

CLARKE COUNTY BOARD OF SUPERVISORS
March 18, 2008 Regular Meeting 1:00 p.m.
Board of Supervisors Meeting Room

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Board of Supervisors' Meeting Room, 2nd Floor Circuit Courthouse, 102 N. Church Street, Berryville, Virginia on Tuesday, March 18, 2008.

Board Members Present

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

Staff Present

David Ash, Chuck Johnston, Tom Judge

Others Present

Robina Rich Bouffault, Linwood Outlaw III, Stephanie Mangino, Ruth Marlow and other citizens and members of the press

Call to Order

Chairman Staelin called the meeting to order at 1:02 p.m.

Adoption of Agenda

Supervisor Dunning moved to approve the agenda as modified:

- Add to Personnel Appointments to Committees and Commissions:
 - o Planning Commission Position – Berryville District

The motion carried by the following recorded vote:

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

Approval of Minutes

Supervisor Dunning moved to approve the minutes for the February 19, 2008 Regular Meeting and March 4, 2008 FY09 Budget Work Session 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	- Absent

Supervisor Byrd moved to approve the minutes for February 14, 2008 FY09 Budget Work Session as presented.

The motion was approved by the following vote:

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

Consent Agenda

Resolution of Appreciation of Service 08-05R

Resolution of Appreciation of Service 08-05R

WHEREAS, Gail Rhoden Good was first employed in the Office of the Commissioner of the Revenue for a period of thirteen years beginning November 1, 1976 becoming Deputy Commissioner of the Revenue of Clarke County, Virginia in 1979; and,

WHEREAS, Gail Rhoden Good served in the capacity of Office Manager Clarke County Building Department, from August 2, 1993 until her retirement effective March 28, 2008.

NOW THEREFORE BE IT RESOLVED, by the Clarke County Board of Supervisors that Gail Rhoden Good be recognized and congratulated on attaining twenty-eight total years of service

to the citizens of Clarke County and that she be congratulated on her successful career, and on the positive influence she has had on Clarke County;

BE IT FURTHER RESOLVED, that her dedication, loyalty, and service to the Citizens of Clarke County be hereby memorialized and that a suitable copy of this resolution be presented to her as a token of the respect and high esteem in which she is held by the Clarke County Board of Supervisors, Constitutional Officers, and the staff of Clarke County.

APPROVED AND ORDERED ENTERED in the official records by the unanimous vote of the members of the Clarke County Board of Supervisors assembled in regular session on the 18th day of March 2008.

Attest:

John R. Staelin, Chairman

Proclamation of DisABILITY Awareness Week Access Independence, Inc. 08-01P

PROCLAMATION OF
disABILITY AWARENESS WEEK
08-01P

WHEREAS, the United States Congress enacted the Americans with Disabilities Act in 1990, prohibiting discrimination against people with disabilities in employment, public accommodations, transportation and telecommunications; and

WHEREAS, the Commonwealth of Virginia enacted the Virginians with Disabilities Act in 1985 to assure equal opportunity to persons with disabilities in the Commonwealth, and it is the policy of this Commonwealth to encourage and enable persons with disabilities to participate fully and equally in the social and economic life of the Commonwealth and to engage in remunerative employment; and

WHEREAS, people with disabilities often overcome common misunderstandings about their circumstances and make valuable contributions to their families and communities; and

WHEREAS, disability is a natural part of the human experience, and individuals with disabilities deserve the same rights as their peers to live independently, enjoy self-determination, make choices, contribute to society and participate fully in the American experience; and

WHEREAS, family, friends and neighbors play a central role in enhancing the lives of people with disabilities, and people with disabilities benefit from having a network of supportive friends and family, accommodating employers and community leaders who are aware of the needs and abilities of Virginians with disabilities; and

WHEREAS, millions of people in the United States have disabilities, and with the increasing age of our population, Virginians and Americans must learn more about the special needs and abilities of this growing population; and

WHEREAS, agencies and organizations throughout Virginia participate in disability awareness programs during disAbility Awareness Week to enhance public understanding of and appreciation for the limitation and abilities of people living with disabilities;

NOW, THEREFORE, we, the Board of Supervisors of the County of Clarke, do hereby proclaim the week of APRIL 18 - 26, 2008 as disABILITY AWARENESS WEEK; and we call this observance to the attention of all our citizens, and we urge all residents to honor this occasion.

