Clarke County
Board of Supervisors

Regular Meeting
Packet

November 18, 2014

Clarke County Board of Supervisors
Regular Meeting Agenda

Main Meeting Room Berryville / Clarke County Government Center
101 Chalmers Court, 2nd Floor, Berryville, Virginia

November 18, 2014

Afternoon Session 1:00 PM

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	– Christina J. Kraybill to serve on the Economic Development Advisory Committee for the remainder of the current term expiring December 31, 2017. This appointee fills the vacancy left by Jay Hillerson.	
	– Ed Pierce to serve on the Board of Social Services for a term expiring July 15, 2018.	
	– Gwendolyn Malone to serve on the Clarke County Planning Commission to serve the remainder of the unexpired term of William Steinmetz, II. The terms expires April 30, 2016.	
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recommends the following but requests that they be considered individually.

a. FY 14 School Operating Carryover. The School Board requests that the Board of Supervisors appropriates $357,286 for the purposes attached. It would be necessary to hold a public hearing on the following action: "Be it resolved that the School Capital Projects Fund budgeted expenditure and appropriations be increased $357,286, and the same appropriated, all for the purpose of funding a variety of capital projects needs including replacing HVAC equipment at Boyce Elementary, Strategic Planning, Food Service Equipment, and School Furniture." 213

b. School Security Grant. The School Board has made the following request: "Be it resolved that budgeted expenditure and appropriation in the School Capital Projects Fund be increased $67,223, and that revenue from the Commonwealth be increased in the same amount, to be matched by a separate appropriation of local carryover in the amount of $16,806, of for the purpose of improving the security of Clarke County Public Schools." 214

c. Parks Grounds Work. Please find the attached documentation of a need at Parks and Recreation for servicing of damaged trees. "Be it resolved that the Buildings and Grounds Maintenance budget for purchased services be increased in the amount of $1,695, the same appropriated, and the Designation for Government Savings reduced in the same amount, all for the purpose of preserving Leland Cypress trees." 215

d. Clifton Road Fire Bills. Please find attached two invoices totaling $2,138 resulting from the Clifton Road Fire. "Be it resolved that that that budgeted expenditure and appropriations of the Fire Services function be increased $2,138, and the designation for government savings reduced in the same amount, all for the purpose of covering certain expenses of the Sheriff's department related to the Clifton Road fire". 217

2. FY 15 Transfers. **Action: The Finance Committee recommends delaying the action "a" and approving action "b".**

a. "Be it resolved that $70,820 be transferred from Emergency Medical Services to the newly created Fire Services account, representing the salary of the Director of Fire, Emergency Medical Services, and Emergency Management." 212

b. "Be it resolved that $7,500 be transferred from Emergency Medical Services to Volunteer Fire Department to cover the cost of the Image Trend Fire &Rescue data management program." 224

3. Travel Policy Revision. **Action: The Joint Administrative Services Board and the Finance Committee recommend approval of the attached amendment to the Travel section of the Procurement Policy: "Be it resolved that the Board of Supervisors affirms its support for the Travel Policy amendment adopted by the Joint** 225

Administrative Services Board."

4. Fund Balance Designations. **Action: The Committee recommends the adjustments to the General Fund Balance designations.** 212
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Call To Order

Adoption of Agenda

Citizen Comment Period

VDOT

October 21, 2014 Clarke County Board Of Supervisors 1:00 p.m.
Regular Meeting
Main Meeting Room

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Berryville Clarke County Government Center, 101 Chalmers Court, 2nd Floor, Berryville, Virginia conducted on Tuesday, October 21, 2014.

Board Members Present

Barbara Byrd; J. Michael Hobert; Bev McKay; John Staelin; David Weiss

Board Members Absent

None

Staff Present

David Ash; Tom Judge; Alison Teetor; Brandon Stidham; Lora B. Walburn

Frank Davis; Pam Hess; Angie Jones; Gary Lichliter; Allen Mason; Brian Rosenberry

Others Present

Keith Dalton; Gem Bingol; Val Van Meter and other citizens.

1) Call to Order

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

2) Adoption of Agenda

Add Miscellaneous:

- Morgan Ford - Low Water Bridge: Supervisor McKay
- Housing: Supervisor Byrd

By consensus, the Board adopted the agenda as modified.

3) Citizens Comment Period

No citizens attending the afternoon session addressed the Board.

4) VDOT

Ed Carter appeared before the Board to provide the monthly update.

Maintenance – September / October:

- Conducted pipe flushing operations with contractor at various locations;
- Removed hazardous trees over roadway and performed brush removal on Rt. 7 business;
- Addressed drainage issue on Rt. 7 business at Cattleman Lane and performed asphalt patching on Rt. 601;
- Completed 50 % of secondary mowing;
- Handled increased carcass removal.

Maintenance – October / November:

- Conduct shoulder repair on primary routes;
- Grade non-hard surfaced route;
- Perform brush removal on Rt. 657 from Rt. 634 to Frederick County line;
- Continue mowing of secondary's.

Projects:

- Rt. 340/Senseny Rd. turning lane: awaiting pavement markings to complete. Scheduled completion date is 10/31/14.
- Rt.606 stream repair: completed.
- Pipe replacement business Rt. 7 between DI's: awaiting funding approximately $22,000.

Board Concerns:

- Awaiting final published report for Rt. 612 to post "No Thru Trucks" restriction.
- Planned music event in Jefferson County WVA. Aware of event and talking with County Administrator. No contact as of yet from Jefferson County officials.

Supervisor McKay joined the meeting at 1:10 pm.

Supervisor Comments:

Supervisor Barbara Byrd

- Triple J Road: expressed appreciation for patching.

Supervisor Staelin:

- Route 601: Ed Carter advised that he had turned in replacement of the 53 missing reflectors.
- Senseny Road Project: Ed Carter advised that the project is scheduled for completion by October 31. Speed limit will remain the same.

Vice Chairman Weiss:

- Route 612 North Hill right before Wheat Spring Branch: shoulders degraded.
- Lockes Mill Road: Recommend changing the speed limit to 25MPH. Ed Carter will request review for recommendation.

