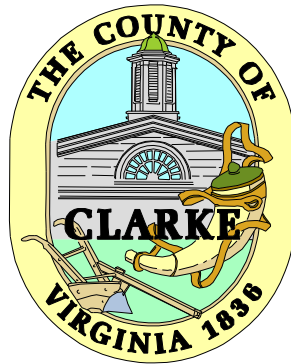
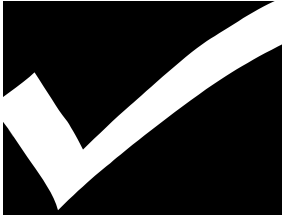


# Board of Supervisors Committee Meetings



**Tuesday, October 14, 2014**

	<b>Pages</b>
<b>Personnel Committee: 9:30 am</b>	<b>2-11</b>
<b>Work Session: 10:00 am</b>	<b>12-41</b>
<b>Finance Committee: Immediately Following Work Session</b>	<b>42-50</b>



**Personnel Committee Items**  
**October 14, 2014; 9:30 am**  
**Second Floor, Main Meeting Room**  
**Berryville/Clarke County Government Center**  
**101 Chalmers Court, Berryville, Virginia 22611**

*Item No.*

*Description*

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- A.      **Expiration of Term for appointments expiring through December 2014.**
  
- B.      **Closed Session pursuant to §2.2-3711-A1 specific employees or appointees of the Board re Personnel Pay Issues**

# Appointments by Expiration Through December 2014

*Appt Date      Exp Date      Orig Appt Date:*

## December 2013

Economic Development Advisory Committee      4 Yr  
 Hillerson      Jay      Business Owner      9/15/2009      12/31/2013      9/15/2009

Members of the committee should include one or more people from all key government and business groups such as planning commission, board of supervisors, school board, industrial development authority, town of Berryville, chamber of commerce, and key business sectors such as agriculture, banking, realty, light industry, retail and tourism. Membership not limited.

## July 2014

Board of Social Services      4 Yr  
 Pierce      Edwin Ralph      Berryville District      2/21/2012      7/15/2014      2/21/2012

Appointed by BOS; 2 Term Limit; Oath of Office Required - Clerk of Circuit Court; BOS appoints 3 qualified citizens of the county, 1 of whom may be a member of the BOS ; § 15.2-412.

## September 2014

Clarke County Planning Commission      4 Yr  
 Steinmetz, II      William      Berryville District      5/15/2012      9/13/2014      3/18/2008

Resigned 9-13-2014 Expires 4-30-2016

Appointed by BOS; Oath of Office Required - Clerk of Circuit Court; Section 1-C-2 of the Zoning Ordinance states: "The Planning Commission shall consist of eleven members, appointed by the Board. Members of the Planning Commission shall be residents of the County, with there being 2 residents of each of the Board Election Districts. In addition, 1 member of the Commission shall be a member of the Board. Members of the Commission shall be qualified by knowledge and experience to make decisions on questions of community growth and development. At least 1/2 of the members of the Planning Commission shall be owners of real property in the County."

Shenandoah Area Agency on Aging, Inc.

Bouffault      Robina Rich      White Post District      7/16/2013      9/30/2014      7/16/2013

BOS Nominates 2 Clarke County Members; SAAA Board appoints the local government nominees; the Board shall have the right not to accept any nominee it considers incompatible with the best interests of the SAAA and the Board.; 2 Term Limit

## October 2014

Clarke County Industrial Development Authority      4 Yr  
 Juday      David      Russell District; Chair      12/21/2010      10/30/2014      4/19/2005

Appointed by BOS; Oath of Office Required - Clerk of Circuit Court; 7 members, 1 BOS liaison (non-voting) and 6 others that are chosen on their expertise in the business field. Membership governed by IDA by-laws. 15.2-4904 No director shall be an officer or employee of the locality except in towns under 3,500

## December 2014

Board of Septic & Well Appeals

Caldwell      Anne      Millwood District; Planning Commission; Vice Chair - Alternate      1/10/2014      12/31/2014

1 Staff Rep; § 143-11. Appeals & variances. A. Board of Septic & Well Appeals 2. (a) the member of the Board of Supervisors, who serves as the Board's liaison to the Planning Commission, with The Vice Chair of the Board designated as his/her alternate, (b) a Chair of Planning Commission with the Vice Chair designated as his/her alternate, and (c) a member of the public, who is a resident of the county with the Vice Chair of the Planning Commission designated as his/her alternate. All members shall be appointed by the Board of Supervisors at their first regular meeting of each year.

			<i>Appt Date</i>	<i>Exp Date</i>	<i>Orig Appt Date:</i>
<b>Board of Septic &amp; Well Appeals</b>					
Ohrstrom, II	George	Russell District; Planning Commission Chair	1/10/2014	12/31/2014	

1 Staff Rep; § 143-11. Appeals & variances. A. Board of Septic & Well Appeals 2. (a) the member of the Board of Supervisors, who serves as the Board's liaison to the Planning Commission, with The Vice Chair of the Board designated as his/her alternate, (b) a Chair of Planning Commission with the Vice Chair designated as his/her alternate, and (c) a member of the public, who is a resident of the county with the Vice Chair of the Planning Commission designated as his/her alternate. All members shall be appointed by the Board of Supervisors at their first regular meeting of each year.

<b>Economic Development Advisory Committee</b>			4 Yr		
Milleson	John R.	Banking, Finance	8/16/2011	12/31/2014	8/16/2011

Members of the committee should include one or more people from all key government and business groups such as planning commission, board of supervisors, school board, industrial development authority, town of Berryville, chamber of commerce, and key business sectors such as agriculture, banking, realty, light industry, retail and tourism. Membership not limited.

Myer	Dr. Eric	Agriculture Rep, Business Owner	1/1/2011	12/31/2014	1/21/2003
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Members of the committee should include one or more people from all key government and business groups such as planning commission, board of supervisors, school board, industrial development authority, town of Berryville, chamber of commerce, and key business sectors such as agriculture, banking, realty, light industry, retail and tourism. Membership not limited.

Conrad	Bryan H.	Agriculture, Fire & Rescue	1/1/2011	12/31/2014	12/19/2000
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Reappointed 12/17/02 for term exp of 12/30/2006

Members of the committee should include one or more people from all key government and business groups such as planning commission, board of supervisors, school board, industrial development authority, town of Berryville, chamber of commerce, and key business sectors such as agriculture, banking, realty, light industry, retail and tourism. Membership not limited.

<b>Northwestern Community Services Board</b>			3 Yr		
Stieg, Jr.	Robert	Millwood District	3/20/2012	12/31/2014	2/21/2006

Fill unexpired term of Dr. Goshen; 1st Term 6/20/06 thru 9/30/09

2 Clarke County Members; 3 Term Limit [AKA Chapter 10 Board]

<b>Parks &amp; Recreation Advisory Board</b>			1 Yr		
Trenary	Randy	Appointed by Clarke County School Board	10/24/2013	12/31/2014	1/5/2012

(9) voting members on the Advisory Board. Six (6) members shall be appointed by the BOS to represent the 5 voting districts and 1 at large. The Superintendent of Schools or their designee shall serve on the Advisory Board. The Town Councils for Berryville, Boyce shall each appoint a representative to serve on the Advisory Board. The BOS shall also designate 1 member of the BOS to serve as a non-voting liaison to the Advisory Board. The Advisory Board will accept applications from high-school aged Clarke County residents and each year appoint two (2) to serve as non-voting members.

4 Yr

Jones	Paul	Russell District; At Large	1/1/2011	12/31/2014	
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(9) voting members on the Advisory Board. Six (6) members shall be appointed by the BOS to represent the 5 voting districts and 1 at large. The Superintendent of Schools or their designee shall serve on the Advisory Board. The Town Councils for Berryville, Boyce shall each appoint a representative to serve on the Advisory Board. The BOS shall also designate 1 member of the BOS to serve as a non-voting liaison to the Advisory Board. The Advisory Board will accept applications from high-school aged Clarke County residents and each year appoint two (2) to serve as non-voting members.

# Clarke County Committee Listing

			<i>Appt Date</i>	<i>Exp Date</i>
<i>Barns of Rose Hill Board of Directors</i>				3 Yr
Johnston	Bill	Buckmarsh District	7/17/2012	12/31/2015
<i>BCCGC Joint Building Committee</i>				Open-End
Ash	David L.	County Administrator		
Dalton	Keith	Berryville Town Manager		
Kitselman	Allen	Berryville Town Council Representative		
McKay	Beverly	BOS - Alternate	1/23/2014	12/31/2014
Weiss	David	BOS - Appointed Member	1/23/2014	12/31/2014
<i>Berryville / County Economic Development MOU Development Committee</i>				
Arnold, Jr.	Harry Lee	BTC - Appointed Member		
Dunkle	Christy	Staff Representative - Town		
Staelin	John	BoS - Appointed Member		
Stidham	Brandon	Staff Representative - County		
<i>Berryville Area Development Authority</i>				3 Yr
Boyles	Jerry	White Post District	4/1/2012	3/31/2015
Ohrstrom, II	George	Russell District	3/19/2013	3/31/2016
Smart	Kathy	White Post District	1/23/2014	3/31/2017
<i>Berryville Area Development Authority Comprehensive Plan Committee</i>				Open-End
Hobert	J. Michael	Berryville District	1/7/2008	
McKay	Beverly	White Post District	3/20/2012	
<i>Board of Septic &amp; Well Appeals</i>				4 Yr
Blatz	Joseph	Millwood / Pine Grove District; Citizen Member	4/17/2012	2/15/2016
Caldwell	Anne	Millwood District; Planning Commission; Vice Chair - Alternate	1/10/2014	12/31/2014
Ohrstrom, II	George	Russell District; Planning Commission Chair	1/10/2014	12/31/2014
Staelin	John	BOS - Appointed Member	1/23/2014	12/31/2014
Teetor	Alison	Staff Representative		
Weiss	David	BOS Vice Chair - Alternate	1/23/2014	12/31/2014
<i>Board of Social Services</i>				4 Yr
Brown	Dwight	Berryville District	4/16/2013	7/15/2017
Byrd	Barbara J.	BOS - Appointed Member	1/23/2014	12/31/2014
Ferrebee	Robert	Millwood District	4/16/2013	7/15/2016
Gray	Lynn	Berryville District	6/17/2014	7/15/2018
Pierce	Edwin Ralph	Berryville District	2/21/2012	7/15/2014

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			<i>Appt Date</i>	<i>Exp Date</i>
<i>Board of Supervisors</i>				4 Yr
Byrd	Barbara J.	Russell District	1/1/2012	12/31/2015
Hobert	J. Michael	Berryville District; Chair	1/1/2011	12/31/2015
McKay	Beverly	White Post District	1/1/2012	12/31/2015
Staelin	John	Millwood / Pine Grove District	1/1/2012	12/31/2015
Weiss	David	Buckmarsh/Blue Ridge; Vice Chair	1/1/2012	12/31/2015
<i>Board of Supervisors Finance Committee</i>				1 Yr
Byrd	Barbara J.	BOS - Alternate	1/23/2014	1/31/2014
Hobert	J. Michael	BOS - Appointed Member	1/23/2014	12/31/2014
McKay	Beverly	BOS - Alternate	1/23/2014	12/31/2014
Staelin	John	BOS - Alternate	1/23/2014	12/31/2104
Weiss	David	BOS - Appointed Member	1/23/2014	12/31/2014
<i>Board of Supervisors Personnel Committee</i>				1 Yr
Byrd	Barbara J.	BOS - Alternate	1/23/2014	1/31/2014
Hobert	J. Michael	BOS - Appointed Member	1/23/2014	12/31/2014
McKay	Beverly	BOS - Appointed Member	1/23/2014	12/31/2014
Weiss	David	BOS - Alternate	1/23/2014	12/31/2014
<i>Board of Zoning Appeals</i>				5 Yr
Borel	Alain F.	White Post District	1/23/2014	2/15/2019
Caldwell	Anne	Millwood District	1/19/2010	2/15/2015
Kackley	Charles	Russell District	2/12/2008	2/15/2018
McKelvy	Pat	Alternate At Large	2/6/2014	2/15/2019
Means	Howard	Millwood District	12/14/2009	2/15/2016
Volk	Laurie	Russell District	2/18/2014	2/15/2019
<i>Clarke County Agricultural Advisory Committee</i>				
Arthur	Warren	Former Commissioner of the Revenue		
Buckley	Samuel	White Post District	7/21/2009	7/15/2015
Day	Emily	Greenway District	7/21/2009	7/15/2015
Dorsey	Tupper	Battletown District	7/21/2009	7/15/2015
Gordon	Carolyn	Battletown District	7/21/2009	7/15/2015
McFillen	Thomas	Berryville District	7/21/2009	7/15/2015
McKay	Beverly	White Post District	7/21/2009	7/15/2015
Norman	Debbie	Russell District	7/21/2009	7/15/2015
Russell	Jesse	Staff Representative		
Shenk	Philip	Buckmarsh District	7/21/2009	7/15/2015
Weiss	David	BOS - Appointed Member	1/23/2014	12/31/2014
<i>Clarke County Historic Preservation Commission</i>				4 Yr
Caldwell	Anne	Millwood District	4/16/2014	5/31/2017

