traffic impact analysis,
- TIA data has been collected and reviewed. Schools are okay with the data and believe modeling should be done in the next few weeks. Have estimates and percentages.
- Supervisor Byrd asked about access and the impact on Jackson. Dr. Murphy said that Jackson was a concern, which is under review. He said that the TIA data shows a significantly small traffic count coming from the south of the county. He assured that he would work with students and staff to get them to school using the most appropriate path. He opined that morning traffic would have the most impact noting that departures are staggered throughout the afternoon.
- Jeff Lineberry interjected that there were many options available for traffic calming measures.
- Dr. Murphy suggested relocation of the school traffic person.

- Dr. Murphy said that he had looked at an entrance off AP Hill. The construction committee is scheduling review to set next steps.

Approval of Minutes

- February 10, 2009 Board of Supervisors Budget Work Session
 - o Remove A.R. Dunning, Jr. from Present
- February 17, 2009 Regular Meeting
 - o Clarification: Supervisor Byrd requested David Ash to provide classification of prior sales.
 - o Clarification: Supervisor Byrd requested an update from staff on Mr. Del Re's comments on Page 797 regarding buffers.
 - o Supervisor Dunning requested that the first sentence on page 788 be struck.
 - o Vice Chair Hobert requested that Page 795 beginning with Loudoun County correct to read, " has been working to resist efforts to allow alternate systems and that would disallow counties to regulate them."
- February 24, 2009 Board of Supervisors Budget Work Session
- March 4, 2009 Board of Supervisors Budget Work Session

Supervisor Byrd moved to approve the minutes February 10, 2009 and February 17, 2009 as modified and February 24, 2009 and March 4, 2009 minutes as presented.

The motion was approved by the following vote:

John R. Staelin, Chair	- Aye
J. Michael Hobert, Vice Chair	- Aye
Barbara J. Byrd	- Aye
A.R. Dunning, Jr.	- Abstain
David S. Weiss	- Aye

Consent Agenda

- Approval of Modification to FY09 Virginia Department of Health Annual Contract

David Ash stated that the request was for a reduction in contract amount due to reductions in state funding.

Vice Chairman Hobert moved to accept the item on the consent agenda.

The motion was approved by the following vote:

John R. Staelin, Chair	- Aye
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J. Michael Hobert, Vice Chair - Aye
Barbara J. Byrd - Aye
A.R. Dunning, Jr. - Aye
David S. Weiss - Aye

Citizens Comment Period

Norm Freeman, Jackson Drive: addressed the Supervisors regarding road improvements within the Town of Berryville. He expressed his opinion that the new high school was in the right place for the County and the Town and that Mosby Boulevard should be extended. He acknowledged that the locality was relying on the State to complete the road project opining that in the current economy and the pending census when the Town should meet the population warrants to maintain its own roadway systems, that it was a pipe dream to wait on VDOT to complete Westwood Road and Route 7. He asked the Supervisors to find a way to simultaneously build the new high school and complete the road project.

Jim Doherty, Berryville: read from a prepared statement regarding his family's issues with Clarke County Public Schools' Administration. He asked that the Supervisors not release the Clarke County Public Schools FY10 budget funds until they assured privacy of all children. He opined that the Board of Supervisors was not obligated to fund a department that violates the privacy of children that it is legally required to protect.

Robina Rich-Bouffault, White Post School Board Representative: responded to the Supervisors' request regarding Mr. Doherty's assertions by stating that due to HIPPA regulations the School Board could not make comment on this matter. She did confirm that the incident occurred under the prior School Board and Administration.

VDOT

Jeff Lineberry, accompanied by Charlie Monroe, provided the monthly update.

- Conducting brush cutting across the county.
- Performing pothole repairs across the county.
- Surface treatment and plant mix is scheduled for spring.
- VDOT has taken first-step traffic calming measures on Jackson Street by placing signs notifying of extra fines for speeding. Jeff Lineberry, responding to a suggestion, stated that limiting use during certain time periods is considered an extreme measure and will follow up on whether it is possible to prohibit usage of a public roadway. Currently, previously assigned project funds still remain and VDOT still retains the ability to adjust funding to address changing priorities. Mr. Lineberry asserted that he was confident that the high school project would receive future funding.