5) Clarke County Library Update

Laurine Kennedy, Director – Clarke County Library, and John Huddy, Director – Handley Regional Library, appeared before the Board to provide an update. Highlights include:

John Huddy:

- Thanked the Supervisors for the increased support for this fiscal year.
- Distributed a report titled, *Director's Report to the Board for August 2014 Submitted September 16, 2014*.
- During the last four months at the Clarke County branch, new users have gone up 10% and circulation has risen 11.5%.
- Announced that Laurine Kennedy is now a full-time employee of Handley Regional Library.

Laurine Kennedy:

- With the additional funding, Clarke County Library will increase Friday operating hours from 10 am to 1 pm to 10 am to 5 pm.
- Exploring the addition of a reading cave.
- Ebooks usage is growing but it has not cut book usage.
- Adding outreach programs at the schools.

6) Energy Management Update by Alison Teetor

Alison Teetor provided a PowerPoint presentation. Highlights include:

Accomplishments:

- Conduced energy audits on Circuit Court, District Court, and Sheriff's Building to assist with identifying energy savings opportunities during renovation.
- Contracted with Planet Footprint to track utility bills and provide information on changes in energy use within County buildings.
- Amended Comprehensive Plan to add an objective and policies outlining County initiatives toward sustainability and energy efficiency.
- Established energy management account for funding energy savings initiatives.
- Adopted stormwater regulations that enhance requirements for use water conservation and use of native species and innovative technologies such as rain gardens.
- Completed sustainable landscape workshops for residents in the Spout Run watershed to improve understanding of native plants, watering and mowing practices to reduce use of resources.
- Established working relationship with Maintenance Supervisor to identify areas where energy saving lighting, plumbing, HVAC, insulation can be installed in County buildings to improve energy efficiency.
- Establishment of working relationship with schools to support and encourage recycling clubs, and recycling efforts.
- Obtained annual litter grant from DEQ to fund recycling bins for use by County government and Schools.
- Provided periodic reports to Board of Supervisors on energy use within buildings.
- Contracted with EnerNOC to participate in Demand Response Program for Government Center to attempt payback for electricity use reduction during peak demand periods

Recommended next steps:

- Disseminate Planet Footprint website information to department heads to provide detail on energy use of individual buildings.
- Work with Town planners to identify and promote alternative landscaping and ground cover ideas that maximize use of native and low maintenance plants and trees as attractive alternatives to current practices for residential and commercial development and adopt ordinances requiring use of identified plant material.

- Contact Frederick County and review goals set to reduce energy use by 6%.
- Re-establish web page on sustainability and reducing energy use.
- Engage department heads in identifying energy savings opportunities in individual buildings.
- Work with Health Department to review gray-water systems.
- Contact Procurement to see what steps are currently in place to analyze the value of energy modeling and commissioning (third party review for adherence to designated standards), and procurement processes that solicit and incorporate consideration of fuel and/or life cycle cost information in determining lowest cost for County vehicles and all purchases.
- Evaluate initial costs verses savings for Circuit Court
- Upgrades to existing buildings
    - Government Center - install motion switches in all bathrooms and the basement.
    - Thermostat settings in all buildings can be increased in summer 3-4 degrees and decreased in winter without effecting comfort
    - Delamping, particularly in the Government Center can reduce electric lighting needs without compromising brightness.
    - Add insulation to the attic of the Circuit Court building
    - Reglaze the windows at the District Court

Ms. Teetor put forth that she was open to suggestion and asked the Board to let her know of any items it wished her to work or report on regarding energy management.

Supervisor McKay asked about the vehicle fleet.

Ms. Teetor responded that the vehicle fleet is tracked but she did not include in the report. She advised that the fleet was primarily the Sheriff's Department and was consistent year to year.

Vice Chairman Weiss, in response to hearing that BCCGC energy costs increased in FY2014, offered to discuss the matter with the building engineer to explore possible explanations and remedies.

Chairman Hobert remarked that a number of policies had not been initiated and asked Board members to provide Ms. Teetor their comments on those policies that interested them.

- Policies Not Initiated
    - Explore the Future of Sustainable Agriculture in Clarke County (LU 1)

- Develop a County Website on Green Information (EO 1)
- Establish a Minimum Miles Per Gallon (MPG) Vehicle Standard for County Vehicles (T 2)
- Use Established Building Standards to Reduce Energy Use (EE 7)
- Use Renewable Energy Technology for County Buildings (RE 1)
- Encourage Installation of Small-Scale Renewable Energy Systems (RE 3)
- Recognize County Citizens Who Demonstrate Energy Efficiency (I 1)
- Recognize County Businesses that demonstrate Energy Efficiency (I2)
- Recognize Energy Efficient Buildings (I 3)
- Recognize the Development of Sustainable Water Practices (I 4)
- Establish Effective Performance Measures for County Employees (CM 2)
- Develop Employee Recognitions and Awards for Performance and Development of Best Sustainable Practices (CM 3)
- Maintain a LEED Accredited Professional (AP) on Staff (CM 4)

Vice Chairman Weiss thanked Ms. Teetor for her efforts.

7) Set Public Hearing TA-14-03, Application Filing Deadlines for Special Use Permit, Zoning Map Amendment, Site Plan, and Subdivision Applications

A proposed text amendment to amend Article 5 (Special Use Permits), Article 6 (Site Development Plans), and Article 8 (Amendments) of the Zoning Ordinance and to amend Article 4 (Procedure for Subdivision Approval) of the Subdivision Ordinance. The purpose of the amendments is to create new and clarify existing procedures regarding the filing of applications for special use permits, zoning map amendments (rezonings), site plan reviews, and subdivision plat reviews. The proposed amendments would establish uniform provisions regarding mandatory pre-application meetings, determination of application completeness, and new deadlines for applicant submission of documentation prior to public hearings among other changes.

Brandon Stidham summarized the proposed amendments.