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			<i>Appt Date</i>	<i>Exp Date</i>
Carter	Paige	White Post District	5/15/2012	5/31/2016
Fields	Betsy	Berryville District	5/15/2012	5/31/2016
Hiatt	Marty	Buckmarsh / Blue Ridge District	6/19/2007	5/31/2015
Kruhm	Doug	Planning Commission Representative	4/15/2014	4/30/2015
Stieg, Jr.	Robert	Millword District	6/17/2014	5/31/2018
Teetor	Alison	Staff Representative		
York	Robert	White Post District	6/18/2013	5/31/2017

*Clarke County Industrial Development Authority*

4 Yr

Armbrust	Wayne	White Post District; Vice Chair	8/19/2008	10/30/2016
Cochran	Mark	Buckmarsh District	9/17/2013	10/30/2017
Frederickson	Allan	White Post District; Secretary / Treasurer	9/17/2013	10/30/2017
Hobbs	Robert	White Post District	9/16/2014	10/30/2018
Jones	Paul	Russell District	5/15/2012	10/30/2015
Juday	David	Russell District; Chair	12/21/2010	10/30/2014
Pierce	Rodney	Buckmarsh District	8/19/2008	10/30/2016
Staelin	John	BOS - Liaison	1/23/2014	12/31/2014

*Clarke County Library Advisory Council*

4 Yr

Al-Khalili	Adeela	Buckmarsh District	4/19/2011	4/15/2015
Byrd	Barbara J.	BOS - Liaison	1/23/2014	1/31/2014
Curran	Christopher	Buckmarsh District	4/16/2013	4/15/2017
Daisley	Shelley	Russell District	7/17/2012	4/15/2016
Dunbar	Kevin	White Post District	4/15/2014	4/15/2018
Foster	Nancy	Russell District	4/17/2012	4/15/2016
Holscher	Dirck	Russell District	4/16/2013	4/15/2017
Kalbian	Maral	Millwood District	4/19/2011	4/15/2015
White	Kenlynne	Berryville District	7/15/2014	4/15/2017
Zinman	Maxine	Russell District	4/19/2011	4/15/2015

*Clarke County Litter Committee*

1 Yr

Staelin	John	BOS - Liaison	1/23/2014	12/31/2014
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*Clarke County Planning Commission*

4 Yr

Bouffault	Robina Rich	White Post / Greenway District	5/15/2012	4/30/2016
Buckley	Randy	White Post District	1/23/2014	4/30/2018
Byrd	Barbara J.	BOS - Alternate	1/23/2014	12/31/2014
Caldwell	Anne	Millwood / Chapel District; Vice Chair	4/16/2013	4/30/2017
Kreider	Scott	Buckmarsh / Battletown District	5/15/2012	4/30/2016
Kruhm	Doug	Buckmarsh / Battletown District	3/18/2014	4/30/2018
Nelson	Clifford	Russell / Longmarsh District	4/16/2013	4/30/2017
Ohrstrom, II	George	Russell District; Chair	4/19/2011	4/30/2015

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			<i>Appt Date</i>	<i>Exp Date</i>
Staelin	John	BOS - Appointed Member	1/23/2014	12/31/2014
Steinmetz, II	William	Berryville District	5/15/2012	9/13/2014
Stidham	Brandon	Staff Representative		
Turkel	Jon	Millwood / Chapel District	9/15/2011	4/30/2015
<i>Clarke County Sanitary Authority</i>				<i>4 Yr</i>
Dunning, Jr.	A.R.	White Post District	11/19/2013	1/5/2018
Legge	Michael	Staff Representative		
Mackay-Smith, Jr.	Alexander	White Post District; Vice Chair	1/15/2013	1/5/2017
Myer	Joe	Town of Boyce	2/21/2012	1/5/2016
Staelin	John	BOS - Liaison	1/23/2014	12/31/2014
Welliver	Ralph	Berryville District	3/19/2013	6/30/2016
Williams	Ian R.	White Post District; Chair	1/15/2013	1/5/2017
<i>Conservation Easement Authority</i>				<i>3 Yr</i>
Buckley	Randy	White Post District	11/19/2013	12/31/2016
Engel	Peter	White Post District	1/15/2013	12/31/2015
Jones	Michelle	Millwood / Pine Grove District	2/18/2014	12/31/2016
Ohrstrom, II	George	Russell District; Planning Commission Representative	4/16/2013	4/30/2016
Teetor	Alison	Staff Representative		
Thomas	Walker	Buckmarsh District	11/20/2012	12/31/2015
Wallace	Laure	Millwood District	11/19/2013	12/31/2016
Weiss	David	BOS - Appointed Member	1/23/2014	12/31/2014
<i>Constitutional Officer</i>				
Butts	Helen	Clerk of the Circuit Court	1/1/2008	12/31/2015
Keeler	Sharon	Treasurer	1/1/2012	12/31/2015
Mackall	Suzanne	Commonwealth Attorney	1/1/2012	12/31/2015
Peake	Donna	Commissioner of the Revenue	1/1/2012	12/31/2015
Roper	Anthony	Sheriff	1/1/2012	12/31/2015
<i>County Administrator</i>				
Ash	David L.	County Administrator	3/19/1991	
<i>Economic Development Advisory Committee</i>				<i>4 Yr</i>
Barb	Jim	Real Estate Rep, Business Owner	11/29/2013	12/31/2017
Conrad	Bryan H.	Agriculture, Fire & Rescue	1/1/2011	12/31/2014
Dunkle	Christy	Town of Berryville Representative	2/21/2012	12/31/2015
Hillerson	Jay	Business Owner	9/15/2009	12/31/2013
Milleson	John R.	Banking, Finance	8/16/2011	12/31/2014
Myer	Dr. Eric	Agriculture Rep, Business Owner	1/1/2011	12/31/2014
Pritchard	Elizabeth	Hospitality Industry	7/17/2012	8/31/2016
Staelin	John	BOS - Appointed Member	1/23/2014	12/31/2014

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			<i>Appt Date</i>	<i>Exp Date</i>
<i>Fire &amp; EMS Commission</i>				
Conrad	Bryan H.	Citizen-at-large	9/1/2014	8/31/2015
Davis	Frank	Staff Representative	9/1/2014	
Hoff	Matt	Volunteer Association / EMS Issues	9/1/2014	8/31/2015
Leffel	Elizabeth	Citizen-at-large	9/1/2014	8/31/2016
Roper	Anthony	Sheriff	9/1/2014	12/31/2015
Wallace	Laure	Chair; Citizen-at-large	9/1/2014	8/31/2017
Weiss	David	BOS Representative	9/1/2014	12/31/2014
White	Jacob	Volunteer Association / Fire Issues	9/1/2014	8/31/2015
				4 Yr
<i>Handley Regional Library Board</i>				
Myer	Tamara	Town of Boyce	8/20/2013	11/30/2017
				Open-End
<i>Joint Administrative Services Board</i>				
Ash	David L.	County Administrator	12/22/1993	
Hobert	J. Michael	BOS - Appointed Member	1/23/2014	12/31/2014
Judge	Tom	Staff Representative	2/14/1994	
Keeler	Sharon	Treasurer	3/12/2005	
Murphy	Michael	School Superintendent	7/1/2008	
Schutte	Charles	School Board Representative	1/8/2012	12/31/2013
Weiss	David	BOS - Alternate	1/23/2014	12/31/2014
				1 Yr
<i>Legislative Liaison and High Growth Coalition</i>				
Hobert	J. Michael	BOS - Liaison	1/23/2014	12/31/2014
				4 Yr
<i>Lord Fairfax Community College Board</i>				
Daniel	William	Berryville District	7/1/2012	6/30/2016
				3 Yr
<i>Lord Fairfax Emergency Medical Services Council</i>				
Burns	Jason	Career Representative; Buckmarsh District	7/17/2012	6/30/2015
Conrad	Bryan H.	Volunteer Representative; White Post District	6/17/2014	6/30/2017
Stidham	Angela	Medical Professional; White Post District	9/17/2013	6/30/2016
				1 Yr
<i>Northern Shenandoah Valley Regional Commission</i>				
McKay	Beverly	BOS - Appointed Member	1/23/2014	12/31/2014
Staelin	John	BOS - Alternate	1/23/2014	12/31/2014
Stidham	Brandon	Citizen Representative [Planning Director]	2/19/2013	1/31/2016
				3 Yr
<i>Northwestern Community Services Board</i>				
Harris	Lucille	Millwood District	1/15/2013	12/31/2015
Stieg, Jr.	Robert	Millwood District	3/20/2012	12/31/2014

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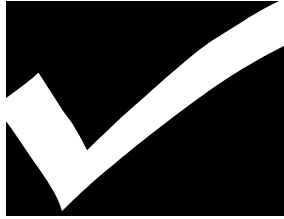
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			<i>Appt Date</i>	<i>Exp Date</i>
<i>Northwestern Regional Jail Authority</i>				1 Yr
Ash	David L.	BOS - Appointed Member	1/23/2014	12/31/2014
Byrd	Barbara J.	BOS - Liaison Alternate	1/23/2014	12/31/2014
Roper	Anthony	Sheriff	1/1/2012	12/31/2015
Wyatt	Jimmy	Millwood District	1/17/2012	12/31/2015
<i>Northwestern Regional Juvenile Detention Center Commission</i>				1 Yr
Byrd	Barbara J.	BOS - Liaison	1/23/2014	12/31/2014
Wyatt	Jimmy	Millwood District	1/15/2013	12/20/2016
<i>Old Dominion Alcohol Safety Action Policy Board &amp; Division of Court Services</i>				3 Yr
Roper	Anthony	Sheriff	11/19/2013	12/31/2016
<i>Old Dominion Community Criminal Justice Board</i>				3 Yr
Roper	Anthony	Sheriff	11/19/2013	12/31/2016
<i>Our Health</i>				3 Yr
Shipe	Diane	Buckmarsh District	4/16/2013	3/15/2016
<i>Parks &amp; Recreation Advisory Board</i>				4 Yr
Heflin	Dennis	White Post District	1/15/2013	12/31/2016
Hobert	J. Michael	BOS - Liaison	1/21/2014	12/31/2014
Huff	Ronnie	Town of Berryville Representative	1/1/2012	12/31/2015
Jones	Paul	Russell District; At Large	1/1/2011	12/31/2014
Lichliter	Gary	Russell District	1/15/2013	12/31/2016
Rhodes	Emily	Buckmarsh District	2/21/2012	12/31/2015
Sheetz	Daniel A.	Berryville District	11/19/2013	12/31/2017
Trenary	Randy	Appointed by Clarke County School Board	10/24/2013	12/31/2014
Wisecarver	Steve	Appointed by Town of Boyce	11/5/2013	12/31/2017
<i>People Inc. of Virginia</i>				3 Yr
Hillerson	Coleen	Clarke County Rep Board of Directors	6/18/2013	7/31/2016
<i>Regional Airport Authority</i>				1 Yr
Ash	David L.	BOS - Alternate	1/23/2014	12/31/2014
Crawford	John	Buckmarsh District	7/17/2012	6/30/2016
McKay	Beverly	BOS - Alternate	1/23/2014	12/31/2014
<i>Shenandoah Area Agency on Aging, Inc.</i>				4 Yr
Bouffault	Robina Rich	White Post District	7/16/2013	9/30/2014
Steinmetz, II	William	Berryville District	9/16/2014	9/30/2016
<i>Shenandoah Valley Chief Local Elected Officials Consortium</i>				
Ash	David L.	BOS Designee for Chief Elected Official		