Resolution VDOT Form AM-4.3 Report of Changes in the Secondary System of State Highways

Resolution for the Addition of Lake Frederick Drive State Route No. 1434
09-04R

The Board of Supervisors of Clarke County, in regular meeting on the 17th day of March 2009, adopted the following:

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Clarke County, and

WHEREAS, the representative for the Virginia Department of Transportation has advised this Board that the street meets the requirements established by the Virginia Department of Transportation's Subdivision Street Requirements, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, after receiving a copy of this resolution and all outstanding fees and documents required of the developer, whichever occurs last in time.

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Vice Chairman Hobert moved to approve the resolution No. 09-04R.

The motion was approved by the following vote:

John R. Staelin, Chair	- Aye
J. Michael Hobert, Vice Chair	- Aye
Barbara J. Byrd	- Aye
A.R. Dunning, Jr.	- Aye
David S. Weiss	- Aye

Update Calmes Neck Intersection Issue Bond

John Staelin advised that he would be compiling an update on the meeting conducted this morning with Bob Mitchell.

Update Salem Church Road Rock Issue

By consensus, the matter was continued until next month. Jeff Lineberry advised that to pursue VDOT would need to find money.

USGS Update

David Nelms, USGS, and Alison Teetor, Natural Resources Planner, appeared before the Supervisors to present the results of water monitoring. The report included numerous graphs of measured data taken from wells and springs that, in some cases, spans a period of more than twenty years. Mr. Nelms explained that some graphs could be used by the County to assist in determining of well drilling depths. He also reviewed age dating of water stating that water in the County is a mixture of old and new. He advised that freon levels are used to date water. Further, that age dating shows those areas in the high parts or upper reaches of the County contain younger water and older water is found in the lower areas. Studies show that the County is divided into sections of groundwater areas that are semi-autonomous.

Mr. Nelms assured the Supervisors that his completed report would be available by the end of next week. Chairman Staelin stated that the development of water budgets for this region should be considered. David Nelms confirmed adding that the data provided could be used as a guide. Alison Teetor was tasked with interpreting data and coordinating a work session for review.

Alison Teetor advised that the well at Blandy is currently very low; and should the situation worsen over the next month, the Supervisors might consider issuing a drought watch.

Discussion NSVRC 2009 Virginia CDBG Program – Regional Priorities

Chuck Johnston explained the request to establish local priorities for the Community Development Block Grant Program reviewing the provided list. He expressed his belief that the top priority was building the senior center. He also advised that a request to build a community center on Josephine Street was being considered.

Supervisor Byrd suggested including Items B - Economic Development Job Creation and Retention and E - Economic Development Business District Revitalization. Chuck Johnston stated that projects would have to be identified for these funds. Supervisor Weiss suggested that the Supervisors approved the identified project as proposed.

Supervisor Byrd moved to endorse Item I., Community Service Facility, as a priority for Clarke County.

The motion was approved by the following vote:

John R. Staelin, Chair	-	Aye
J. Michael Hobert, Vice Chair	-	Aye
Barbara J. Byrd	-	Aye
A.R. Dunning, Jr.	-	Aye
David S. Weiss	-	Aye

Chuck Johnston was instructed to provide notification of the Supervisors' direction to NSVRC.

Special Events Permits Review:

2009 Hot Air Balloon & Wine Festival; October 16, 17, 18, 2009 – Historic Long Branch

Watermelon Park Application

Chip Schuttee, responding to queries from the Board, advised that Long Branch anticipated 75,000 to 80,000 attendees. Supervisor Dunning opined that an event could become too large and suggested that Long Branch consider limiting the number of attendees so as not to exceed the tolerance level of neighboring property owners. Chairman Staelin suggested changing the estimated number of attendees on the application from 50,000 to 75,000.

Frazer Watkins noted that the current, revised application form does not require a maximum number of attendees nor does it require the applicant to list the location.

Jennifer Seo addressed the Supervisors regarding questions on the traffic flow plan for Long Branch. She advised that Sheryl Reid and a crew of twenty would be directing traffic for the 2009 event.