Following discussion of potential deadline violations, Supervisor **McKay moved to set public hearing for Tuesday, November 18, 2014 at 6:30 pm or as soon thereafter as the matter may be heard. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
J. Michael Hobert	-	Aye
Beverly B. McKay	-	Aye

John R. Staelin	-	Aye
David S. Weiss	-	Aye

8) Approval of Minutes

Supervisor McKay moved to approve the minutes for September 16, 2014 Regular Meeting as presented. The motion carried by the following vote:

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

9) Consent Agenda

A. Conservation Easement Authority: Donations, DUR Purchase, Boundary Line Adjustment

MEMORANDUM

TO: Board of Supervisors, David Ash
FROM: Conservation Easement Authority, Alison Teetor
DATE: October 3, 2014
SUBJECT: Items for Consent Agenda

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

Easement Donation

Dietrich and Helga Westphal have applied to the easement authority for approval of an easement donation. The property is located at 2558 Bishop Meade Road approximately 1 mile south of Old Chapel. The property is 135.3 acres consisting of a mix of pasture, cropland, and woods, has an existing house built in 1983 and 4 remaining DUR's. The parcel is zoned AOC and is in use value taxation, it meets all 4 of the criteria adopted by the Authority. The parcel score is 78.89, points were given for retiring 3 DUR's, having 2 acres of wetland, being next to an existing easement, fronting on a scenic byway, and being in the same ownership for more than 30 years. The applicant is retiring 3 of the 4 remaining DUR's, it is adjacent to an existing easement, and is over 40 acres. At the September meeting

the Authority approved the donation allowing one subdivision with a pre-approval to build a one story house not to exceed a footprint of 6,500 square feet with a height restriction of 25 feet to be located within a defined building envelope.

Easement Donation

Bill Dean has applied to the easement authority for approval of an easement donation. The property is located on the south side of Roseville Run adjacent to the Town of Boyce 125 W. Main St. The parcel adjoins the Town but is in the County with 1 DUR, and is vacant. It fronts on Roseville Run for 1/10 of a mile. This is the residual from the Bill Dean subdivision in Boyce and would be gifted to the homeowners association. The parcel is zoned AOC and does not qualify for use value taxation, in accord with the Commissioner of Revenue's requirements (> 5 acres), therefore a donation may be considered if at least three of the following four guidelines are met:

Easement Donation

If the parcel is not eligible for use value taxation, then a donation may be considered if it meets at three of the four following criteria:

1) the parcel's Property Resource Score is at least 35;

2) at least one dwelling unit right is extinguished by the conservation easement;

3) it is adjacent to another easement;

4) the parcel offers protection of a locally significant natural or historic feature, as determined by the Easement Authority.

The parcel scored 35.2, primarily due to the retirement of the one existing DUR, it is less than 40 acres and not adjacent to an existing easement. It does have frontage on Roseville Run and the owner is installing a riparian buffer. The Authority approved the donation stating that the frontage on Roseville Run was a significant natural feature.

Easement DUR Purchase

Kenneth Pitta has applied to the easement authority for approval of a DUR purchase. There are two properties located on the east side of Frogtown Rd. just north of the intersection of Mt. Carmel Rd, Feltner Rd., and Frogtown Rd. The properties are vacant, consisting of 27.5 acres with 2 DUR's and 1.6 acres with 1 DUR. They are entirely wooded. Access is from Frogtown Rd. Mr. Pitta would like to merge the two parcels and retire 2 DUR's. Both parcels are zoned FOC qualify for use value taxation

The parcels were scored as one as the applicant would merge them subsequent to the easement recordation. The property resource score was 58.7, points were

given for retiring 2 DURs, being next to Appalachian Trail property, being owned by the family for more than 50 years, and have 6 acres of slopes > 25%. The property qualifies for purchase as it scored over 35 and is retiring at least 1 DUR. It is not over 40 acres and it is not next to an existing easement. The Authority approved and Mr. Pitta accepted a DUR purchase price of $30,000/DUR retired for a total of $60,000. VDACS will pay 50% of the purchase price.

Boundary Line Adjust

No action is required by Board. The Bauhan family has requested a boundary line adjustment between their two eased properties so as to a line the boundary with existing fence rows. The easement authority has approved this adjustment. The change adds 2.05 acres to the parcels identified as 21-((A))-19 and subtracts the same amount from the parcel identified as tax map# 21-((A))-20.

B. National 4H-Week Proclamation

NATIONAL 4-H WEEK PROCLAMATION
Recognizing October 5-11, 2014 as National 4-H Week in Clarke County
2014-02P

WHEREAS, Clarke County 4-H is an admirable positive youth development program which has provided life skill learning for youth ages 5-19 in our county so that the whole child including head, heart, hands and health, might they step up to the challenges of a complex and changing world with confidence; and

WHEREAS, 4-H as part of the Virginia Cooperative Extension Program of Virginia Tech and Virginia State is a program where youth learn through opportunities that provide them hand-on experiences in 4-H's mission mandates of science, engineering and technology, healthy living and citizenship; and

WHEREAS, 4-H is the nation's largest youth development organization with more than 6 million 4-H youth in urban neighborhoods, suburban schoolyards and rural farming communities who stand out among their peers: building revolutionary opportunities and implementing community-wide change at an early age; and

WHEREAS, 4-H in Clarke County claims over 260 members in clubs and camping programs and over 100 members in 4-H special interest programs; and

WHEREAS, 4-H in Clarke County undoubtedly could not have achieved the success it has today were it not for the service of 67 volunteers, who have given generously of their time, talents, energies, and resources to the youth of the community; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Clarke County does hereby proclaim October 5-11, 2014 as National 4-H Week in Clarke County and urges the people of this community to take advantage of the opportunity to become more aware of this special program that enhances our young people's interests in their futures as part

of Clarke County 4-H Youth Development and to join us in recognizing the unique partnership between our County and our State University System.

IN WITNESS THEREOF, I have set my hand and caused the seal of Clarke County, Virginia to be affixed this 8th day of October 2014.