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			<i>Appt Date</i>	<i>Exp Date</i>
<i>Shenandoah Valley Workforce Investment Board</i>				4 Yr
James	Patricia	Berryville District	9/17/2013	6/30/2017
<i>The 150th Committee</i>				4 Yr
Al-Khalili	Adeela	Clarke County African-American Cultural Center / Josephine Community Museum	1/18/2011	12/31/2015
Davis	Dorothy	Clarke County African-American Cultural Center / Josephine Community Museum	1/18/2011	12/31/2015
Heder	Terence	Shenandoah Valley Battlefields Foundation	1/18/2011	12/31/2015
Kalbian	Maral	Community Representative	1/18/2011	12/31/2015
Lee	Jennifer	Clarke County Historic Museum Representative	1/18/2011	12/31/2015
McKay	Beverly	BOS - Appointed Member	1/23/2014	12/31/2014
Means	Howard	CCHA Representative	1/18/2011	12/31/2015
Morris	Mary	Clarke County Historic Museum Representative	1/18/2011	12/31/2015
Murphy	Michael	CCPS Representative	1/18/2011	12/31/2015
Russell	Jesse	Staff Representative Economic Development	1/18/2011	12/31/2015
Sours, Jr.	John	Community Representative	1/18/2011	12/31/2015
Stieg, Jr.	Robert	Millwood District	1/18/2011	12/31/2015
<i>Warren-Clarke County Microenterprise Assistance Program Management Team</i>				2 Yr
Blakeslee	Steve	County Representative	9/18/2012	
Dunkle	Christy	Town of Berryville Representative	9/18/2012	
Greene	Laurel	Town of Boyce Representative	9/18/2012	
Hobbs	Robert	County Representative	9/18/2012	
Hoffman	Michael	County Representative	9/18/2012	
McIntosh	Charles	County Representative	9/18/2012	
Myer	Dr. Eric	Designated Alternate	9/18/2012	
Stidham	Brandon	County Representative	9/18/2012	



**Board of Supervisors Work Session Agenda**  
**October 14, 2014 10:00 am**  
**Berryville/Clarke County Government Center, 2<sup>nd</sup> Floor**  
**101 Chalmers Court, Berryville, Virginia 22611**

*Item  
No.*

*Description*

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- A.     **CCPS Update:**
- Accreditation Status Update by Chuck Bishop
  - Consideration of Committee Appointments to CTE Committee and Strategic Planning Committee
- B.     **Fire and EMS Implementation Items**
- a. Discussion of CC-2014-03 -- Establish Department of Fire, Emergency Medical Services (EMS), and Emergency Management
  - b. Discussion of Fee for Service
- C.     **Town-County Economic Development and Tourism Memorandum of Understanding Implementation Item – Appoint County Representatives on Joint Committee**
- D.     **Clarke County General Government Pay and Classification Study Update**

Clarke County

lwalburn@clarkecounty.gov

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**Presentation**

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**From** : Chuck Bishop <bishopc@clarke.k12.va.us>

Tue, Sep 23, 2014 11:42 AM

**Subject** : Presentation**To** : David Ash <dash@clarkecounty.gov>, clarke supervisor  
<clarkesupervisor@visuallink.com>**Cc** : Barbara Lee <leeb@clarke.k12.va.us>, Barbara Lee (2)  
<barbaralee008@comcast.net>, Beth Leffel  
<leffelb@clarke.k12.va.us>, Chip Schutte  
<schuttec@clarke.k12.va.us>, Chuyen Kochinsky  
<kochinskyc@clarke.k12.va.us>, Elizabeth Leffel  
<leffel.ccsb@gmail.com>, Janet Alger  
<algerj@clarke.k12.va.us>

Good morning,

At last night's School Board meeting, staff gave a presentation on the accreditation status of our school division. I am more than willing to attend a BOS work session to present the info to members if you feel that it is appropriate.

In addition, we are in the process of establishing two committees. The CTE Committee will work to consider programming and opportunities for our students in career and technical education. The second group will be our Strategic Planning Committee. We would like to offer the BOS a seat at the table on both of those committees if there is interest.

Dr. Chuck Bishop  
Division Superintendent  
Clarke County Public Schools  
309 W. Main Street  
Berryville, VA 22611  
(540) 955-6100

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**COUNTY CODE TEXT AMENDMENT (CC-2014-03)**  
**Establish Department of Fire, Emergency Medical Services (EMS), and Emergency Management**

**October 21, 2014 Board of Supervisors Meeting –PUBLIC HEARING**  
**STAFF REPORT – Department of Planning**

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The purpose of this staff report is to provide information to the Board of Supervisors to assist them in reviewing this proposed text amendment to the Code of Clarke County. It may be useful to members of the general public interested in this proposed amendment.  
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**Description:**

Proposed amendment to add a new Chapter 17, Department of Fire, Emergency Medical Services (EMS), and Emergency Management; and to amend Chapter 93, Fire Prevention to the Code of Clarke County. The purpose of the amendment is to create a new Department for the management of Fire, EMS, and Emergency Management; to establish the roles and responsibilities of the Department director, County staff, and the Fire and EMS Commission; and to identify the County’s providers of fire and emergency medical services and their relationship to the Department. The amendment also clarifies the role of the senior officer in charge of an incident as established by the Code of Virginia.

**Code of Virginia Authority:**

- §18.2-414.1, Obstructing members of rescue squad in performance of mission; penalty.
- §27-14, Ordinances as to fire/EMS departments, etc.
- §27-15.1, Authority of chief, director or other officer in charge when answering alarm or operating at an emergency incident; penalty for refusal to obey orders.
- §27-23.6, Provision of fire-fighting or emergency medical services.
- §44-146.19, Powers and duties of political subdivisions.

**Requested Action:**

Staff requests the Board to conduct the advertised public hearing at the October 21 meeting and to take action either to adopt the proposed text amendment, adopt the amendment with recommended changes, or to defer action to address any outstanding concerns (see discussion below).

**Update:**

This update addresses concerns raised about the proposed text amendment by Board members at the September 16 meeting and by Fire & EMS Commission members. These concerns are addressed separately below:

**Board of Supervisors concerns**

During review of the text amendment at the September 16 meeting, the Board requested Staff to add language to proposed §17-6(B) to specify that the Board representative to the Fire & EMS Commission would be appointed for a one-year term at the Board’s annual organizational meeting. The reason for the change is to clarify that the Board representative would be appointed at a different time than the other members of the Commission. Below is Staff’s proposed amended language:

B. Membership Composition; Term. The Commission shall consist of seven (7) members including one (1) member of the Board of Supervisors; the Clarke County Sheriff; two (2) representatives recommended by the Clarke County Fire and Rescue Association to represent Fire and EMS services respectively; and three (3) citizens-at-large representing consumers of fire and EMS services. The two (2) Fire and Rescue Association representatives ~~and the Board of Supervisors appointee~~ shall serve one-year terms. The three (3) citizens-at-large shall be appointed for initial terms of one (1) year, two (2) years, and three (3) years and thereafter for four (4) year terms. The Sheriff shall serve a term coterminous with the term of office. ***The Board of Supervisors shall appoint a representative at their annual organizational meeting to serve a one-year term.***

The amended language has been incorporated into the text amendment located at the end of this Staff Report.

Fire & EMS Commission concerns

Following distribution of the draft text amendment to the Fire & EMS Commission, Chair Laure Wallace raised several questions and concerns:

- Regarding §17-6(A), Chair Wallace suggested the following additional language to clarify the role of the Commission in resolving issues of concern. Her proposed language is as follows:

A. The Board of Supervisors shall appoint a Fire and EMS Commission (“the Commission”) to provide planning-level oversight of the Fire and EMS systems in the County; to oversee strategic planning efforts; and to provide mechanism for collaboration and coordination on issues impacting fire, EMS, and emergency management services with the Director, the County Sheriff, volunteer companies, and the Board of Supervisors ***when those issues cannot be effectively managed through the working relationships between entities and/or with the direction and support of the Director.*** The Commission shall work in coordination with the Director on these issues, and the Director shall provide staff support to the Commission.

- Regarding §17-6(C), *Responsibilities of the Commission*, Chair Wallace suggested a modification to item #7 to clarify the Commission’s role as a strategic planning organization. Her proposed language is as follows:

7. ~~***Develop, implement, promote, and participate in Support***~~ annual emergency preparedness exercises ***through review of proposed exercise plans, participation in exercises, helping with citizen understanding of the exercises, gaining public support when necessary, and evaluating plans to address performance deficits.***

- Chair Wallace asked in regards to §17-7(B) whether a mutual aid agreement covers the role of Warren County to serve the southeastern portion of the County via the former Shenandoah Farms Volunteer Fire Company. A similar question was raised at the September 16 Board meeting. For the purposes of this ordinance, any company operated

by a non-County entity (including the former Shenandoah Farms company) could respond to emergencies in the County under current mutual aid agreements with individual companies or future agreements with the County. In the near future, Staff will be working with neighboring localities to develop mutual aid agreements with the County.

- Chair Wallace asked in regards to §17-7(C) whether there is a role for the Director to ensure that the response areas developed by the volunteer companies ensure the best support for performance metrics. It is Staff's opinion that this role falls under the Director's purview to evaluate and provide "recommendations to the County Administrator and Board of Supervisors on how to effectively provide the best fire and emergency services available based on risk management principles within the parameters established by the Board for fiscal management and emergency response service level objectives" as set forth in §17-5(C).
- Regarding §17-10(C), *Obedience to orders of the senior officer in charge at the scene of accidents, disasters, and other fire, medical, and rescue oriented incidents*, Chair Wallace asked if law enforcement needs to be added to this section. This proposed section addresses the command of a fire or rescue incident scene which is governed by Code of Virginia §27-15.1. Command of these incident scenes would fall under the purview of fire and rescue officers. Provisions dealing with obeying the orders of law enforcement officials in support of these incident scenes are not included in this proposed section and would be governed by separate provisions of the Code of Virginia.

It should also be noted that Fire & EMS Commission members Matt Hoff and Bryan Conrad reviewed Chair Wallace's comments and added their support. Mr. Hoff has recommended that the full Commission review and comment on these changes and the text amendment in general prior to the Board's October 21 public hearing. The Commission has scheduled their initial meeting for Thursday, October 16 at 7:00PM and will be taking up the Fire & EMS Ordinance text amendment. Any additional comments/concerns will be conveyed to the Board following this meeting.

Staff has no outstanding concerns with the addition of Chair Wallace's recommended changes. Since we have not received direction from the Board on these changes, they have not been incorporated into the proposed text amendment. This direction could be provided by the Board at either of the upcoming October meetings or added to a motion to adopt the proposed text amendment.

**Staff Discussion/Analysis:**

This proposed text amendment is provided in conjunction with the Board of Supervisors' effort to implement the Fire & EMS Workgroup's recommendations -- specifically to establish the scope and authority of a new Fire & EMS Commission and Director of Fire & EMS. The text amendment is modeled after a similar ordinance that is used by Campbell County. Similar to Clarke County, Campbell County has a combination career-volunteer Fire & EMS system and employs a director of fire & EMS in lieu of a county chief. Campbell also uses appointed commissions to provide policy recommendations and facilitate cooperation among the system's



participants and stakeholders. It should be noted that the Fire & EMS Workgroup reviewed the Campbell County ordinance during their deliberations earlier in the year and identified it as a best practice. The following text amendment is consistent with the Workgroup's recommendations.

To summarize, the text amendment accomplishes the following purposes:

- **Establish a new County Department of Fire, Emergency Medical Services (EMS), and Emergency Management.** The text amendment formally establishes and recognizes this new County Department as consisting of both the County-employed staff and volunteer company firefighters and EMS personnel.
- **Director of Fire and EMS role and responsibilities.** Language is included to note the appointment of the new Director position (§17.2 and §17.5) and codifies its responsibilities. The list of responsibilities set forth in §17.5 make it clear that the Director is responsible for managing the County-employed staff and that the position reports to the County Administrator. Also noted is that the Director has a coordination role in providing recommendations on fire and emergency services to the Fire and EMS Commission and the Board of Supervisors. The Director may also serve as the Coordinator of Emergency Services at the County Administrator's discretion, and is empowered to serve as a senior officer and may take command of a fire or EMS incident on an as-needed basis.
- **Fire and EMS Commission.** Language is also included to codify the membership composition, term, role, and responsibilities of the recently-appointed Fire and EMS Commission (§17-6). The detailed list of responsibilities is taken from the recommendations of the Fire & EMS Workgroup. The Fire and EMS Commission would act as a high-level planning and policy review group, and would provide the Board with recommendations on issues having a substantive impact on the County's emergency response system or infrastructure impacting service delivery.
- **Providers of Fire and Emergency Services.** The amendment formally recognizes the County's three volunteer companies along with the Mount Weather Emergency Operations Center and agencies/organizations responding in accordance with mutual aid agreements as being part of the Department and authorized to provide fire and emergency services in the County (§17.7). Language is included to note that the County's volunteer companies shall be assigned response areas that are to be determined among the volunteer companies. §17.8 notes the responsibilities of each County volunteer company including the appointment of a Chief, compliance with all applicable laws and standards, and coordination of operations and activities with the Director.
- **Personnel responsibility and authority.** §17.9 lists the rights and responsibilities of the members of the volunteer companies including compliance with all applicable laws and standards including any practices and procedures established by the Board of Supervisors.