Supervisor Dunning moved to set the matters for public hearing at 6:30 pm on Tuesday, April 21, 2009 or as soon thereafter as the matter might be heard.

The motion was approved by the following vote:

John R. Staelin, Chair	-	Aye
J. Michael Hobert, Vice Chair	-	Aye
Barbara J. Byrd	-	Aye
A.R. Dunning, Jr.	-	Aye
David S. Weiss	-	Aye

2009 Elysian Fields; June 19, 20, 2009; John Claiborne Schutte – Huntingdon Farm

Following discussion, Vice Chair Hobert suggested rewording the staff summary for clarification.

Vice Chair Hobert moved to waive public hearing. Further, that the event be approved contingent upon satisfaction of the County Administrator of the application in summary fashion instead of full application and contingent upon meeting requirements of the staff summary memorandum.

The motion was approved by the following vote:

John R. Staelin, Chair	-	Aye
J. Michael Hobert, Vice Chair	-	Aye
Barbara J. Byrd	-	Aye
A.R. Dunning, Jr.	-	Aye
David S. Weiss	-	Aye

Continued Item for Action PH 09-01 SUP-08-02 (aka SUP-04-01)

Special Use Request The Town of Berryville requests approval of a Special Use and Site Plan for a Public Utility Facility (outfall line for treated effluent) located generally on the south side of the public right of way for Harry Byrd Highway (Virginia Route 7) from the Berryville Waste Water Treatment Plant (362 Parshall Road) to the Shenandoah River (approximately 800 feet south of the Robert W. Smalley Sr. Bridge at Castleman's Ferry, [Route 7 bridge]), through Tax Map Parcels 15-((A))-8, 11, 13, 17C, 18, 20, 21; 15-((3))-8; 16-((A))-33, 36, 36A, 39, all located in Battletown Magisterial District, zoned Agricultural-Open-Space-Conservation (AOC).

Chuck Johnston told the Supervisors that the Town was requested an indefinite postponement of this item; and at such a time as they resolve the matter, they would reapply and re-advertise.

Supervisor Byrd moved to indefinitely postpone the request of the Town of Berryville SUP-08-02.

The motion was approved by the following vote:

John R. Staelin, Chair	-	Aye
J. Michael Hobert, Vice Chair	-	Aye
Barbara J. Byrd	-	Aye
A.R. Dunning, Jr.	-	Aye
David S. Weiss	-	Aye

Set Public Hearing: SUP-09-02

The Town of Berryville requests approval of an amendment to the Special Use and Site Plan for the Town Wastewater Treatment Plant so as to expand and upgrade the facility located at 362 Parshall Road, Tax Map Parcel 14-A-68, Battletown Magisterial District, zoned Agricultural-Open Space-Conservation. SUP-09-02

Chuck Johnston reviewed the proposed Special Use and Site Plan SUP-09-02. Dave Tyrell provided comment regarding outstanding items on the application.

Vice Chair Hobert moved to set the matter for public hearing at 6:30 pm on Tuesday, April 21, 2009 or as soon thereafter as the matter might be heard.

The motion was approved by the following vote:

John R. Staelin, Chair	-	Aye
J. Michael Hobert, Vice Chair	-	Aye
Barbara J. Byrd	-	Aye
A.R. Dunning, Jr.	-	Aye
David S. Weiss	-	Aye

Committee Action

Personnel

Appointment to Authorities, Boards and Commissions

<i>Committee/Board</i>	<i>Appointee</i>	<i>Expiration Date</i>
Planning Commission <i>Mr. Nelson is reappointed to serve an additional four-year term.</i>	Clifford Nelson	4/30/2013
Historic Preservation Commission <i>Mr. Nelson is re-appointed to serve an additional one-year term.</i>	Clifford Nelson	4/30/2010

Supervisor Dunning moved to approve the appointment as presented.

The motion was approved by the following vote:

John R. Staelin, Chair	-	Aye
J. Michael Hobert, Vice Chair	-	Aye
Barbara J. Byrd	-	Aye
A.R. Dunning, Jr.	-	Aye

David S. Weiss - Aye

Modification of individual terms or conditions of employment and/or positions; employment freezes. Action: None

At the regular meeting, David Ash provided a brief synopsis of the issue discussed by the Committee regarding flexibility in determining individual employment arrangements.