Attest:

J. Michael Hobert, Chair

Vice Chairman Weiss moved to approve the items on the Consent Agenda. The motion carried by the following vote:

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

10) Board of Supervisors Special Work Session October 8, 2014

A. Clarke County General Government Pay and Classification Study Update

10-08-2014 Summary: Supervisor Staelin moved to convene into Closed Session pursuant to §2.2-3711-A1 Specific Employees or Appointees of the Board. The motion carried as follows:

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

John Anzivino, Senior Vice President – Springsted Incorporated, joined the Board in Closed Session.

The members of the Board of Supervisors being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, Supervisor Staelin moved to reconvene in open session. The motion carried as follows:

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

10-14-2014 Summary: Chairman Hobert noted that he had not called for a roll call vote following Closed Session and requested a member of the Board make a motion to Certify the Closed Session of Wednesday, October 8, 2014.

Supervisor Staelin moved to execute the following Certification of Closed Session:

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires a certification by the Board of Supervisors of the County of Clarke, Virginia that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia.

The motion was approved by the following roll-call vote:

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

No action was taken on matters discussed in Closed Session.

B. Personnel Policy Review

10-08-2014 Summary: Item not reviewed.

C. National 4H-Week Proclamation

10-08-2014 Summary: Item not reviewed.

10-21-2014 Action: See Item 9 Consent Agenda Item B.

11) Personnel Committee Items

A. Expiration of Term for appointments expiring through December 2014.

10-14-2014 Summary: The Personnel Committee recommended:

- Shenandoah Area Agency on Aging, Inc.: Reappoint Robina Rich Bouffault to a four-year term expiring September 30, 2018.
- Clarke County Industrial Development Authority: Reappoint David Juday to a four-year term expiring October 30, 2018.

Chairman Hobert instructed staff to contact the Department of Social Services and Northwestern Community Services to seek additional information on appointments.

10/21/2014 Action: **Supervisor McKay moved to approve the recommendations of the Personnel Committee as presented. The motion carried by the following vote:**

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

B. Closed Session pursuant to §2.2-3711-A1 specific employees or appointees of the Board re Personnel Pay Issues

10-14-2014 Summary: Due to time constraints, the Closed Session was not held.

12) Board of Supervisors Work Session

a. CCPS Update

- Accreditation Status Update by Chuck Bishop
- Consideration of Committee Appointments to CTE Committee and Strategic Planning Committee

10-14-2014 Summary: Dr. Bishop was present to provide an update on the accreditation status of various schools within the County and to explain to the Board the multiple requirements that the Schools attempt to meet.

Dr. Bishop reiterated the invitation to have a Board member serve on the Career and Technical Education Advisory Committee and/or Strategic Planning Committee.

10-21-2014 Action: **Supervisor Staelin moved to adopt the following appointments:**

- **Supervisor McKay to the Career and Technical Education Advisory Committee.**
- **Vice Chairman Weiss to the Strategic Planning Committee.**

The motion carried by the following vote:

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

b. Fire and EMS Implementation Items

a. Discussion of CC-2014-03 -- Establish Department of Fire, Emergency Medical Services (EMS), and Emergency Management

10-14-2014 Summary: Brandon Stidham, Frank Davis and Laure Wallace appeared before the Board to review the proposed ordinance.

- The Board instructed Brandon Stidham to use the originally proposed language in the Code Amendment.
- The Commission is to lean more toward strategic planning and policy development than day-to-day operations with an understanding that the Commission will assist in the development of initial policies and standard operating procedures.

b. Discussion of Fee for Service.

10-14-2014 Summary: Highlights of review by Brandon Stidham and Frank Davis and Supervisors' discussion include:

- Exploring option of joining Frederick County's fee-for-service contract with Valley Health.
- Fee for service, pending successful contract negotiation, could be implemented within three to five months generating an estimated $300,000 in revenue.
- Revenue would cover the cost of one employee to administer the program.
- Frank Davis will research medical transport coverage under the Affordable Care Act.

10-21-2014 Action: Mr. Davis advised that a contract with Valley Health is in the works. David Ash added that Mr. Davis provided Supervisor Byrd the

information she requested at the Work Session about medical transport coverage under the Affordable Care Act.

c. Town-County Economic Development and Tourism Memorandum of Understanding Implementation Item – Appoint County Representatives on Joint Committee

10-14-2014 Summary: Brandon Stidham provided an update. Highlights include:

- MOU executed by both parties.
- The timeline has been revised to include dates.
- Initial item on the timeline is appointment within thirty (30) days of the adoption date of the MOU (October 16, 2014) of a Joint Committee for Economic Development and Tourism.
- Supervisor Byrd suggested developing a list of available properties / facilities for commercial use.

Supervisor McKay moved to appoint John Staelin and David Ash to serve on the Berryville / Clarke County Joint Committee for Economic Development and Tourism. The motion carried as follows:

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

d. Jefferson County Music Festival

10-14-2014 Summary: At the request of Supervisor Byrd, the Chair added this item. Highlights of review include:

- Supervisor Staelin suggested that Clarke County formally notify Jefferson County that due to increased demand on local services Clarke will be unable to provide emergency assistance to Jefferson as set forth in mutual aid agreement during the course proposed event.
- The County Administrator informed the Board that he will be working closely with the Sheriff, the Planning Director and Fire & EMS Director to obtain first-hand information and to develop responses and/or requests to the appropriate approving agencies in West Virginia.
- The Board asked for a written description of the event, as well as anticipated impact on Clarke County as soon as official information/response is provided by Jefferson County.

e. Morgan Ford Low-water Bridge

10-14-2014 Summary: At the request of Supervisor McKay, the Chair added this item. Supervisor McKay expressed concern about the potential additional traffic resulting from the bridge reconstruction and planned housing developments in Warren County

f. Clarke County General Government Pay and Classification Study Update

10-14-2014 Summary: Prior to entering Closed Session, Vice Chairman Weiss acknowledged members of County staff attending the meeting. Attendees included: Helen Butts, Circuit Court Clerk; Sharon Keeler, Treasurer; Donna Peake, Commissioner of the Revenue; Pam Hess, E911 Director; Travis Sumption, Chief Deputy Sheriff; Allen Mason, Deputy Sheriff/Investigations Sergeant; Gary Lichliter, Deputy Sheriff; Brandon Stidham, Planning Director; Brian Rosenberry, Court Services Sergeant; Lora Walburn, Executive Assistant / Deputy Clerk to the Board of Supervisors.