- **Obedience to orders of the senior officer in charge at fire and EMS incidents.** §17-10 is included in the text amendment to codify the authority granted under the Code of Virginia to the senior officer in command of an accident scene, fire, or other emergency incident. Similar language currently found in §93.1 is recommended for repeal by the

County Attorney as the new language proposed in §17-10 better reflects the state code authority.

- **Repeal of section on Authority of Fire Marshal.** In reviewing Chapter 93, the County Attorney has recommended that §93-2 on the authority of the county fire marshal be repealed since the County currently does not have a fire marshal. In the event that a fire marshal is employed by the County in the future, this enabling language can be included in the sections of the Fire Prevention Code that are required to be adopted in order to employ a fire marshal.

County Attorney Bob Mitchell has reviewed this proposed text amendment for legal issues and conformance with State code. His recommendations have been incorporated into this draft. Additionally, Staff has developed a chain of communications flowchart that depicts how the current and proposed stakeholders and entities in this process would communicate with one another under the provisions of this text amendment. A copy of this flowchart is included for your reference.

**Staff Recommendation:**

Staff has no outstanding concerns with the adoption of the text amendment.

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**Amendment Text (Proposed changes to Chapter 93 are shown in bold italics with strikethroughs where necessary. Chapter 17 is a new proposed code chapter.):**

**CHAPTER 17 FIRE, EMERGENCY MEDICAL SERVICES (EMS), AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

Code of Virginia References (§18.2-414.1; §27-14, 15.1, and 23.6; §44-146.19)

**§17-1 Establishment of the Department of Fire, Emergency Medical Services (EMS), and Emergency Management**

A. In order to help ensure the protection of citizens, visitors, and property of Clarke County, the firefighting, emergency medical services (EMS), and emergency management services are organized under a Department of Fire, Emergency Medical Services (EMS), and Emergency Management (“the Department”). These services shall be provided by using both County-employed and volunteer company firefighters and EMS personnel. As such, the County-recognized volunteer fire-fighting and EMS entities shall be deemed an instrumentality of the County and shall receive the full benefit and protections of the law while acting in that capacity.

B. In order to effectively carry out the provisions of Subsection A of this section, the Department shall be organized to coordinate all fire, EMS, and emergency management and preparedness services within the County.

C. The Department shall be composed of the County officials and County-employed staff (“the Staff”) of the Department, and the volunteer fire and EMS companies. The volunteer fire and EMS companies are recognized as entities of the Department and are an integral part of the County’s public safety program.

#### **§17-2 Appointment of a Director of Fire and Emergency Medical Services (EMS)**

A. The County Administrator shall appoint a Director of Fire and Emergency Medical Services (EMS) (“the Director”) to head the Department and to carry out the responsibilities set forth in §17.5. The Director shall report to the County Administrator and the Department Staff shall report to the Director.

#### **§17-3 Appointment of a Coordinator of Emergency Management**

A. The County Administrator shall serve as the County’s Coordinator of Emergency Management. The responsibilities of the Coordinator of Emergency Management may be delegated to the Director at the discretion of the County Administrator.

B. The Coordinator of Emergency Management shall provide general management of the planning, preparation, and response for any disaster which impacts the County and requires implementation of the County’s emergency operations plan.

#### **§17-4 Responsibilities of the Department**

A. The Department shall be responsible for coordinating and managing the services and functions as described above in §17-1 and in the sections below.

B. The Department may employ Staff to perform a variety of functions to support fire, EMS, and emergency management services. These functions include but are not limited to firefighting, emergency medical services/EMT, volunteer recruitment/retention, grant writing, and administrative services. The Director shall manage and oversee the Staff unless otherwise designated by the County Administrator.

#### **§17-5 Responsibilities of the Director**

A. The Director shall carry out the responsibilities and general management of the Department, shall establish and enforce Departmental policies, procedures, and guidelines consistent with this Chapter for the administration and operation of the Department. The Director’s specific responsibilities shall be as assigned by the County Administrator.

B. The Director shall have management oversight of the Department's Staff. Management oversight of the volunteer companies and volunteer staff shall be the responsibility of the chiefs of the individual companies and their respective governing boards.

C. The Director shall make periodic recommendations to the County Administrator and Board of Supervisors on how to effectively provide the best fire and emergency services available based on risk management principles within the parameters established by the Board for fiscal management and emergency response service level objectives. Any recommendations proposed by the Director that will have a substantive impact on the County's emergency response system or infrastructure impacting service delivery shall be reviewed by the Fire and EMS Commission prior to presenting the recommendations to the Board of Supervisors. The results of the Commission's review shall also be provided to the Board of Supervisors.

D. The Director shall serve as a senior officer for fire and/or EMS and shall have the authority to take command of an incident on an as-needed basis in the absence of a volunteer chief. The Director shall possess the skills, training, and certifications necessary to serve as a senior fire officer, senior EMS officer, or both.

#### **§17-6 Fire and EMS Commission**

A. The Board of Supervisors shall appoint a Fire and EMS Commission ("the Commission") to provide planning-level oversight of the Fire and EMS systems in the County; to oversee strategic planning efforts; and to provide mechanism for collaboration and coordination on issues impacting fire, EMS, and emergency management services with the Director, the County Sheriff, volunteer companies, and the Board of Supervisors. The Commission shall work in coordination with the Director on these issues, and the Director shall provide staff support to the Commission.

B. Membership Composition; Term. The Commission shall consist of seven (7) members including one (1) member of the Board of Supervisors; the Clarke County Sheriff; two (2) representatives recommended by the Clarke County Fire and Rescue Association to represent Fire and EMS services respectively; and three (3) citizens-at-large representing consumers of fire and EMS services. The two (2) Fire and Rescue Association representatives shall serve one-year terms. The three (3) citizens-at-large shall be appointed for initial terms of one (1) year, two (2) years, and three (3) years and thereafter for four (4) year terms. The Sheriff shall serve a term coterminous with the term of office. The Board of Supervisors shall appoint a representative at their annual organizational meeting to serve a one-year term.

C. Responsibilities of the Commission. The Commission shall have the following specific responsibilities to be completed in cooperation with the Director:

1. Develop and maintain a Fire & EMS Strategic Plan.
2. Annually review the Emergency Operations Plan (EOP) and provide recommendations on changes to the Board of Supervisors.
3. Review and advise on implementation strategies for policy and protocol changes for Fire & EMS operations.

4. Provide platform for resolving policy and protocol disputes among the companies, the career staff, and/or with the emergency communications center.
5. Review and provide recommendations on budgetary matters including recommending the use of funding and service agreements.
6. Evaluate compliance with established performance objectives and develop recommendations to address deficiencies.
7. Develop, implement, promote, and participate in annual emergency preparedness exercises.
8. Evaluate other related issues as requested by the Board of Supervisors.

The Commission shall also review and provide recommendations on any proposals by the Director that will have a substantive impact on the County's emergency response system or infrastructure impacting service delivery.

**§17-7 Recognition of Providers of Fire and Emergency Services**

A. Volunteer organizations. The following volunteer organizations are hereby recognized as entities of the Clarke County Department of Fire, Emergency Medical Services (EMS), and Emergency Management and are hereby permitted to provide fire and EMS services in Clarke County:

1. John H. Enders Fire Company and Rescue Squad
2. Boyce Volunteer Fire Company
3. Blue Ridge Volunteer Fire and Rescue Company 8

B. Other organizations and groups. The following organizations and groups are hereby recognized as nonjurisdictional entities that are hereby permitted to provide fire and EMS services in Clarke County:

1. Mount Weather Emergency Operations Center.
2. Entities responding to Clarke County emergencies in accordance with mutual aid agreements.

C. Response areas. Each of the organizations listed in §17-7(A) shall be assigned response areas that provide the best services to the citizens of the County. Response areas shall be determined among the volunteer companies and a written copy of the response areas shall be provided to the Director, who shall maintain the copy and make it available to the Emergency Communications Center, Commission, and the general public. Nonjurisdictional entities listed in §17-7(B) may be assigned a response area if determined to be appropriate by the volunteer companies.

**§17-8            Entities of County Fire and EMS Division responsible to the Department**

A.     Each of the organizations listed in §17-7(A) and (B) shall coordinate their operations and activities with the Department and shall carry out their assigned tasks to the best of their ability.

B.     Each volunteer organization listed in §17-7(A) shall appoint a chief who shall be responsible for the overall direction and control of fire and EMS activities using federally-mandated NIMS protocols within the organization’s respective first due response areas. Additionally, the chief shall ensure that the organization complies with all of the provisions of applicable laws, ordinances, and standard operating procedures/guidelines in coordination with the Department and shall advise and communicate the organization’s operations and activities with the Director.

C.     The fire and EMS Staff, when responding to calls, shall follow all applicable federal, state, and local regulations and will function under the same standards incorporating NIMS as noted in subsection B above.

**§17-9            Personnel Responsibility and Authority**

A.     All officially recognized members of the organizations listed in §17-7(A) and (B) shall perform their respective duties, as outlined in the standard operating procedures/guidelines and applicable laws and ordinances, to the best of their ability.

B.     All officially recognized members of the organizations listed in §17-7(A) and (B) shall be subject any procedures and practices established by the Board of Supervisors.

C.     While performing in their official capacity, each of the members of the organizations and groups listed in in §17-7(A) and (B) shall have the authority to carry out their respective assignments as provided for in applicable laws, ordinances, and standard operating procedures/guidelines.

D.     While performing in their official capacity and acting within the guidelines of the Department, each of the members of the organizations and groups listed in in §17-7(A) and (B) shall be afforded all of the privileges, rights, and remedies available to them under the law.

**§17-10           Obedience to orders of the senior officer in charge at the scene of accidents, disasters, and other fire, medical, and rescue oriented incidents**

Every person present at the scene of any fire, medical, or rescue emergency shall be obedient to the orders of the senior officer in charge in any matter related to fire/medical/rescue matters; freedom of fire and EMS company, personnel, and apparatus to perform their duties or to function properly; and the maintenance of order at or near the scene of the emergency. It shall be unlawful for any person to disobey any such order of the senior officer in charge. The senior officer in charge shall have the authority to cause the arrest of persons who disobey such orders and to hold them in custody until the incident or danger is abated, at which time the violator shall be dealt with according to law.

## Chapter 93 Fire Prevention

### Article I Conduct at Fire Scenes Open Burning Restrictions

[Adopted 1-19-1988 as § 5-1 of the 1987 Code]

~~§ 93-1. Obedience to and authority of officers. Every person present at the scene of a fire or explosion shall be obedient to the orders of firemen and law enforcement officers in any matter relating to extinguishing the fire, removal and protection of persons and property endangered by fire, explosion, smoke or water, freedom of Fire Department and medical personnel and apparatus to perform their duties or to function properly and the maintenance of order at or near the scene of a fire or explosion, and it shall be unlawful for any person to disobey any such order of a fireman or law enforcement officer.~~

~~§ 93-2. Authority of Fire Marshal.<sup>1</sup> The Fire Marshal shall have the authority, pursuant to § 27-34.2:1, Police powers of fire marshals, of the Code of Virginia, to arrest persons who disobey such orders and to hold them in custody until the fire has been extinguished or the danger of explosion abated, at which time the violator shall be dealt with according to law.~~

§ 93.3 1. Open Burning Restrictions.

- a. The Board of Supervisors shall impose such restrictions as it shall deem necessary to limit or prohibit open burning that will be offensive or objectionable due to smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous.
- b. The Board of Supervisors may delegate to the County Administrator the authority to promulgate, impose, or rescind, any such regulations or permits as may be consistent with the Board's action in limiting or banning open burning.
- c. Violation of any restriction, regulation or ban imposed by this section shall be considered a Class 1 misdemeanor.

<sup>1</sup> ~~Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).~~

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### History:

September 16, 2014.

Board of Supervisors voted 3-0-2 (Byrd, Staelin absent) to set public hearing for the October 21, 2014 meeting.