The Supervisors requested a copy be provided of the draft policy.

Work Session

FY10 Budget Discussion. Action: None - Budget Advertised

At the regular meeting, Tom Judge distributed a revised budget reflecting the changes requested at the March 10 Work Session and the School budget, including stimulus funds, adopted at the March 16 School Board. He summarized these changes for the Supervisors advising there was a \$205,000 deficit.

Supervisor Weiss requested clarification of the reinstatement of Economic Development funds of \$59,000. Chairman Staelin assured that this action was to implement identified programs or opportunities or fund consultants. If a coordinator is to be hired, the decision would come back to the Board of approval.

Supervisor Dunning expressed his displeasure that salaries of rank and file school employees were to be cut while upper echelons in the higher salary levels were not experiencing those same cuts. He stated that he found it out of order not to enact the cuts equality to all employees.

Supervisor Weiss moved to set the FY10 budget and tax rate for advertisement and to set public hearing for April 7, 2010 at 7:30 pm at John Enders Fire Hall as presented.

The motion was approved by the following vote:

John R. Staelin, Chair	- Aye
J. Michael Hobert, Vice Chair	- Aye
Barbara J. Byrd	- Aye
A.R. Dunning, Jr.	- Aye
David S. Weiss	- Aye

Following discussion, Vice Chair Hobert moved to advertise the full budget once in the Winchester Star and the tax rate twice in the Winchester Star.

The motion was approved by the following vote:

John R. Staelin, Chair	-	Aye
J. Michael Hobert, Vice Chair	-	Aye
Barbara J. Byrd	-	Aye
A.R. Dunning, Jr.	-	Aye
David S. Weiss	-	Aye

Bills And Claims

Supervisor Weiss moved to accept the report for the February 2009 General Government Bills and Claims.

The motion was approved by the following vote:

John R. Staelin, Chair	-	Aye
J. Michael Hobert, Vice Chair	-	Aye
Barbara J. Byrd	-	Aye
A.R. Dunning, Jr.	-	Aye
David S. Weiss	-	Aye

Berryville Clarke County Joint Government Center Update

David Ash advised that the County offices began the move to the new facility starting March 11; and at this time, all affected offices had been relocated. He stated that there were still issues to be resolved such as placement, phones, coverage and repairs.

Chairman Staelin suggested that this item be carried on future agendas as government projects update.

Miscellaneous

Veto Session - Alternative Sewer System

Chairman Staelin provided an update on the proposed amendments to the alternate sewer systems legislation, which the General Assembly recently passed.

By consensus, the Supervisor agreed to authorize the Chair to send a letter to the Governor that focuses on concerns regarding the use of these systems in karst conditions with a request to veto this bill.

Discussion PATH Line

Chairman Staelin briefly reviewed the notification of application to the SCC for the PATH line.

By consensus, the Supervisors agreed to authorize the Chair to send an opposition letter to the SCC.

Summary Of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Revise and process approved minutes.	Lora B. Walburn
2.	Provide to Supervisor Byrd classification of prior sales.	David Ash
3.	Update from staff on Mr. Del Re's concerns regarding the buffer on landfill property.	David Ash
4.	Forward executed resolution 09-04R.	Lora B. Walburn
5.	Add Salem Church Road Update to April agenda.	Lora B. Walburn
6.	USGS report - interpret data and coordinate a work session for review.	Alison Teetor
7.	Provide notification of Supervisor's direction to NSVRC.	Chuck Johnston
8.	Advertise for public hearing 2009 Hot Air Balloon, Watermelon Park, SUP-09-02.	Lora B. Walburn
9.	Provide notice of approval for Elysian Fields.	Lora B. Walburn
10.	Provide notice of appointment.	Lora B. Walburn
11.	Advertise FY10 Budget and Tax Rate.	Tom Judge
12.	Provide the Supervisors with a copy of the draft policy for determining individual employment arrangements.	David Ash
13.	Develop letter to the Governor opposing Alternate Septic Systems.	John Staelin
14.	Develop letter to SCC opposing PATH line.	John Staelin
15.	Set further review of PH 09-07 SUP-08-01 for the April Work Session.	Chuck Johnston

At 4:20 pm Chairman Staelin recessed the meeting until 6:30 pm.