Supervisor Staelin moved to convene into Closed Session pursuant to §2.2-3711-A1 Specific Employees or Appointees of the Board. The motion carried as follows:

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

The members of the Board of Supervisors being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, Supervisor Staelin moved to reconvene in open session. The motion carried as follows:

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

Supervisor Staelin further moved to execute the following Certification of Closed Session:

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires a certification by the Board of Supervisors of the County of Clarke, Virginia that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia.

The motion was approved by the following roll-call vote:

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

No action was taken on matters discussed in Closed Session.

13) Finance Items

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 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, and that the fund balance designation for government savings be reduced in the same amount".

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.

10/21/2014 Action: **Vice Chairman Weiss moved to approve items a thru k . The motion carried as follows:**

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

2. FY 15 Supplemental: Historic Driving Brochure.

Please find a memo from the Planning Director attached. The Finance Committee recommends the following: *"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."*

10/21/2014 Action: **Supervisor Staelin moved to approve the Finance Committee's recommendation. The motion carried as follows:**

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

3. 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 of $60,733. The Finance Committee recommends the following

action pending clarification of the precise dollar need: *"Be it resolved that the FY 15 Social Services Fund budgeted expenditure and appropriations be increased $27,000, and the designation for government savings reduced in the same amount, all for the purpose of purchasing a new four wheel drive vehicle."*

10/21/2014 Action: Tom Judge informed the Board that the Finance Committee asked him to ascertain the amount for the new vehicle, which is roughly $25,700.

Supervisor Byrd moved to approve the Finance Committee's recommendation with funding modified from $27,000 to $25,700.

Vice Chairman Weiss asked for clarification of the unexpended FY2014 funds in the amount of $60,733.

Angie Jones, DSS Director, explained that Social Services had a couple of staff vacancies and differences in salary hirings with the main reason being the federal reimbursement rate was approximately 31% higher.

Tom Judge put forth that the federal government was reimbursing more than budgeted freeing up local funds.

The motion carried as follows:

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

4. General Government Capital Projects Carryover.

Please find this proposal attached [see regular meeting packet]. "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."

5. School Board Capital Projects Carryover.

Please find this proposal attached [see regular meeting packet]. "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."

6. 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".

10/21/2014 Action: **Supervisor Staelin moved to approve the Finance Committee's recommendations for Items 4, 5 and 6. The motion carried as follows:**

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

7. Fund Balance Designations.

Please find attached [see regular meeting packet] 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.

10-21-2014 Action: Tom Judge provided an historical overview of the Board's treatment of fund balance designations. He summarized fund balance designations.

Chairman Hobert commented that fund balance designations would be brought before the Finance Committee and the Board of Supervisors in November.

8. Acceptance of Bills and Claims

10/21/2014 Action: Tom Judge advised that he had answered questions raised by the Chair in advance of the meeting.

Vice Chairman Weiss moved to accept the September bills and claims. The motion carried by the following vote:

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

14) Joint Administrative Services Update

Tom Judge summarized the matters before the Joint Administrative Services Board. Highlights include:

- Travel Policy:
  - JAS has worked for a couple of months addressing issues with regard to travel policies primarily difficulties getting receipts for meals associated with credit cards.
  - The Board believed that citizens would like to have receipts as evidence of what was expended.
  - Policy is being drafted that will establish a maximum per diem rate and will require receipts. Emily Johnson, Accounts Payable Coordinator, will make additional recommendations for JAS Board review.
  - Once approved by the JAS Board, it will come before the governing bodies for approval.
- ERP Update:
  - Project progressing.
  - New chart of accounts loaded into the software.
  - Some financial history has been converted and loaded.
  - In November analysis of how to set up modules will begin.
  - Authorization structure for approvals is under review.
  - County Information Technology Director Gordon Russell is learning the software, how to create users and set up user permissions.
  - Training will begin January 2015.

15) Government Projects Update

Bev McKay and David Ash provided the monthly project update. Highlights include:

- <u>Bev Mckay:</u>
  - <u>34 West Main Street</u>
    - Conducted on-site inspection.
    - Recommended repair of damaged boards prior to painting.
    - Bobby Levi concurred with Supervisor McKay's recommendation.
    - Timing of repairs and painting is contingent upon inclusion in the capital improvements budget.

- David Ash will ask Bobby Levi to provide a cost estimate.
- Unauthorized power wash of the building created the current paint problem.

○ Sheriff's Office Renovation

- Progress meeting today.
- Adequate HVAC unit for the second floor is on location. The old unit is being dismantled and the new unit is being installed.
- The IT room has a new AC system.
- Second floor closet has been installed to handle the new rear HVAC system and is to be inspected today.
- Most of the new registers have been cut through the 7" concrete cell floors.
- Handi-cap 1st Floor restroom has been demolished.
- The sewer line is being replaced on the side.
- A new attic hole has been installed.
- Things are on schedule at this time.

○ Park Property

- Barn and corn crib sold for $25 today.
- Winner bidder will disassemble and remove, which is approximately $18,000 in avoided cost for the County.

– David Ash

○ 101 Chalmers Court – BCCGC HVAC Retrofit Project

- Robert Mitchell has returned from vacation but has not yet provided a firm response.
- Contacted the contractor engineer and advised him to have information ready to meet with Mr. Mitchell upon his return.
- Vice Chairman Weiss confirmed that County Administrator David Ash was pushing to get results and the lack of progress was not for lack of effort.

16) Miscellaneous Items

White Post Dairy:

Alison Teetor provided an update on the White Post Dairy spill. Highlights are as follows:

– Received a copy of DEQ's revised consent order yesterday.

- Actions include operator training, development of a response plan, as well as a $1,500 fine.