**October 21, 2014.**

**Placed on the Board's October meeting agenda and advertised for public hearing.**



**Clarke County****bstidham@clarkecounty.gov****Re: Fire/EMS Ordinance**

**From :** The Wallaces <wallace.donlaure@gmail.com> Thu, Sep 18, 2014 10:33 AM  
**Subject :** Re: Fire/EMS Ordinance  1 attachment

**To :** Frank Davis <fdavis@clarkecounty.gov>, conrad bryan <conrad.bryan@gmail.com>, parmed416@yahoo.com, ekleffel@gmail.com, Tony Roper <troper@clarkecounty.gov>, amweiss@visuallink.com, jwhit7@aol.com

**Cc :** Brandon Stidham <bstidham@clarkecounty.gov>

I have some comments on the attached document. First and foremost is the language about the role of the Commission in the "Development and Implementation" of Emergency Operations excercises. Let me know if you cannot read the tracked changes in the text.

Cheers,  
 Laure


----- Original Message -----

From: "Frank Davis" <fdavis@clarkecounty.gov>  
 To: "Laure Wallce" <wallace.donlaure@gmail.com>; <conrad.bryan@gmail.com>; <parmed416@yahoo.com>; <ekleffel@gmail.com>; "Tony Roper" <troper@clarkecounty.gov>; <amweiss@visuallink.com>; <jwhit7@aol.com>  
 Cc: "Brandon Stidham" <bstidham@clarkecounty.gov>  
 Sent: Thursday, September 18, 2014 8:55 AM  
 Subject: Fire/EMS Ordinance

> Good Morning,  
 >  
 > Attached is a copy of the revised County Code to establish the Department  
 > of Fire, Emergency Medical Services and Emergency Management for Clarke  
 > County. A Public Hearing is set for October 21st at 6:30PM.  
 >  
 > Please review and if you have any questions or concerns please contact  
 > Brandon Stidham or myself.  
 >

>  
> Thanks  
> Frank Davis

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 **Fire-EMS Text Amendment\_Oct14BOS\_Wallace Comments.docx**  
28 KB

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FOR BOARD OF SUPERVISORS PUBLIC HEARING  
OCTOBER 21, 2014

**COUNTY CODE TEXT AMENDMENT (CC-2014-03): Establish Department of Fire, Emergency Medical Services (EMS), and Emergency Management**

**Description:**

Proposed amendment to add a new Chapter 17, Department of Fire, Emergency Medical Services (EMS), and Emergency Management; and to amend Chapter 93, Fire Prevention to the Code of Clarke County. The purpose of the amendment is to create a new Department for the management of Fire, EMS, and Emergency Management; to establish the roles and responsibilities of the Department director, County staff, and the Fire and EMS Commission; and to identify the County's providers of fire and emergency medical services and their relationship to the Department. The amendment also clarifies the role of the senior officer in charge of an incident as established by the Code of Virginia.

**Code of Virginia Authority:**

- §18.2-414.1, Obstructing members of rescue squad in performance of mission; penalty.
- §27-14, Ordinances as to fire/EMS departments, etc.
- §27-15.1, Authority of chief, director or other officer in charge when answering alarm or operating at an emergency incident; penalty for refusal to obey orders.
- §27-23.6, Provision of fire-fighting or emergency medical services.
- §44-146.19, Powers and duties of political subdivisions.

-----  
**Amendment Text (Proposed changes to Chapter 93 are shown in bold italics with strikethroughs where necessary. Chapter 17 is a new proposed code chapter.):**

**CHAPTER 17 FIRE, EMERGENCY MEDICAL SERVICES (EMS), AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

Code of Virginia References (§18.2-414.1; §27-14, 15.1, and 23.6; §44-146.19)

**§17-1 Establishment of the Department of Fire, Emergency Medical Services (EMS), and Emergency Management**

A. In order to help ensure the protection of citizens, visitors, and property of Clarke County, the firefighting, emergency medical services (EMS), and emergency management services are organized under a Department of Fire, Emergency Medical Services (EMS), and Emergency Management ("the Department"). These services shall be provided by using both County-employed and volunteer company firefighters and EMS personnel. As such, the County-recognized volunteer fire-fighting and EMS entities shall be deemed an instrumentality of the County and shall receive the full benefit and protections of the law while acting in that capacity.

B. In order to effectively carry out the provisions of Subsection A of this section, the Department shall be organized to coordinate all fire, EMS, and emergency management and preparedness services within the County.

FOR BOARD OF SUPERVISORS PUBLIC HEARING  
OCTOBER 21, 2014

C. The Department shall be composed of the County officials and County-employed staff (“the Staff”) of the Department, and the volunteer fire and EMS companies. The volunteer fire and EMS companies are recognized as entities of the Department and are an integral part of the County’s public safety program.

**§17-2 Appointment of a Director of Fire and Emergency Medical Services (EMS)**

A. The County Administrator shall appoint a Director of Fire and Emergency Medical Services (EMS) (“the Director”) to head the Department and to carry out the responsibilities set forth in §17.5. The Director shall report to the County Administrator and the Department Staff shall report to the Director.

**§17-3 Appointment of a Coordinator of Emergency Management**

A. The County Administrator shall serve as the County’s Coordinator of Emergency Management. The responsibilities of the Coordinator of Emergency Management may be delegated to the Director at the discretion of the County Administrator.

B. The Coordinator of Emergency Management shall provide general management of the planning, preparation, and response for any disaster which impacts the County and requires implementation of the County’s emergency operations plan.

**§17-4 Responsibilities of the Department**

A. The Department shall be responsible for coordinating and managing the services and functions as described above in §17-1 and in the sections below.

B. The Department may employ Staff to perform a variety of functions to support fire, EMS, and emergency management services. These functions include but are not limited to firefighting, emergency medical services/EMT, volunteer recruitment/retention, grant writing, and administrative services. The Director shall manage and oversee the Staff unless otherwise designated by the County Administrator.

**§17-5 Responsibilities of the Director**

A. The Director shall carry out the responsibilities and general management of the Department, shall establish and enforce Departmental policies, procedures, and guidelines consistent with this Chapter for the administration and operation of the Department. The Director’s specific responsibilities shall be as assigned by the County Administrator.

B. The Director shall have management oversight of the Department’s Staff. Management oversight of the volunteer companies and volunteer staff shall be the responsibility of the chiefs of the individual companies and their respective governing boards.

FOR BOARD OF SUPERVISORS PUBLIC HEARING  
OCTOBER 21, 2014

C. The Director shall make periodic recommendations to the County Administrator and Board of Supervisors on how to effectively provide the best fire and emergency services available based on risk management principles within the parameters established by the Board for fiscal management and emergency response service level objectives. Any recommendations proposed by the Director that will have a substantive impact on the County's emergency response system or infrastructure impacting service delivery shall be reviewed by the Fire and EMS Commission prior to presenting the recommendations to the Board of Supervisors. The results of the Commission's review shall also be provided to the Board of Supervisors.

D. The Director shall serve as a senior officer for fire and/or EMS and shall have the authority to take command of an incident on an as-needed basis in the absence of a volunteer chief. The Director shall possess the skills, training, and certifications necessary to serve as a senior fire officer, senior EMS officer, or both.

**§17-6 Fire and EMS Commission**

A. The Board of Supervisors shall appoint a Fire and EMS Commission ("the Commission") to provide planning-level oversight of the Fire and EMS systems in the County; to oversee strategic planning efforts; and to provide mechanism for collaboration and coordination on issues impacting fire, EMS, and emergency management services with the Director, the County Sheriff, volunteer companies, and the Board of Supervisors when those issues cannot be effectively managed through the working relationships between entities and/or with the direction and support of the Director. The Commission shall work in coordination with the Director on these issues, and the Director shall provide staff support to the Commission.

B. Membership Composition; Term. The Commission shall consist of seven (7) members including one (1) member of the Board of Supervisors; the Clarke County Sheriff; two (2) representatives recommended by the Clarke County Fire and Rescue Association to represent Fire and EMS services respectively; and three (3) citizens-at-large representing consumers of fire and EMS services. (Just an aside. I am concerned that all three "citizen" members are or have been active fire company members. In the future, the Board should consider true consumers who have not been providers or company members at some point.) The two (2) Fire and Rescue Association representatives and the Board of Supervisors appointee shall serve one-year terms. The three (3) citizens-at-large shall be appointed for initial terms of one (1) year, two (2) years, and three (3) years and thereafter for four (4) year terms. The Sheriff shall serve a term coterminous with the term of office. The Board of Supervisors member shall be appointed annually by the Board.

C. Responsibilities of the Commission. The Commission shall have the following specific responsibilities to be completed in cooperation with the Director:

1. Develop and maintain a Fire & EMS Strategic Plan.
2. Annually review the Emergency Operations Plan (EOP) and provide recommendations on changes to the Board of Supervisors.
3. Review and advise on implementation strategies for policy and protocol changes for Fire & EMS operations.

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4. Provide platform for resolving policy and protocol disputes among the companies, the career staff, and/or with the emergency communications center.
5. Review and provide recommendations on budgetary matters including recommending the use of funding and service agreements.
6. Evaluate compliance with established performance objectives and develop recommendations to address deficiencies.
7. ~~Develop, implement, promote, and participate in~~ Support annual emergency preparedness exercises through review of proposed exercise plans, participation in exercises, helping with citizen understanding of the exercises, gaining public support when necessary, and evaluating plans to address performance deficits. (PLEASE NOTE: I feel very strongly that the Commission should not be involved in this type of tactical management activity. The role of the Commission should be strategic and that does not involve the development or implementation of a specific set of duties in the annual performance of the fire and ems service. Working with the Director to garner support and evaluation performance to inform strategic needs and direction is well within the role of the Commission.)
8. Evaluate other related issues as requested by the Board of Supervisors.

The Commission shall also review and provide recommendations on any proposals by the Director that will have a substantive impact on the County's emergency response system or infrastructure impacting service delivery.

**§17-7 Recognition of Providers of Fire and Emergency Services**

A. Volunteer organizations. The following volunteer organizations are hereby recognized as entities of the Clarke County Department of Fire, Emergency Medical Services (EMS), and Emergency Management and are hereby permitted to provide fire and EMS services in Clarke County:

1. John H. Enders Fire Company and Rescue Squad
2. Boyce Volunteer Fire Company
3. Blue Ridge Volunteer Fire and Rescue Company 8

B. Other organizations and groups. The following organizations and groups are hereby recognized as nonjurisdictional entities that are hereby permitted to provide fire and EMS services in Clarke County:

1. Mount Weather Emergency Operations Center.
2. Entities responding to Clarke County emergencies in accordance with mutual aid agreements.

(Does a Mutual Aid agreement cover the role of Warren County for serving the SE corner of the County? I assume it does, but wanted to make sure it was a mutual aid agreement and not some other form of agreement.)

C. Response areas. Each of the organizations listed in §17-7(A) shall be assigned response areas that provide the best services to the citizens of the County. Response areas shall be

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determined among the volunteer companies and a written copy of the response areas shall be provided to the Director, who shall maintain the copy and make it available to the Emergency Communications Center, Commission, and the general public. Nonjurisdictional entities listed in §17-7(B) may be assigned a response area if determined to be appropriate by the volunteer companies. (Is there a role here for the Director to ensure that the boundaries developed by the Volunteer companies ensures the best support for performance metrics?)

**§17-8            Entities of County Fire and EMS Division responsible to the Department**

A.        Each of the organizations listed in §17-7(A) and (B) shall coordinate their operations and activities with the Department and shall carry out their assigned tasks to the best of their ability.

B.        Each volunteer organization listed in §17-7(A) shall appoint a chief who shall be responsible for the overall direction and control of fire and EMS activities using federally-mandated NIMS protocols within the organization's respective first due response areas. Additionally, the chief shall ensure that the organization complies with all of the provisions of applicable laws, ordinances, and standard operating procedures/guidelines in coordination with the Department and shall advise and communicate the organization's operations and activities with the Director.

C.        The fire and EMS Staff, when responding to calls, shall follow all applicable federal, state, and local regulations and will function under the same standards incorporating NIMS as noted in subsection B above.

**§17-9            Personnel Responsibility and Authority**

A.        All officially recognized members of the organizations listed in §17-7(A) and (B) shall perform their respective duties, as outlined in the standard operating procedures/guidelines and applicable laws and ordinances, to the best of their ability.

B.        All officially recognized members of the organizations listed in §17-7(A) and (B) shall be subject any procedures and practices established by the Board of Supervisors.