IN WITNESS THEREOF, I have set my hand and caused the seal of Clarke County, Virginia to be affixed this 18th day of March 2008.

Attest:

David L. Ash
County Administrator

Supervisor Dunning moved to approve the items on the Consent Agenda.

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	-	Absent

Citizens Comment Period

No citizens appeared to address the Supervisors.

Supervisor Weiss joined the meeting at 1:14 p.m.

VDOT

Jeff Lineberry, with Bob Childress, provided the monthly update from the Virginia Department of Transportation.

Maintenance, Construction Updates and Supervisor Concerns.

- Shoulder repair on various routes is in process.
- Litter pick up has been conducted.
- Pothole patching has been performed on various routes.
- Addition of turn lanes on Route 7 at Route 679, Route 603, and Route 604 are in process. Projects will be covered by safety funds.

- Supervisor Weiss asked for a meeting to discuss options to make it easier to get out of Retreat Road, Route 743.
- Supervisor Dunning thanked VDOT for signage on Gun Barrel Lane.
- Supervisor Byrd asked for an update on crossovers on Route 7 and Route 340. Bob Childress advised that it could be several months before a listing would be available noting the need to complete the Secondary Six-Year Plan.
- Supervisor Dunning offered to provide a copy of the recently formulated Dinosaur Land draft expansion plan.

PH 08-04 VDOT 2008 Clarke County Secondary Six-Year Program

At 2:00 pm, Jeff Lineberry commenced with the public hearing of the Clarke County 2008/2009 thru 2013/2014 Secondary Six-Year Program. He advised that VDOT was anticipating a 46% reduction in revenue for Clarke County over the next six years however recent changes reflect a 28% reduction over the entire six-year plan. Mr. Lineberry asked the Supervisors to delay any action on the budget pending updates to the plan reflecting the recent, less-than-anticipated funding reductions. He reviewed the revised funding by year noting that federal funding has remained consistent with slight increase.

Other points raised:

- Unpaved roadway allocations are projected to decrease. These funds cannot be used for other projects.
- Bridge allocations may only be spent on bridge projects.
- Less money is available for construction due to State requirements to first fund maintenance.
- Funding for countywide improvements includes such items as speed studies, pavement markings, signage, plan reviews, public comment, etc.
- Supervisor Byrd reminded VDOT of a study conducted in 2000 on the Wadesville Bridge asking if another study could be added to the plan. Bob Childress advised that what had caused this to be a multi-million dollar project were issues with the portion of the roadway running parallel to the river leading to the bridge stating that nothing could be done to the bridge without re-engineering the approximate one-mile approach. He suggested that VDOT provide a copy of the previous bridge study to Supervisor Byrd for distribution to affected constituents in the Russell District. John Staelin suggested a constituent meeting.
- There was discussion of the impact of project elimination specific to Route 604. Vice Chairman Hobert suggested the creation of a review committee. Mr. Lineberry

contributed that the State had suggested project review for realignment of funds to smaller projects.

At 2:41 pm, John Staelin opened the public comment portion of the public hearing.

Louise McKay, Millwood, asked questions regarding the bridge on Route 723.

There being no other persons desiring to address the Supervisors on this matter at 2:42 pm Chairman Staelin closed the public comment portion of the public hearing.

Mr. Lineberry reiterated the request to delay decision until the plans were revised to reflect recent budgetary changes.

Supervisor Dunning welcomed to the Board of Supervisors meeting young Master Daniel Judge, son of Joint Administrative Services Director, Tom Judge.

Public Hearing PH 08-05 Washington Gas Light Company Easement [Request Withdrawn]

David Ash informed the Supervisors that he had been notified by Keith Dalton, Town Manager, that Berryville Town Council had been advised prior to their public hearing on the matter that Washington Gas Light did not require an easement and the request was withdrawn. Therefore, no action was required by the Board of Supervisors.

Set FY09 Budget and Tax Rate For Advertisement and Public Hearing and Set Time, Date and Location For Public Hearing on FY09 Budget and Tax Rate

Chairman Staelin told the Supervisors that there were changes pending on State revenues that would impact funding. Tom Judge reviewed highlights of the proposed budgets. Chairman Staelin requested Joint Administrative Services verify state revenue estimates with the Commissioner of the Revenue.