At 6:31 pm Chairman Staelin reconvened the meeting.

Citizens Comment Period

Mary Ruos, Paris: requested the completion of Route 601 using stimulus money. She further requested that elected officials plead for high quality wi-fi network in the county.

PH 09-07 Public Hearing SUP-08-01

Georgetown University (Agent: Ron Mislowsky, P.E.) requests approval of a Special Use for an "Institutional Use" and Site Plan for the Calcagnini Contemplative Center, a student/staff educational and religious facility, located at 18715 Blue Ridge Mountain Road, Tax Map #26-((A))-112 & 113, Battletown Magisterial District, zoned Forestal Open-Space Conservation (FOC). SUP-08-01

During the afternoon session, Chuck Johnston distributed revised agreements.

At the evening session, Chuck Johnston provided a brief summary of the request and recent changes for special use permit SUP-08-01.

Alan Brangman, architect for Georgetown University, provided a brief introduction to their presentation.

Ron Mislowsky, Patton Harris Rust Associates, reviewed the proposed site plan including: access and entrance roads; drainfields; wells; parking by the site and three bus parking areas; stormwater; location of 28 cottages, chapel and dining facility. He advised that nothing on the site would be visible from the roads.

Mr. Brangman reviewed the overall layout of the buildings including: community meeting rooms, dining court, chapel, and cottages. He noted that the collective size of all the buildings was approximately 19,000 square feet. He stated that to address the concerns of the County the University had already made many changes. He also stated that the University's intention was not to be larger than the presented plan, which is a facility anticipated to service the school for the next 100 years.

Supervisor Byrd asked about reuse of stone on the site. Mr. Brangman stated that Georgetown would be reusing stone from the house in the new buildings, as well as the caretakers home. He advised that the stonewall on the property would remain.

Supervisor Weiss asked about activities planned for the retreat. Mr. Brangman provided a brief review of a written list previously provided to the Supervisors.

Father Burrows provided additional insight into the spiritual retreats stating that the intent was to embrace varied religious traditions and provide value-based retreats. He advised that the University believes that spirituality is an important key to the education process. He said that they tried to develop a program for student, faculty and staff that would not negatively impact the neighbors. Toward that end, outdoor activity would be limited to a two-hour window that could be varied from trail walking to soccer; however, no organized sports are planned for this facility.

At 6:58 pm, Chairman Staelin opened the public comment portion of the public hearing.

John Bieschke, White Post and Chair Clarke County Historic Preservation Commission: reiterated points made in statements provided to the Supervisors and spoke in opposition to the destruction of the Hohenheim house on the property. He asked that the Supervisors make the preservation of the home a condition of approval.

Frank Cefalu, Bluemont: spoke in support of the proposed Georgetown University plan noting that he had lived in the neighborhood for 30 years. He opined that this would be a good use of the land and a benefit to the neighborhood and to the County. He noted that rehabilitating the house in this economy would be cost prohibitive.

Teri Dunphy, Bluemont: expressed concern for her children's safety fearing exposure to all the different teenagers every weekend that would be complete strangers. She opined that approval would negatively impact the quality of her life. She asserted that removal of Hohenheim house would negatively impact the viewscape. She said she respected Georgetown but she did not want them living next to her. She called for the Supervisors to deny the request.

Chairman Staelin called for staff to read Item 13 of the agreement that limits use of the property.

Vice Chair Hobert corrected figures used by Ms. Dunphy noting that there were 28 cottages with three bedrooms.

Betsy Fields, Berryville: spoke in support of the Georgetown special use permit application expressing her belief that the use would fit the county well. She asked that the Supervisors make rehabilitation a condition of approval.

John Friant, Berryville and former Planning Commissioner: spoke in support of the Georgetown special use permit application stating that he believed this to be a noteworthy benefit for the community.