C.        While performing in their official capacity, each of the members of the organizations and groups listed in in §17-7(A) and (B) shall have the authority to carry out their respective assignments as provided for in applicable laws, ordinances, and standard operating procedures/guidelines.

D.        While performing in their official capacity and acting within the guidelines of the Department, each of the members of the organizations and groups listed in in §17-7(A) and (B) shall be afforded all of the privileges, rights, and remedies available to them under the law.

**§17-10           Obedience to orders of the senior officer in charge at the scene of accidents, disasters, and other fire, medical, and rescue oriented incidents**

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Every person present at the scene of any fire, medical, or rescue emergency shall be obedient to the orders of the senior officer in charge in any matter related to fire/medical/rescue (does this need to include Police?) matters; freedom of fire and EMS company, personnel, and apparatus to perform their duties or to function properly; and the maintenance of order at or near the scene of the emergency. It shall be unlawful for any person to disobey any such order of the senior officer in charge. The senior officer in charge shall have the authority to cause the arrest of persons who disobey such orders and to hold them in custody until the incident or danger is abated, at which time the violator shall be dealt with according to law.

**Chapter 93 Fire Prevention**

**Article I ~~Conduct at Fire Scenes~~ Open Burning Restrictions**

[Adopted 1-19-1988 as § 5-1 of the 1987 Code]

**§ 93-1. Obedience to and authority of officers.**

~~Every person present at the scene of a fire or explosion shall be obedient to the orders of firemen and law enforcement officers in any matter relating to extinguishing the fire, removal and protection of persons and property endangered by fire, explosion, smoke or water, freedom of Fire Department and medical personnel and apparatus to perform their duties or to function properly and the maintenance of order at or near the scene of a fire or explosion, and it shall be unlawful for any person to disobey any such order of a fireman or law enforcement officer.~~

**§ 93-2. Authority of Fire Marshal.**

~~The Fire Marshal shall have the authority, pursuant to § 27-34.2:1, Police powers of fire marshals, of the Code of Virginia, to arrest persons who disobey such orders and to hold them in custody until the fire has been extinguished or the danger of explosion abated, at which time the violator shall be dealt with according to law.~~

**§ 93.3 1. Open Burning Restrictions.**

- a. The Board of supervisors shall impose such restrictions as it shall deem necessary to limit or prohibit open burning that will limit or prohibit open burning that will be offensive or objectionable due to smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous.



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- b. The Board of Supervisors may delegate to the County Administrator the authority to promulgate, impose, or rescind, any such regulations or permits as may be consistent with the Board's action in limiting or banning open burning.
- c. Violation of any restriction, regulation or ban imposed by this section shall be considered a Class 1 misdemeanor.

<sup>†</sup>~~Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).~~



**Clarke County Planning Department**  
**101 Chalmers Court, Suite B**  
**Berryville, Virginia 22611**  
**(540) 955-5132**

**TO: Board of Supervisors**

**FROM: Brandon Stidham, Planning Director**

**RE: Town-County Economic Development and Tourism Memorandum of Understanding Implementation Item – Appoint County Representatives on Joint Committee**

**DATE: October 6, 2014**

Enclosed for your reference is the final version of the Memorandum of Understanding (MOU) Between the Town of Berryville and Clarke County Regarding Economic Development and Tourism. Attachment A has been updated with specific deadlines for the implementation of initial year priority items and projected date ranges for implementing items beyond the initial year.

For this month, the Board of Supervisors needs to appoint members to the Joint Committee for Economic Development and Tourism pursuant to Item #3 in the MOU. As you may recall, the Joint Committee would be charged with supervising the Town and County's economic development and tourism efforts. The Committee would consist of four (4) members – the Town Manager or designee, the County Administrator, a Town Council member, and a Board of Supervisors member. Staff recommends that the Board take action at the October 21 regular meeting to appoint David Ash and a Board of Supervisors member in order to complete the County's required appointments.

Once the Joint Committee is formed, the priority item for their initial meeting is to create a job description and begin recruiting for the position of Economic Development Director. This item has a completion date of November 16 with the goal of having a part or full-time director beginning work by Spring 2015.

Please do not hesitate to contact me if you have questions or concerns in advance of the meeting.

# Clarke County Board of Supervisors



**Berryville Voting District**  
J. Michael Hobert – Chair  
(540) 955-4141

**Millwood Voting District**  
John R. Staelin  
(540) 837-1903

**White Post Voting District**  
Bev McKay  
(540) 837-1331

**Buckmarsh Voting District**  
David S. Weiss – Vice Chair  
(540) 955-2151

**Russell Voting District**  
Barbara J. Byrd  
(540) 955-1215

**County Administrator**  
David L. Ash  
(540) 955-5175

## Memorandum of Understanding (MOU) Between The Town of Berryville and Clarke County Regarding Economic Development and Tourism

**WHEREAS**, the Town of Berryville and Clarke County over the past four decades have worked cooperatively to promote a unique and highly successful land use philosophy that focuses growth and development within the Town while preserving the County's natural, historical, and agricultural resources; and

**WHEREAS**, the County's small land area, close proximity to four surrounding urban growth areas, and limited access to public water and sewer capacity make the sharing of Economic Development resources a necessity; and

**WHEREAS**, the future of economic development – including business, retail, industry, agriculture, and Tourism – in Clarke County is dependent upon effective collaboration and cooperation between the Town and County;

**AND WHEREAS**, the Town and the County recognize that combining resources and creating unified points of contact for Economic Development and Tourism will enable our communities to more efficiently address the needs of new and existing businesses, streamline regulations and regulatory processes, and more effectively market our unique assets.

**NOW THEREFORE, BE IT RESOLVED THAT** the Town of Berryville and Clarke County agree to work cooperatively to implement the following action items:

1. **Establish Joint Management of Economic Development and Tourism.** The Town and County shall jointly manage the Economic Development and Tourism efforts in Clarke County and the Town of Berryville on an ongoing basis.
2. **Establish Single Points of Contact for Economic Development and Tourism.** Both the Town and County agree that it would be best if the business community dealt with single points of contact for Economic Development and Tourism.
3. **Create a Joint Committee for Economic Development and Tourism.** The Town and County shall create a four member Committee ("Joint Committee") to supervise Economic Development and Tourism efforts. The Committee shall consist of the Town Manager or designee, the County Administrator, a Town Council Member and a County Supervisor. Initially, the Joint Committee will

[www.clarkecounty.gov](http://www.clarkecounty.gov)

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Berryville, VA 22611

Telephone: [540] 955-5175

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meet monthly but may change that schedule as the Committee deems appropriate. The Joint Committee is empowered to choose its own leaders but it is suggested that the Chair alternate between the two elected officials. The Joint Committee shall be appointed by the Town and County within 30 days of adoption of this MOU.

4. **Hire an Economic Development Director.** The County will hire an Economic Development Director with input from the Joint Committee. Initially this may be a part-time position. The County will create a job description and provide it to the Joint Committee for review and input into its development. This Economic Development Director will report to County Administrator but will also consult with the Joint Committee. Unless the County can find someone with all the needed skills it is unlikely the Director will supervise many efforts in the area of Tourism. The Director shall staff the Industrial Development Authority (IDA) and the Economic Development Advisory Committee (EDAC), and shall incorporate the work product of these groups into the overall Town-County economic development strategy. The selection process shall begin within 60 days of the adoption of this MOU with the goal of having the Director begin work in Spring 2015.
5. **Conduct Joint Review of Economic Development and Tourism Funding.** For FY16 and beyond both the County and Town agree to conduct an ongoing joint review of Economic Development/Tourism funding during their annual budget process. The County Administrator and Town Manager or designee shall be responsible for organizing this review in conjunction with County and Town finance committees and the Joint Administrative Services Director. Such review shall begin in the 4<sup>th</sup> quarter of the 2014 calendar year in conjunction with the development of the FY2015-2016 budgets. The Joint Committee shall coordinate any budgetary requests with the Town's and County's annual budget processes. As the County Administrator and Town Manager serve on the Joint Committee it is expected that they will be able to represent the desires of the Committee.
6. **Budgetary Control and Impact on Tax Revenues.** The Joint Committee will do its best to understand how Economic Development and Tourism affect the tax revenues of the Town and County so that proposals can be made to equitably divide costs. However, both the Town and County reserve the right to control their own Economic Development and Tourism budgets.
7. **Identify and Mitigate Real and Perceived Barriers to Economic Development.** One of the first duties of the Joint Committee shall be to determine the best way to add to the past information gathering activities of the Town and the Economic Development Strategic Planning Subcommittee by soliciting additional input from the business community as to the real and perceived barriers to Economic Development. A workplan to obtain this input and develop strategies to mitigate these real and perceived barriers shall be developed and initiated by the Joint Committee within 60 days of the Economic Development Director's start date.
8. **Joint Regulatory Review by Planning Directors.** The Town and County shall charge their Planning Directors to use the data collected above as well as their Director's own knowledge to complete a joint regulatory review and offer suggestions back to the governing bodies of changes that could be made to make both the Town and County more business friendly. This effort shall be scheduled in conjunction with the workplan set forth in Item #7 above.
9. **Publicize the Regulatory Review Recommendations and Their Implementation.** The final report of the regulatory review outlined in Item #8 shall be publicized within 60 days of acceptance by the

governing bodies, and the resultant changes shall be publicized as the report's recommendations are implemented.

10. **Establish Technical Guidance/Support for Tourism Efforts.** The Joint Committee shall decide whether the County and Town's Tourism effort should be guided by a staff member, consultant, or a designated group. The selected entity will report to either the Town Manager or County Administrator and will receive guidance from the Joint Committee. The Joint Committee may wish to request proposals from consultants and groups in order to help evaluate the different options for this item. The initial goals of the Tourism effort shall be the creation of a single Tourism website and the development of ways to cross-promote Tourism at existing events. The Joint Committee shall make this decision within 120 days of the adoption of this MOU.
11. **Creation and Management of Joint Economic Development and Tourism Websites and Associated Social Media.**
  - A. **Develop and Manage Joint Economic Development Website.** The Town and the County shall have a single internet presence for Economic Development to include a website and associated social media. Creation of a single internet presence shall be the Economic Development Director's top priority project. The initial steps of this effort shall begin immediately following the adoption of this MOU with a targeted delivery date of the combined internet presence within 4-6 months of the Economic Development Director's start date. The Economic Development Director shall be responsible for keeping the website and associated social media up to date with oversight by the Joint Committee.
  - B. **Develop and Manage Joint Tourism Website.** The Town and the County shall have a single internet presence for Tourism to include a website and associated social media. Creation of a single internet presence shall be evaluated by the Joint Committee and a recommended work plan shall be provided by the Committee within three (3) months of the Committee's initial meeting.
12. **Identify New Revenue Sources for Economic Development and Tourism.** There shall be ongoing, coordinated efforts to explore new revenue sources for Economic Development and Tourism to benefit both the Town and County. This effort shall begin in the near term with pursuing the Virginia Tourism Corporation Marketing Leverage Grant or other tourism-related grants, and evaluation of raising the County's transient occupancy tax (TOT)<sup>1</sup> to 5% through General Assembly action to allow earmarking of funds in excess of 2% for Tourism-related efforts, and establishing a TOT for the Town. This effort will also include evaluating the County's potential use of the business professional and occupational license (BPOL) tax. Longer term efforts shall be an ongoing responsibility of the Economic Development Director and part of the joint annual evaluation of the Town and County economic development budgets.

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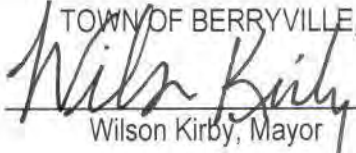
<sup>1</sup> Transient Occupancy Tax is a tax paid by visitors and is collected by operators of hotels, motels, boarding houses, and other lodging places which can accommodate four or more persons at one time as well as travel campgrounds that offer guest rooms or other accommodations rented out for continuous occupancy for fewer than 30 consecutive days. This tax is authorized by 58.1-3819 of the Code of Virginia and is codified under Article XVII of the Code of Clarke County.