Supervisor Weiss apprised the Supervisors that it appeared that the Library had done a good job raising funds, as well as securing a lower figure for furnishing; therefore review for redistribution of the additional funding requested for furnishings would be in order.

Vice Chairman Hobert moved to set the FY09 Budget, subject to verification of the Personal Property PPTRA percentage for advertisement with the addition of the Circuit Courthouse as the location for public hearing set for 7:30 pm on Tuesday, April 8, 2008 or as soon there after 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

Clarke County Public Schools Update

Robina Rich Bouffault, Chair - Clarke County School Board, appeared before the Supervisors to provide an update on Clarke County Public Schools.

The following are highlights of Ms. Bouffault's update and the Supervisor's discussions:

- School site studies are in progress.
- The Salvation Army has not yet provided a deed to the 71-acre tract.
- Robert Eurich, attorney for Salvation Army, has invited representatives of the School Board to a March 26 meeting between the Salvation Army and Allegheny Power to review a request by Allegheny to increase by approximately 20% the width of Allegheny's easement on the property.
- VMDO responses to questions from the School Board have not been satisfactory and CAD files have not yet been received. The School Board is considering stronger measures to secure the data noting that VMDO has been paid approximately \$1.8 million to date.
- Greater diversity is being sought in the types of courses offered by the schools. Review will be conducted to concentrate the number of courses provided in the accelerated programs for example the Mountain Vista program that only accommodates eight students.

Supervisor Dunning left the meeting at 3:45 pm.

Review Of Draft Work Plans for Important County Issues

Energy Conservation

Following a brief review by Vice Chairman Hobert, Supervisor Weiss requested consideration of other persons to lead this effort instead of the County Administrator as suggested citing the load that position already carries. Supervisor Byrd put forth the Litter Committee for consideration. Vice Chairman Hobert requested further review with committee recommendations by the next Board meeting.

Broadband / Wireless Access

Chairman Staelin updated the Supervisors on his findings advising that the problems need to be identified. Vice Chairman Hobert suggested GIS/IT conduct additional review. Mr. Staelin stated that he did not wish to make demands that would cause a conflict with the school security issues or the new joint facility.

Tax Base Expansion

Chairman Staelin provided an update on tax base expansion reiterating information presented last summer by Mike Siegel, an economic development consultant. Vice Chairman Hobert stated that the draft work plan submitted by John Staelin appeared to be a good way to proceed. Supervisor Weiss contributed that he felt it was critical for the Board of Supervisors to retain control of economic direction so that they might be better able to determine the actual benefit.

Committee Action

Personnel

Appointment to Authorities, Boards and Commissions

<i>Committee/Board</i>	<i>Appointee</i>	<i>Expiration Date</i>
NSVRC Disability Services Board <i>Ms. Harris is re-appointed to serve an additional three-year term.</i>	Celie Harris	3/31/11
Lord Fairfax Community College Board <i>Ms. Lee is re-appointed to serve an additional four-year term.</i>	Barbara Lee	6/30/12
Planning Commission <i>Mr. Steinmetz was appointed to serve an initial four-year term on the Planning Commission representing the Berryville District, the seat previously held by Mary Louise Costello Daniel.</i>	Chip Steinmetz	4/30/12
Planning Commission <i>Mr. McKay is re-appointed to serve an additional four-year term.</i>	Bev McKay	4/30/12

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

Compensation of Part-Time Employee

The Personnel Committee authorized the adjustment of compensation for the Biosolids Monitor in accord with the State reimbursement allowance.

Work Session

Salary Survey and Compensation Study

David Ash stated that the Supervisors had agreed to review the Classification and Compensation Study conducted by Springsted, Inc.

There was discussion regarding appropriateness of jurisdictions selected for comparison.

There was discussion regarding implementation timing and strategies.

Supervisor Weiss moved to adopt the Springsted Classification and Compensation Study conducted by Springsted, Inc.