Morgan Ford Low-water Bridge

Supervisor McKay said that he did not believe that the County could tell Warren County and VDOT not to rebuild the bridge. He speculated that Clarke could tell Warren County and VDOT that they need to look at how to get traffic off of the bridge. He informed the Supervisors that a 600-house development was planned in the area. Supervisor Weiss opined that Clarke had an absolute obligation to the constituents living at that end of the County to ask that a traffic flow plan be developed that does not route traffic down Route 624. He expressed concern for safety noting sharp turns and hills on Route 624.

Supervisor McKay suggested writing a letter to the Commonwealth Transportation Board and Warren County expressing Clarke's concerns regarding traffic flow.

Supervisor Staelin put forth that it might be an appropriate time to remind that Clarke is not going to change its policy on roads because of an improvement in Warren County, who did have other routing options.

Chairman Hobert instructed Brandon Stidham to draft a letter for Board review and discussion. He further requested that Mr. Stidham discuss the matter further with Supervisor McKay and Staelin. He invited other Board members to share their thoughts with Mr. Stidham. Chairman Hobert asked Mr. Stidham to pull information from Warren's transportation plan so that the Board could get a better understanding.

Housing

Supervisor Byrd put forward that recently a constituent spoke to her about derelict housing. She reported that this constituent asked her to look into finding the disposition of these houses and they could be treated. She asked if the County would consider addressing blighted properties that present health hazards and negatively affect property values.

Vice Chairman Weiss opined that such matters were more appropriately dealt with by and between property owners and the Supervisors should avoid entering into these situations.

17) Summary of Required Action

Item	Description	Responsibility

Item	Description	Responsibility
1.	Follow up on increased energy costs at the BCCGC in relation to litigation.	David Ash
2.	Develop notice and advertise public hearing for TA-14-03.	Lora B. Walburn
3.	Process approved minutes.	Lora B. Walburn
4.	Process 2014-02P.	Lora B. Walburn
5.	Update database and draft letters of appointment.	Lora Walburn
6.	Execute letters of appointment.	J. Michael Hobert
7.	Provide email notice of appointment to Town Manager Keith Dalton.	Lora B. Walburn
8.	Provide email notice of appointment to CCPS Superintendent.	Lora B. Walburn
9.	Contact Bobby Levi for porch repair estimate at 34 East Main Street.	David Ash
10.	Draft letter re Morgan's Ford Road.	Brandon Stidham
11.	Update County Code with CC-2014-03.	Lora B. Walburn
12.	Develop exhibits 1 thru 3.	Lora B. Walburn
13.	Coordinate BoS direction with Springsted.	David Ash

18) Board Member Committee Status Reports

Supervisor Barbara Byrd:

- Humane Foundation: The Fall Fling for Furry Friends this past Saturday was well attended and included a barbeque dinner, 4H club pony rides, camel rides, and rabies shot supplied by Roseville Veterinary Clinic, who gave a total of 103 shots - 81 dogs; 22 cats.
- Social Services: Meets tomorrow morning.
- Clarke County Library: Update provided earlier in the meeting by Mr. Huddy and Ms. Kennedy.
- Town of Berryville: New parking meters will increase from $0.10 to $.25 and fines will rise from $3 to $5.

Supervisor Bev McKay:

- NSVRC: Met last week and given a presentation by DEQ from the water withdrawal committee. He expressed a desire for DEQ to make presentation to the Supervisors.

Supervisor John Staelin:

- IDA: Approved bonds. A request for a resolution of support will come to Supervisors in November.

Vice Chairman David Weiss:

- CEA: Donating and purchase persons continue to come forward.
- EMS Commission: Conducted its first meeting last week. Frank Davis is doing and good job and is making headway.

Chairman J. Michael Hobert

- Parks and Recreation Advisory Council:
  - After school program: Currently have 54 children and charge $45 per week for licensed childcare.
  - Little League Light Project: David Ash and Bobby Levi are working with Little League. Little League continues money raising efforts.
  - Auction for barn and outbuilding conducted today.
  - Rotary Club has committed $25,000 to $30,000 to apply towards the shelter and bandstand that is being discussed.

19) Closed Session

At 2:45 pm, **Supervisor Byrd moved to convene into Closed Session pursuant to §2.2-3711-A1 Specific Employees or Appointees of the Board. The motion carried as follows:**

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

At 3:35 pm, the members of the Board of Supervisors being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, **Supervisor Staelin moved to reconvene in open session. The motion carried as follows:**

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

Supervisor McKay further moved to execute the following Certification of Closed Session:

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires a certification by the Board of Supervisors of the County of Clarke, Virginia that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia.

The motion was approved by the following roll-call vote:

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

No action was taken on matters discussed in Closed Session.

Chairman Hobert recessed the meeting at 3:36 pm.

Chairman Hobert reconvened the meeting at 6:30 pm.

Chairman Hobert requested the addition of a Closed Session pursuant to §2.2-3711-A1 Specific Employees or Appointees of the Board.

Brandon Stidham requested that Item 24 PH-14-13 be moved to Item 22.

By consensus the Board approved the approved the agenda as modified.

20) Citizen's Comment Period

No citizens attending the evening session wished to address the Board.

21) PH 14-14: CC-2014-03: Establish Department of Fire, Emergency Medical Services (EMS), and Emergency Management

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.

Brandan Stidham summarized the proposed amendment to County Code adding Chapter 17 and amending Chapter 93.

At 6:37 pm, Chairman Hobert opened the public comment portion of the public hearing. There being no persons present wishing to speak, Chairman Hobert closed the public hearing and he called for comment from the Supervisors.

Supervisor Staelin thanked David Weiss, Laure Wallace, Brandon Stidham and all those that worked on the proposed amendment.

Supervisor Staelin moved to adopt the proposed text amendment CC-2014-03, establishing a Department of Fire, Emergency Medical Services (EMS), and Emergency Management, including the changes requested by the Board of Supervisors and the Fire & EMS Commission as presented in staff's supplementary report. The motion carried as follows:

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

Vice Chairman Weiss thanked all those involved with the creation of the new department.

Chairman Hobert reminded that Enders Fire Chief Harold Rohde was instrumental in getting the process started.

Supervisor Byrd said she was glad to see it come to fruition.

Supervisor McKay expressed his pleasure with the new organization.