13. **Develop Business Retention Strategies.** The Joint Committee shall work with the Economic Development Director and possibly a consultant to create business retention strategies. Work on this item shall begin within 60 days of the completion of the regulatory review/streamlining report outlined in Items #7 and #8.
14. **Foster Economic Development Relationships.** The Town and County shall work jointly on establishing partnerships with developers, landowners, building owners, and other stakeholders to facilitate new development and redevelopment of properties. This is an ongoing responsibility that shall be undertaken by the Economic Development Director with processes established to enable potential projects or issues to be brought to the governing bodies after review by the Joint Committee for discussion by the aforementioned stakeholders.
15. **Develop Incentive Programs to Attract New Businesses and Retain Existing Businesses.** The Town and County shall jointly develop incentive programs to attract new businesses and to help existing businesses grow and expand. This item requires Economic Development technical expertise and shall be assigned to the Economic Development Director. Creation of a report of potential incentive program options for consideration by the Town and County shall be completed within one year of the hire date of the Economic Development Director.
16. **Joint Development of Agricultural Marketing Strategies.** The Town and County shall jointly develop agricultural marketing strategies to benefit agricultural/ agribusiness entities in the County and agricultural retail and Tourism resources (e.g., Farmers Market, farm-to-table, farm supply business) in the Town. This item requires marketing technical expertise and shall be assigned to lead points of contact for Economic Development and Tourism. Creation of a Marketing Strategies Report shall be created for consideration by the Town and County. This Report shall be completed within one year of the adoption date of this MOU.
17. **Regional Tourism Marketing and Promotion.** The Town and County shall support regional cooperation in marketing/promoting tourism. This item requires tourism/marketing technical expertise and shall be assigned to lead points of contact for Tourism. Existing staff shall continue to be actively involved in current regional efforts to market Town and County Tourism efforts.
18. **Support Efforts to Increase Accommodation Capacity.** Development of increased accommodation capacity shall be supported by the Town and County. In the near term, Town and County staffs, with guidance from the Joint Committee, shall determine whether there are joint measures that could be undertaken to secure a hotel in the Town. As an ongoing project, the Joint Committee and/or the Economic Development Director and Tourism lead points of contact shall work to identify and promote all sources of accommodations including hotels, bed and breakfasts, and country inns.
19. **Foster Tourism Relationships.** The Town and County shall work to establish relationships with stakeholders to facilitate growth of the Tourism industry. This is an ongoing responsibility that shall be undertaken by the Tourism lead points of contact with processes established to enable issues to be brought to the governing bodies for discussion by the aforementioned stakeholders.


The aforementioned action items are summarized by priority in Attachment A, Timeline of Action Items, to this MOU.

**BE IT FURTHER RESOLVED THAT** it is expected that this Memorandum of Understanding will be modified as the Town and County learn from their experiences. This MOU shall renew automatically on July 1, 2015 and annually on July 1 thereafter, however either the Town or the County may choose to request the opportunity to review or modify this MOU with provision of 60 days of notice to the other party. Either party may cancel this MOU with provision of written notice to the other party no later than May 1 of each year.

WITNESS the following signatures and seals:

TOWN OF BERRYVILLE, VIRGINIA  
By  (SEAL)  
Wilson Kirby, Mayor

Adopted Unanimously September 9, 2014

COUNTY OF CLARKE, VIRGINIA  
By  (SEAL)  
J. Michael Hobert, Chair

Adopted Unanimously September 16, 2014

## ATTACHMENT A TIMELINE OF ACTION ITEMS

### Prioritized Items (Initial Year)

- **Within thirty (30) days of the adoption date of this MOU (October 16, 2014)** Create a Joint Committee for Economic Development and Tourism (Item #3)
- **Within sixty (60) days of the adoption date of this MOU (November 16, 2014)** Create a job description and recruit for the position of Economic Development Director with the goal of hiring a part or full-time Director by Spring 2015. (Item #4)
- **Within 120 days of the adoption date of this MOU (January 16, 2015)** -- The Joint Committee shall complete a review of Town and County funding of the economic development effort and make recommendations to the Finance Committees of the Town and County, in conjunction with the annual budget process, for integrated response to funding needs. (Items #5 and #6)
- **Within 120 days of the adoption date of this MOU (January 16, 2015)** – The Joint Committee shall recommend a work plan to identify technical guidance/support for tourism efforts and for development of the Joint Tourism website (Item #10 and Item #11B)
- **Within ten (10) months of the adoption date of this MOU (July 16, 2015)** – Identify and Mitigate Real and Perceived Barriers to Economic Development – develop and initiate workplan (Item #7); Joint Regulatory Review by Planning Directors – develop and initiate workplan (Item #8)
- **Within one (1) year of the adoption date of this MOU (September 16, 2015)** – Joint Development of Agricultural Marketing Strategies report (Item #16)

### Prioritized Items (Beyond Initial Year)

- **Within 12 to 14 months of the adoption date of this MOU (September/November 2015)** – Targeted Delivery of Joint Economic Development Website (Item #11A)
- **Within sixty (60) days of completion of regulatory report outlined in Items #7 and #8 (late 2015/early 2016)** – Begin work on developing business retention strategies (Item #13)
- **Within one (1) year of the hire date of the Economic Development Director (mid 2016)** – Report on Incentive Programs to Attract New Businesses and Retain Existing Businesses (Item #15)

### Ongoing Items

- Establish Joint Management of Economic Development and Tourism (Item #1)
- Establish Single Points of Contact for Economic Development and Tourism (Item #2)



- Conduct Joint Review of Economic Development and Tourism Funding (Item #5) – In conjunction with annual budget processes
- Budgetary Control and Impact on Tax Revenues (Item #6)
- Publicize the Regulatory Review Recommendations and Their Implementation (Item #9)
- Identify New Revenue Sources for Economic Development (Item #12) – In conjunction with annual budget processes
- Foster Economic Development Relationships (Item #14)
- Develop recommendations for Regional Tourism Marketing and Promotion (Item #17)
- Support Efforts to Increase Accommodation Capacity (Item #18)
- Foster Tourism Relationships (Item #19)

MEMORANDUM

TO: Board of Supervisors

FR: Thomas Judge, Director of Joint Administrative Services

DT: 10/14/2014

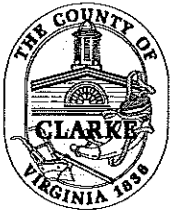
RE: *October Finance*

1. **FY 14 Year-End Transfers and Supplemental Appropriations.** The following appropriation actions are recommended:
  - a. *Treasurer.* Be it resolved that \$4,195 be transferred from the Personnel Contingency to the Treasurer to cover additional health insurance coverage.
  - b. *Treasurer.* Be it resolved that budgeted expenditure and appropriation be increased \$2,067 in the office of the Treasurer, and that estimated revenue be increased in the same amount, all for the purpose of paying credit card fees.
  - c. *Assessor.* Be it resolved that \$172 be transferred from the Commissioner of the Revenue advertising to the Assessor advertising.
  - d. *Data Processing.* Be it resolved that \$5,234 be transferred from the Minor Capital Contingency to Data Processing to cover purchase of additional microcomputers necessitated by the phase out of Microsoft XP.
  - e. *General District Court.* Be it resolved that General District Court budgeted expenditure and appropriations be increased \$1,137 to cover unauthorized increased phone lines added during the year.
  - f. *Victim Witness.* Be it resolved that \$432 be transferred from Personnel Contingency to the Victim Witness program to cover benefit costs, and be it further resolved that \$180 be transferred from Minor Capital Contingency to cover mobile phone costs.
  - g. *Juvenile Detention.* Be it resolved that \$1 be transferred from the Professional Services contingency to Juvenile Detention to cover a minor overage.
  - h. *Building Inspections.* Be it resolved that \$439 be transferred from the Personnel Contingency to cover benefit costs associated with employee turnover.

- i. *Maintenance.* Be it resolved that the Maintenance budgeted expenditures and appropriations be increased \$36,545 to cover costs associated with: new compressor and pump at 101 Chalmers; utility costs associated with an especially cold winter; and, a large and lengthy water line break at the Swimming Pool.
  - j. *Board of Zoning Appeals.* Be it resolved that \$116 be transferred from the Legal Services Contingency to the Board of Zoning Appeals to cover legal costs associated with a property owner challenge concerning the number of DURs associated with a given property.
  - k. *Planning Commission.* Be it resolved that \$5,210 be transferred from the contingency for Legal Services to the Planning Commission to cover legal costs associated with a property owner challenge to a decision regarding a kennel.
2. **FY 15 Transfer.** *Be it resolved that \$70,245 be transferred from Emergency Medical Services to Volunteer Fire Companies to provide for the salary of the Fire and Rescue Coordinator.*
  3. **FY 15 Supplemental: Historic Driving Brochure.** Please find a memo from the Planning Director attached. *"Be it resolved that budgeted expenditure and appropriation of the Historic Preservation Committee be increased \$2,500, and be it further resolved that the contingency for government savings be reduced in the same amount, all for the purpose of funding the Historic Driving Brochure."*
  4. **Social Services FY 15 Supplemental Appropriation Request.** Please find an expression of need from the Social Services Director for a new vehicle based on unexpended FY 14 funds. The Social Services Director will clarify the specific dollar request.
  5. **General Government Capital Projects Carryover.** Please find this proposal attached. *"Be it resolved that budgeted and appropriated expenditure of \$1,808,310 carryover from the FY 14 to FY 15 General Government Capital Projects Fund to be funded with estimated revenue of \$472,483, \$177,514 in ending fund balance, and \$1,158,313 in transfer from the General Fund."*
  6. **School Board Capital Projects Carryover.** Please find this proposal attached. *"Be it resolved that budgeted and appropriated expenditure of \$2,180,570 carryover from the FY 14 to FY 15 School Capital Projects Fund to be funded with estimated revenue of \$295,619, and \$1,884,952 in transfer from the General Fund."*
  7. **Conservation Easement Fund Carryover.** *"Be it resolved that ending balances of local tax funding (\$176,543), Donations (\$92,358), and Commonwealth Stewardship funds (\$55,132) in the Conservation Easement Fund be carried forward as unappropriated balances in that fund for*

*FY 15 for use in funding Conservation Easement purchases for which a local match is required, and related activities of the Conservation Easement Authority”.*

8. **Fund Balance Designations.** Please find attached a draft of the Fund Balance Designations. These designations should be considered and established in November, when no possibility of further auditor adjustment exists, but prior to Financial Report production.
9. **Bills and Claims (may be late due to ERP implementation).**
10. **Standing Reports (may be late due to ERP implementation).**



## Clarke County Planning Department

101 Chalmers Court, Suite B

Berryville, Virginia 22611

(540) 955-5132

**TO:** Board of Supervisors – Finance Committee

**FROM:** Brandon Stidham, Alison Teetor

**SUBJECT:** Carry-forward request for Historic Preservation Commission (HPC) driving tour map brochures

**DATE:** October 6, 2014

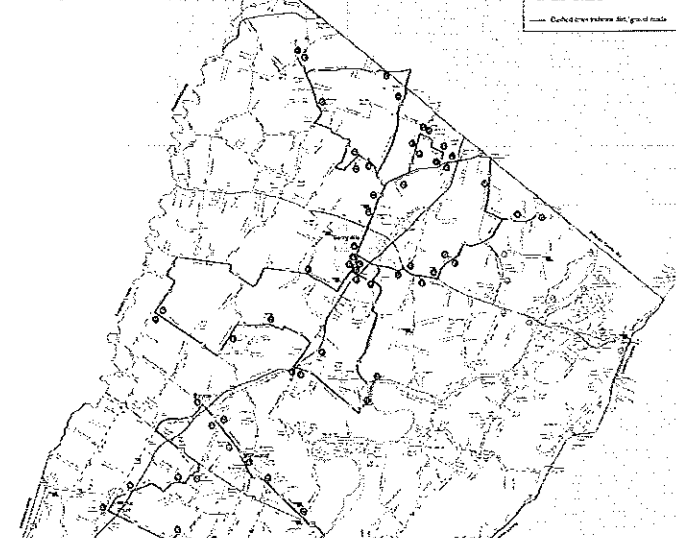
At the January 13, 2014 Finance Committee meeting, Planning Staff presented a request for carry-forward of FY2013 funds in the amount of \$6,900 to cover the cost of completing and printing the Historic Preservation Commission's (HPC) driving tour brochure and map. This is a project that the HPC began approximately 2 1/2 years ago in order to include information on two districts that were approved since the brochures were first printed – the Bear's Den and Chapel Rural Historic Districts – as well as to add approximately 55 sites with detailed descriptions. The project would also result in the combination of the current brochures for Greenway, Longmarsh/Berryville, and White Post/Millwood into a single unified brochure with the new sites and districts in a foldout map format.