Carole Haynes, Bluemont: owner of property directly beside Georgetown property. She said that the mountain is zoned for agriculture. She opined that Georgetown has shown disregard for the community by plans to destroy an historic house. She further objected to the cluster of buildings stating that no trees or no fencing was planned to block, which would make them visible from her home. She also expressed concern regarding drainfields. She called for the Supervisors to deny the request.

John Staelin expressed for the record that the drainfields had been extensively reviewed prior to design approval and met all requirements.

Sonja Ingram, Danville: stated that she was the Field Representative for the National Trust for Historic Preservation appearing before the Supervisor to urge saving Hohenheim. She went on to justify the keeping of this structure and stated that Georgetown has a strong record of historic preservation. She further stated that NTHP was not against granting this special use permit.

Maral Kalbian, White Post: spoke in support of preserving Hohenheim noting that many organizations have made these historic structures an integral part of their plan. She asked that the Supervisors make rehabilitation a condition of approval.

Mrs. Kalbian went on to read a letter written by Mr. David Edwards, Director Northern Regional Office, requesting the rehabilitation of Hohenheim. He noted in his correspondence that funding could be made available for the rehabilitation.

Magdalene Marks, Bluemont: she read from the Mountain Land Area Plan and begged the Supervisors remember that this is a rural residential area. She asked the Supervisors to think hard about preserving the single-family rural nature of the mountain opining that approval of this permit would set a precedent.

Linda Mantz, Eagle Rocks Lane: spoke in opposition to the proposed special use. She asked that the Supervisors disallow further destruction of the mountain. She also noted that it is a rural residential area. She concluded her presentation by presenting the Supervisors with a petition signed by 100 mountain residents.

Richard Marks, Bluemont: spoke in opposition to the proposed special use expressing concern about traffic, number of days of use, septic and drainfield capacity. He spoke in opposition to destroying an historic home in an historic district. He asked that the Supervisors reject the request.

Pat McKelvy, Planning Commission - reading a prepared statement from Anne Caldwell - Planning Commission: opposed the proposed special use citing: intensity of land use not shared by any other property in the FOC; use that has intensified during the application process; demolition of Hohenheim; setting of troubling precedent for other such contemplative centers within the County opining that they are just "in-house" conference

centers that are not allowed within the County; actual tax revenue generated by the facility. The letter concluded asking that the Supervisor reject the request.

Janel Melgaard, Bluemont and neighbor: She said that the late owner, a devout Catholic, would have been thrilled with this plan but would not have wanted to see Hohenheim destroyed.

Steve Stites, Bluemont: spoke in opposition to the request citing: it was a motel; inadequate drainfields; concurred with other statements made in opposition.

F. Douglas Whitehouse, Bluemont: spoke in opposition to the request citing: concurrence with statements already made; rural residential nature of area with the exception of Mount Weather, who are the first emergency responders to mountain residents; traffic; destruction of Hohenheim. He concluded by commending Father Burrows for his values and asked that Father Burrows consider the historic value placed on Hohenheim. He asked if approved that the house be preserved and the property fenced.

Judy Whitehouse, Bluemont: spoke in opposition to the request citing: residential character of the mountain; destruction of Hohenheim; traffic; roadways; and use. She asked that the Supervisors reject the request.

Lee Sheaffer, County resident and president of Appalachian Trail Club: stated that his group was satisfied that the trail would not be adversely impacted by this development or easements put in place by Georgetown.

Rose Holden, Boyce: stated that she was experienced in planning retreats. She said that the proposed location was very inspiring; and responding to previous comments, noted that a contemplative center or retreat is not a motel. She stated that she had never heard of Hohenheim but it was on private property and would not be seen by anyone. She expressed appreciation for the reuse of the materials on the site. She spoke of the immeasurable spiritual benefit. She concluded by stating that there was nothing wrong with thoughtful change.

Bob Stieg, APVA Preservation Virginia: spoke in support of preserving Hohenheim. He asked that the Supervisors make preservation a condition of approval. He, too, listed organizations that have adapted historic structures for use such as Holy Cross, Grafton, Project Hope, Blandy, and Claremount Farm.