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.	-	Nay
David S. Weiss	-	Aye

Finance

Appropriation Adjustments

Supplemental Appropriations

Biosolids. "Be it resolved that the FY08 budget be amended to increase expenditures for Biosolids Application by \$11,000, and the same be appropriated, and to recognize funding from the Commonwealth in the amount of \$8,800, and further that the designation for government savings be reduced by \$2,200."

Historic Preservation Grant. A grant for the North Blue Ridge Historic District Nomination Project was approved, though no appropriation action was taken. "Be it resolved that the FY08 budget be amended to increase expenditures for the Historic Preservation Commission by \$26,000, and the same be appropriated, and to recognize funding from the Commonwealth Department of Historic Resources in the amount of \$18,500, and further that the designation for government savings be reduced by \$7,500."

Water Policy Board. "Be it resolved that the FY08 budget be amended in increase expenditures for the Northern Shenandoah Valley Regional Commission by \$1,165, and the same be appropriated, for costs associated with participation in the Water Policy Board, and be it further resolved that the designation for government savings be reduced by \$1,165."

Debt Service Payment. It was originally understood that debt payments on the Joint Government Center would not begin until completion of the project. However, we are informed that the first payment, an interest-only payment, is due 6/18/2008 in the amount of \$42,384. "Be it resolved that the FY08 budget be amended to increase expenditures for General Government Debt Service by \$42,384, and the same be appropriated, and further that the designation for government savings be reduced by \$42,384."

Unemployment Payments. There has been large unemployment claim this year that is causing this budget to be exceeded. "Be it resolved that the FY08 budget be amended to increase expenditures for Unemployment Claims by \$11,000, and the same be appropriated, and be it further resolved that the designation for government savings be reduced by \$11,000."

Transfers

Be it resolved that the following transfers be made:

Transfer \$10,000 from the Board of Supervisors professional services account to the County of Clarke professional services account to cover costs associated with the development of a personnel classification plan.

Transfer \$8,000 from the contingency for legal services to the Board of Zoning Appeals budget for legal services related to the flag pole case.:

Vice Chairman Hobert moved adopt the appropriation adjustments and transfers as shown.

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

Bills And Claims

Vice Chairman Hobert reviewed the bills and claims for February 2008 for general government and January 2008 for Clarke County Public Schools.

Vice Chairman Hobert moved to accept bills and claims for general government for February 2008.

The motion was approved by the following vote:

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

Supervisor Byrd briefly left the meeting and was absent when the vote was called.

Chairman Staelin asked Mr. Judge if he could provide the Supervisors with a legend for bills and claims to facilitate review.

Berryville Clarke County Government Center Update

David Ash stated that the project appeared to be on target with the revised schedule with an estimated completion by the end of August 2008 and contingency funds used to cover costs to address storm water issues leaves the project right at budget.

Supervisor Byrd suggested that the Supervisors and Town Council coordinate a site tour of the new facility. David Ash offered to work with Lowell Baughan on scheduling individual or group

tours. Wednesday, April 9 was selected as a possible date for a group tour and time to be determined by David Ash.

David Ash provided an update on furniture and fixture advising that the budget was very tight.

Summary Of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process approved minutes for signature, conversion, upload to website, and recordation with the Circuit.	Lora B. Walburn
2.	Secure signature and frame resolution 08-05R.	Lora B. Walburn
3.	Secure signature and forward to Access Independence 08-01P.	Lora B. Walburn
4.	Verify state revenue estimates with the Commissioner of the Revenue.	Tom Judge
5.	Advertise FY09 Budget and Tax Rate.	Tom Judge
6.	Energy conservation additional review and committee recommendations.	Michael Hobert
7.	Provide letters of appointment to committees, boards and commissions and update database.	Lora B. Walburn
8.	Implement the Springsted Classification and Compensation Study conducted by Springsted, Inc"	David Ash
9.	Provide a legend for review of bills and claims.	Tom Judge
10.	Coordinate with Lowell Baughan scheduling individual or group tours of the joint facility with Council and the Board.	David Ash

Adjournment

There being no further business to be brought before the Board at 4:21 p.m. Chairman Staelin adjourned the meeting.

Next Meeting Date

The regular meeting of the Board of Supervisors is set for Tuesday, April 15, 2008 at 1:00 p.m. in the Board of Supervisors Meeting Room.

ATTEST: March 18, 2008

John Staelin, Chairman

David L. Ash, County Administrator

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