The Finance Committee supported this request and the Board of Supervisors approved the funding at their meeting on January 21. The \$6,900 in funding consisted of \$4,400 for Maral Kalbian to draft and edit the site descriptions and \$2,500 in estimated printing costs. The goal was to complete and print the brochure prior to the end of FY2014 – Ms. Kalbian's work on the brochure was successfully completed and billed but additional time was needed for the HPC members to review the draft brochure and to field test the tour routes. Because of the additional time needed by the HPC to test the routes and polish the brochure, we were unable to complete the printing by the end of FY2014.

The HPC recently completed their work on the driving tour map brochures (see attached copy) and are ready to solicit bids for printing work. Staff is requesting a carry-forward of the previously-approved \$2,500 from the FY2014 budget in order to complete this project. If approved, Staff would follow the County's procurement regulations to secure a printing contractor.

Please let us know if you have any questions or concerns about this project or the funding request.

# Clarke County, Virginia



**Important Notice**  
 All the program materials in this packet are available for download on the Clarke County website at [www.clarkecountyva.gov](http://www.clarkecountyva.gov). If you are unable to access the website, please contact the County Office at 540-885-3333.

## Tour 1: Northwestern Clarke County

Approximately 13 miles and 1.5 hours  
 This tour covers the northwestern portion of Clarke County, highlighting historical sites and scenic views. Key stops include the Old Chapel District, the site of the first settlement, and the remains of a 17th-century fort. The tour also passes through the scenic Blue Ridge Mountains, offering breathtaking views of the valley below.

## Tour 2: Town of Berryville & Long Marsh Historic District

Approximately 18 miles and 2.5 hours  
 This tour focuses on the town of Berryville and the Long Marsh Historic District. Visitors will explore the well-preserved architecture of the Long Marsh plantation, including the main house and outbuildings. The tour also includes a visit to the Berryville Historic District, featuring a collection of historic homes and shops.

## Tour 3: Chapel Historic District

Approximately 20 miles and 3 hours  
 This tour explores the Chapel Historic District, a well-preserved area of historic homes and buildings. The district is known for its high-quality craftsmanship and attention to detail. Visitors will see a variety of architectural styles, from Georgian to Federal, and learn about the lives of the people who lived there.

## Tour 4: Bear's Den Historic District

Approximately 25 miles and 4 hours  
 This tour visits the Bear's Den Historic District, a large plantation complex with a rich history. The main house, built in the 17th century, is a masterpiece of colonial architecture. The tour also includes a visit to the plantation's extensive gardens and the remains of a 17th-century fort.

## Tour 5: Boyce, Milbrod, White Post & Greenvale Historic District

Approximately 22 miles and 3 hours  
 This tour covers the Boyce, Milbrod, White Post, and Greenvale Historic Districts. It features a diverse collection of historic homes and buildings, each with its own unique story. The tour provides a comprehensive look at the architectural and cultural heritage of these areas.

## Tour 6: Berryville Walking Tour

This walking tour explores the town of Berryville, highlighting its historic architecture and landmarks. Key sites include the Berryville Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the town's history.

## Tour 7: Boyce Driving Tour

This driving tour explores the town of Boyce, highlighting its historic architecture and landmarks. Key sites include the Boyce Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the town's history.

## Tour 8: Village of White Post Driving Tour

This driving tour explores the village of White Post, highlighting its historic architecture and landmarks. Key sites include the White Post Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the village's history.

## Tour 9: Berryville Walking Tour

This walking tour explores the town of Berryville, highlighting its historic architecture and landmarks. Key sites include the Berryville Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the town's history.

## Tour 10: Boyce Driving Tour

This driving tour explores the town of Boyce, highlighting its historic architecture and landmarks. Key sites include the Boyce Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the town's history.

## Tour 11: Village of White Post Driving Tour

This driving tour explores the village of White Post, highlighting its historic architecture and landmarks. Key sites include the White Post Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the village's history.

## Tour 12: Berryville Walking Tour

This walking tour explores the town of Berryville, highlighting its historic architecture and landmarks. Key sites include the Berryville Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the town's history.

## Tour 13: Boyce Driving Tour

This driving tour explores the town of Boyce, highlighting its historic architecture and landmarks. Key sites include the Boyce Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the town's history.

## Tour 14: Village of White Post Driving Tour

This driving tour explores the village of White Post, highlighting its historic architecture and landmarks. Key sites include the White Post Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the village's history.

## Tour 15: Berryville Walking Tour

This walking tour explores the town of Berryville, highlighting its historic architecture and landmarks. Key sites include the Berryville Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the town's history.

## Tour 16: Boyce Driving Tour

This driving tour explores the town of Boyce, highlighting its historic architecture and landmarks. Key sites include the Boyce Historic District, the town square, and the remains of a 17th-century fort. The tour is suitable for all ages and provides a great opportunity to learn about the town's history.

Clarke County, Virginia  
 Historic District Driving & Walking Tour Map

**Clarke County, Virginia**  
 Historic District Driving & Walking Tour Map

Clarke County Department of Planning and Economic Development  
 540-885-3333  
[www.clarkecountyva.gov](http://www.clarkecountyva.gov)

**Clarke County****tjudge@clarkecounty.gov**

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**purchase of agency vehicle for Clarke DSS**

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**From :** Angie Jones (VDSS) <Angie.Jones@dss.virginia.gov> Wed, Oct 08, 2014 09:35 AM**Subject :** purchase of agency vehicle for Clarke DSS**To :** Tom Judge <tjudge@clarkecounty.gov>

Tom,

You have indicated that Clarke DSS has approximately \$60,000 unspent in local dollars. We would like to request that some of this money be used to purchase an additional agency vehicle. We maintain three cars to conduct agency business. The Ford Escort is no longer in working order and has been turned back to the county. The other two vehicles have over a 100,000 miles each. We need a third vehicle. We would like to purchase a mid size vehicle that can be used for conference travel and also has space to move people and their belongings. We do a bit of traveling with foster children and need a spacious vehicle in which to transport belongings. We would like this vehicle to have either 4 wheel drive or all wheel drive as we sometimes have to go to places (especially Shenandoah Retreat) that can be difficult to access. There is a Ford Explorer on the state contract list for \$25,302. I have a call into Pat.

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10/01/14		
FY14 Government Capital Projects CARRYFORWARD		
June 30, 2014		
	Available	
Description	Balance	Notes
<b>General Government Capital Expenditure</b>		
Sheriff's Equipment (fingerprinting, etc.)	13,468	
HVAC Systems	18,773	
Communications Equipment (Volunteer Fire Cos.)	160,188	
Fencing - Ballfield & Pool	14,456	
Old Park Office Modifications	13,583	
Additional Parking	10,000	
Sheriff's Vehicles	4,943	
Motorola Portable Radios	50,000	
Park Expansion	10,000	
Economic Development	176,434	
Technology Improvements	56,018	
C-Spout Run Project	73,689	
Spout Run Cleanup (EPA Grant pjt)	316,620	
Sheriff's Building Renovation	152,506	
Roofing	136,633	
Plan Updates	4,552	
General District Court Repairs	74,681	
Carpeting (Includes Gen Dist Courthouse Seating)	4,933	
Landscaping	15,375	
Parks Westside Sitework/Parking	87,024	
Recreation Center Additions/Wall Crack	56,720	
Systems Integration	357,714	
<b>Total Expenditure</b>	<b>1,808,310</b>	
<b>Revenue</b>		
National Fish & Wildlife Foundation (C-Spout Run Pjt)	75,769	
Spout Run Cleanup (EPA Grant)	316,620	
Communications Equipment Grant (Vol. Fire Cos.)	80,094	
<b>Total Revenue</b>	<b>472,483</b>	
<b>Capital Projects Fund Balance</b>		
Economic Development	177,514	
<b>Total Revenue and Fund Balance</b>	<b>649,997</b>	
<b>Total Expenditures less Revenue and Fund Balance</b>	<b>1,158,313</b>	



10/01/14		
<b>FY14 School Capital Projects CARRYFORWARD</b>		
<b>June 30, 2014</b>		
	<b>Available</b>	
<b>Description</b>	<b>Balance</b>	<b>Notes</b>
<b><u>School Capital:</u></b>		
<b>Expenditure</b>		
School Furniture Replacement	20,850	
Athletic Equipment and Uniforms	10,410	
Passenger Vehicle	9,839	
School Food	21,426	
Modular Classroom Removal	7,680	
Elementary Electrical Upgrades	24,798	
Painting	14,817	
Heating, Ventilation, & AC Replacements	43,880	
Pay and Classification Study	17,500	
Playground Match PTO - Cooley	14,080	
Playground Match PTO - Boyce	15,000	
School Signage	5,531	
Roof Replacements	33,200	
Flooring	46,585	
Security Improvements	134,529	
Paving/Sidewalk Repair & Improvement	30,803	
Fencing Replacements	35,000	
ERP System	299,814	
<i>Subtotal General Projects</i>	<i>785,742</i>	
Technology Improvements	31,690	
Instructional Tech - Facilities	264,934	
<i>Subtotal Technology</i>	<i>296,624</i>	
Renovation of Former High School	1,098,204	
<i>Subtotal Building Construction</i>	<i>1,098,204</i>	
<b>Total Expenditure</b>	<b>2,180,570</b>	
<b>Revenue</b>		
Instructional Technology State	295,619	
<i>Subtotal Technology</i>	<i>295,619</i>	
<b>Capital Projects Fund Balance</b>		
<i>Subtotal Fund Balance</i>	<i>(0)</i>	
<b>Total Revenue and Fund Balance</b>	<b>295,618</b>	

Title: General Fund Balance

Source: Clarke County Joint Administrative Services

<u>Prior Titles</u>	<u>Prior</u>	<u>Current</u>	<u>Current Titles</u>
General Fund Balance Year End FY 12	16,011,338	15,574,543	General Fund Balance Year End FY 13
Expenditure FY 13	(26,021,061)	(28,099,645)	Expenditure FY 14
Revenue FY 13	25,584,267	26,157,749	Revenue FY 14
General Fund Balance Year End FY 13	15,574,544	13,632,647	General Fund Balance Year End FY 14

<u>Designations</u>			<u>Designations</u>
Liquidity Designation @ 12% of FY 14 Budgeted Operating Revenue	(\$3,049,533)	(\$3,188,575)	Liquidity Designation @ 12% of FY 15 Budgeted Operating Revenue
Stabilization Designation @ 3% of FY 14 Budgeted Operating Revenue	(762,383)	(797,144)	Stabilization Designation @ 3% of FY 15 Budgeted Operating Revenue
Continuing Local GF Appropriations for Capital Projects	(5,497,143)	(3,043,265)	Continuing Local GF Appropriations for Capital Projects
School Capital/Debt	(1,124,016)	(1,000,000)	School Capital/Debt
Government Construction/Debt	(675,578)	(450,578)	Government Construction/Debt
Property Acquisition	(265,000)	(265,000)	Property Acquisition
Conservation Easements from Government Savings	(153,462)	(153,462)	Conservation Easements from Government Savings
Community Facilities	(\$325,000)	(\$156,000)	Community Facilities
Comprehensive Services Act Shortfall	(250,000)	(250,000)	Comprehensive Services Act Shortfall
Parks Master Plan	(100,000)	-	- Parks Master Plan
School Operating Carryover	-	(357,286)	School Operating Carryover
Government Carryover Requests from Government Savings	(431,906)	(730,403)	Government Carryover Requests from Government Savings
Energy Efficiency	(200,000)	(50,000)	Energy Efficiency
Data and Communications Technology	(350,000)	(200,000)	Data and Communications Technology
Recycling and Convenience Center	(250,000)	(250,000)	Recycling and Convenience Center
Regional Jail Capital Needs	(100,000)	(100,000)	Regional Jail Capital Needs
Vehicle Replacements	(100,000)	(100,000)	Vehicle Replacements
Voting Equipment Upgrades	(50,000)	-	- Voting Equipment Upgrades
Real Property Reassessment	(200,000)	-	- Real Property Reassessment
General District Court Capital Repairs	(80,000)	-	- General District Court Capital Repairs
Landfill costs	(50,000)	(50,000)	Landfill costs
Pay and Classification Plan Implementation	(100,000)	-	- Pay and Classification Plan Implementation
Leave Liability	(75,000)	(75,000)	Leave Liability
FY 14 Original Budget Surplus (Deficit)	(647,968)	(1,329,062)	FY 15 Original Budget Surplus (Deficit)
TOTAL Designations	(14,836,989)	(12,545,775)	TOTAL Designations
Adjustments			
FY 14 Expenditure Budget Adjustments	(1,283,777)		
FY 14 Revenue Budget Adjustments	1,056,262		
Undesignated	510,040	1,086,872	