Dr. Richard Kobetz: stated that he throughout the hearing he had heard lot of opinions and emotions that are breaking up the neighborhood. He told those present that he lived beside a retreat that had not contaminated the neighborhood and was operated in a peaceful, quiet manner. He stated that Georgetown provided an application that was within the law and urged the neighbors to accept change. He opined that having Georgetown as a neighbor was a tremendous honor and benefit. He provided historical reminders of that there had once been two hotels on Retreat Road, an area that had been

built by wealthy Washingtonians as a retreat. He concluded by asking the Supervisors to endorse the application.

There being no other persons desiring to address the Supervisors regarding this matter at 8:18 pm Chairman Staelin closed the public comment portion of the public hearing.

Chairman Staelin asked Mr. Brangman if he cared to provide comment. Alan Brangman stated that in the interest of time he would prefer to hear from the Supervisors.

Supervisor Byrd read from a prepared statement that supported the preservation of Hohenheim and rejection of the request.

Vice Chair Hobert stated that he was very proud to hear the kind of comments made during the public hearing noting that they were respectful and of high quality. He expressed his belief that, being operated by an esteemed university, the center would be good for the community. He expressed support for preserving Hohenheim. He asked that decision on the matter be delayed while the County continued to work with Georgetown to resolve issues.

Supervisor Dunning concurred with Dr. Kobetz's comments regarding the history of the mountain. He expressed support for the project opining that it was an honor to have Georgetown locate this facility in Clarke County. He said that he would like to see Hohenheim preserved but noted that restoration can be expensive. He concurred with Vice Chair on delaying decision on the matter.

Supervisor Weiss spoke highly of Georgetown. He stated that in the valley he did not believe this would be an appropriate use in an agricultural area; however, on the mountain, it is allowed as a special use. He stated that with the destruction of Hohenhiem the request was not something that he could support. He also expressed concern regarding traffic and the overall size of the project.

Chairman Staelin stated that while Georgetown was a good university he did not see this application as good for the County.

Vice Chair Hobert moved to hold decision over to the next meeting of the Board of Supervisors.

The motion was approved by the following vote:

John R. Staelin, Chair	-	Nay
J. Michael Hobert, Vice Chair	-	Aye
Barbara J. Byrd	-	Nay
A.R. Dunning, Jr.	-	Aye
David S. Weiss	-	Aye

Chairman Staelin requested staff to coordinate discussion of the matter at the April Work Session.

PH 09-08 Public Hearing SUP-09-01

Shenandoah Area Agency on Aging and Clarke County Parks and Recreation (John C. Lewis, P.E., Agent) requests approval of an amendment to the Special Use and Site Plan for the facilities at Chet Hobert Park to add a senior center and parks and recreation offices to the Clarke County Recreation Center located on Al Smith Circle, Tax Map #13-((A))-62, Longmarsh Magisterial District, zoned Agricultural-Open Space-Conservation SUP-09-01.

Chuck Johnston reviewed SUP-09-01.

Bonnie Dodson, Director Clarke County Senior Center, stated that the Agency, the seniors and she appreciated and wished to thank the Supervisors for their support of this project. She expressed appreciation for the hard work of Lisa Cooke and the Parks and Recreation staff, as well as Martha Meyer.

John Lewis, agent, provided answers to questions posed by the Supervisors.

At 8:56 pm Chairman Staelin opened the public comment portion of the public hearing. There being no persons desiring to address the Supervisors on this matter the public comment portion of the public hearing was closed.

Supervisor Dunning moved to approved SUP-09-02 with the conditions as listed in the recommendation.

The motion was approved by the following vote:

John R. Staelin, Chair	- Aye
J. Michael Hobert, Vice Chair	- Aye
Barbara J. Byrd	- Aye
A.R. Dunning, Jr.	- Aye
David S. Weiss	- Aye

Adjournment

There being no further business to be brought before the Board at 8:56 pm Chairman Staelin adjourned the meeting.

Next Meeting Date

The regular meeting of the Board of Supervisors is tentatively set for Tuesday, April 21, 2009 at 1:00 p.m. in the Board of Supervisors / Main Meeting Room, 101 Chalmers Court, 2nd Floor, Berryville, Virginia.

ATTEST: March 17, 2009

John Staelin, Chair

David L. Ash, County Administrator

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