COUNTY CODE TEXT AMENDMENT (CC-2014-03)
Establish Department of Fire, Emergency Medical Services (EMS), and Emergency Management
(as adopted by the Board of Supervisors on October 21, 2014)

Amendment Text (Chapter 17 is a new County Code section. Adopted changes to Chapter 93 are shown in bold italics with strikethroughs where necessary.):

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 a mechanism for collaboration and coordination among the Director, the County Sheriff, volunteer companies, and the Board of Supervisors on issues impacting fire, EMS, and emergency management services. 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 annually at or shortly after 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. Support and promote 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. Response areas may be reviewed and updated periodically. 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.**[1]~~ ~~***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

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

Burning Restrictions. 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.

~~[1] ***Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).***~~

22) PH 14-13: 2014 Clarke County Economic Development Strategic Plan

The Strategic Plan is a new implementing component plan recommended by the 2013 Comprehensive Plan and is the County's first Plan that focuses on economic development. The Strategic Plan is action-oriented and contains specific strategies and action items to help implement the Comprehensive Plan's recommendations on economic development. The recommended strategies and action items are designed to accomplish the following:

- Help diversify the County's tax base without undermining the rural, agricultural character; and
- Support the County's strong and venerable growth management program; avoid unduly increase in the cost of providing public services.

The economic development strategies support the County's other Comprehensive Plan components and balance the fundamental goal of land preservation with the important need for economic vitality and a healthy business tax base.

Brandon Stidham introduced Milton Herd, consultant. Mr. Herd provided a PowerPoint presentation covering goals, strategies, actions and next steps.

Mr. Herd answered questions from the Board and the Board discussed housing consistent with growth management goals and promotion of diverse, walkable, well-connected housing stock in and around towns.

Milt Herd remarked that Clarke County is known throughout the state for its agricultural management.

At 7:04 pm, Chairman Hobert opened the public comment portion of the public hearing. There being no persons present wishing to speak Chairman Hobert closed the public hearing and called for comment from the Supervisors.

Vice Chairman Weiss moved to adopt the Clarke County Economic Development Strategic Plan as recommended by the Planning Commission. The motion carried as follows:

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

23) PH 14-11: TA-14-02, Administrative Land Divisions

Proposed text amendment to amend §2-B, Definitions; §3-A-2, Administration by Planning Commission; §4, Procedure for Subdivision Approval; and §10, Special Regulations of the Subdivision Ordinance. The purpose of the amendment is to define a division of land into two or more parcels with each parcel being a minimum of 100 acres as an "administrative land division."

The amendment would establish additional regulations for review of such divisions including compliance with private access easement and utility installation requirements, and would require compliance with water and sewage disposal requirements for parcels forty (40) acres or larger that are reduced below forty (40) acres via boundary line adjustment. The amendment would also create a definition for the term "residual lot" and would require Planning Commission review for merger, boundary line adjustment, or administrative land division of a residual lot that was the subject of an administrative land division within the previous two (2) years.

Brandon Stidham summarized the proposed amendment.

At 7:17 pm, Chairman Hobert opened the public comment portion of the public hearing. There being no persons present wishing to speak, Chairman Hobert closed the public hearing and called for Supervisor comment

Supervisor Staelin moved to approve TA-14-02 as presented. The motion carried as follows:

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

Subdivision Ordinance Amendment Text (proposed changes in bold italics with strikethroughs where necessary):

Additions to Section 2-B, Definitions (addition of two new definitions will require this section to be renumbered):

ADMINISTRATIVE LAND DIVISION. A division of land into two or more parcels with each parcel being a minimum of 100 acres. Such divisions shall not be considered a major or minor subdivision and shall be acted upon administratively by the Zoning Administrator.

LOT, RESIDUAL (or RESIDUAL PARCEL): The portion of a lot of record that remains after the creation of a new lot or lots.

SUBDIVIDE (2/16/01): To divide any tract, parcel, or lot of land into two or more parts, with the following exceptions:

2-B-50-(a) Boundary Line Adjustments (see Special Regulations, Article 10-D).

2-B-50-(b) The use of one of the parcels will be public utility uses and not more than (6/21/05) two parcels would result from the division of land.

2-B-50-(c) All persons proposing to divide and/or merge land who contend such (6/13/89) division is exempted from the provisions of this Ordinance under (2/20/90) subsections (a) or (b), above, shall submit to the Zoning Administrator a (7/20/93) plat of the proposed division, or other documents, plats, or evidence (6/21/05) satisfactory to the Zoning Administrator, and if in the opinion of the Zoning Administrator the division is accepted, he shall so certify on said plat or on the deed of conveyance by which the property is to be divided. The Zoning Administrator's certificate shall state that the division is accepted under (a) or (b), above, and shall be signed by the Zoning Administrator. No person shall record a plat or conveyance for the division of land without complying with the provisions of this Ordinance or without the Zoning Administrator's certificate as aforesaid.

2-B-50-(d) Administrative Land Divisions
Addition to Section 3, Administration

3-A-2. The Commission may act through its Zoning Administrator and/or Planning Staff duly appointed as provided in Section 15.2-2217 of the Code of Virginia, to the extent that the Commission finds appropriate for the administration of this Ordinance; provided, however, that no person may act for the Commission in approving, conditionally approving, or disapproving any Preliminary Plat or Record Plat ***of a major or minor subdivision. , except t****The Zoning Administrator shall act for the Commission in approving, conditionally approving, or disapproving any ***Preliminary Plat or*** Record Plat ***in which all lots proposed are 100 acres or greater in area of an administrative land division***.

Addition to Section 4, Procedure for Subdivision Approval

4-M. Administrative Land Divisions.
1. If one or more of the parcels resulting from an administrative land division are to be served by a private access easement, the private access easement shall comply with all applicable design requirements set forth in §8-J.

2. Utility installation on parcels resulting from an administrative land division shall comply with all applicable design requirements set forth in §8-G. The Zoning Administrator shall have the authority to act on behalf of the Planning Commission in applying §8-G-1, §8-G-3, and §8-G-11.

Addition to Section 10, Special Regulations

10-D-6 Any boundary line adjustment shall require approval by the Zoning Administrator.

10-D-7 If a lot with an area equal to or greater than forty (40) acres is reduced in size below forty (40) acres by boundary line adjustment, the resultant lot shall comply with the water and sewage disposal system requirements set forth in §7- C-3-d.

10-F CERTAIN MERGERS, BOUNDARY LINE ADJUSTMENTS, AND ADMINISTRATIVE LAND DIVISIONS

10-F-1 Any plat depicting a merger or boundary line adjustment involving a residual lot that was the subject of an administrative land division within the previous two (2) year period shall require approval by the Planning Commission. 5

10-F-2 Any plat depicting an administrative land division involving a residual lot that was the subject of a merger or boundary line adjustment within the previous two (2) year period shall require approval by the Planning Commission.

10-F-3 A final plat showing the merger, boundary line adjustment, or administrative land division shall be filed with the Zoning Administrator and submitted to the Planning Commission for review. The Commission shall act on the plat within sixty (60) days of the filing date.

10-F-3 The final plat depicting a merger shall meet the requirements of §10-E; the final plat depicting a boundary line adjustment shall meet the requirements of §10-D; and the final plat depicting an administrative land division or divisions shall meet the requirements of §4-M except as otherwise provided herein.

24) PH 14-12: TA-14-04, Commercial Boarding Kennels and Animal Shelters

Proposed text amendment to amend §3-A-1-a-3 (Special Uses and Structures), §3-A-2-a-3 (Special Uses and Structures), §3-A-12 (Special Uses and Structures), and §9-B-12 (Definitions) of the Zoning Ordinance. The purpose of the amendment is to remove Commercial Boarding Kennels and Animal Shelters as special uses in the Agricultural-Open Space-Conservation (AOC), Forestal-Open Space-Conservation (FOC), and Neighborhood Commercial (CN) Districts. The amendment would also delete the current use and definition of "animal shelter" and create a new use and definition for "animal shelter/governmental" that is limited to a facility owned and/or operated by the Clarke County government. "Animal shelter/governmental" would be added to the list of special uses in the AOC and FOC Districts.

Brandon Stidham summarized the proposed text amendment.

At 7:21 pm, Chairman Hobert opened the public comment portion of the public hearing. There being no persons present wishing to speak, Chairman Hobert closed the public hearing and called for Supervisor comment.

Supervisor Byrd moved to approve as presented. The motion carried as follows:

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

Zoning Ordinance Amendment Text (proposed changes in bold italics with strikethroughs where necessary):

3 DISTRICT REGULATIONS

3-A-1 Agricultural-Open Space-Conservation District – AOC

3. Special Uses and Structures
u. Veterinary Services, Animal Hospitals, ~~***Commercial Boarding Kennels of more than five canine or feline animals,***~~ Breeding Kennels of more than 15 canine animals, ~~***Animal Shelters***~~ ***Animal Shelter/Governmental***

3-A-2 Forestal-Open Space-Conservation District – FOC

3. Special Uses and Structures

q. Veterinary Services, Animal Hospitals, ~~***Commercial Boarding Kennels of more than five canine or feline animals,***~~ Breeding Kennels of more than 15 canine animals, ~~***Animal Shelters***~~ ***Animal Shelter/Governmental***

3-A-12 Neighborhood Commercial District (CN)

3. Special Uses and Structures

o. Veterinary services, animal hospitals, ~~***Commercial Boarding Kennels,***~~ Breeding Kennels

9-B DEFINITIONS

~~***9-B-12 ANIMAL SHELTER: A facility or facilities (public, private, or non-profit), used to house or contain companion animals and operated for the purpose of finding***~~

~~***permanent adoptive homes for such animals. Further, an animal shelter is a facility housing more than:***~~
~~***a. five companion animals older than six months, on parcels of up to five acres, or***~~
~~***b. one companion animal older than six months for each acre of a parcel, if the parcel is greater than five acres, or***~~
~~***c. 20 companion animals older than six months on parcels of 20 acres or more.***~~

ANIMAL SHELTER/GOVERNMENTAL: A facility or facilities, owned and/or operated by the Clarke County government, used to house or contain companion animals and operated for the purpose of finding permanent adoptive homes for such animals.

25) Closed Session

At 7:22 pm, **Supervisor Staelin moved to convene into Closed Session pursuant to §2.2-3711-A1 Specific Employees or Appointees of the Board. The motion carried as follows:**

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

At 8:03 pm, the members of the Board of Supervisors being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, **Supervisor Staelin moved to reconvene in open session. The motion carried as follows:**

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

Supervisor Staelin further moved to execute the following Certification of Closed Session:

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires a certification by the Board of Supervisors of the County of Clarke, Virginia that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia.

The motion was approved by the following roll-call vote:

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

Following Closed Session, **Supervisor Staelin moved to adopt the following resolution**

Be It Resolved that the Springsted Pay and Classification Plan Implementation with proposed ranges as shown on Exhibit 1, attached hereto and incorporated by reference, is hereby adopted; and

Be It Further Resolved further that the $150,000 budgeted for FY 2015 for implementation of the Plan, be distributed retroactively to July 1, 2014 in accordance with the attached Exhibit 2, which reflects a 3% increase in salaries except for those employees whose salaries are increased to meet minimum of the range associated with the "Grade" for position adopted and shown on Exhibit 1;

And Further, Be It Resolved that all part time employees be granted a 3% increase in their hourly rate of compensation, effective retroactively to July 1, 2014, to be appropriated, funded and distributed from "government savings" carryover from FY2014 (an amount estimated at $12,700); and further

Be It Resolved that the sum of $37,000 be appropriated, funded and distributed from "government savings" carryover from FY 2014, retroactively to July 1, 2014, in accordance with the attached Exhibit 3, reflecting a 1 % increase in current payroll to be distributed to the identified "pools" for further allocation among employees in accordance with plans adopted by Constitutional Officers, the County Administrator, and the Board of Social Services based upon their employee evaluations and/or "years of service" so as to address "compression" issues, the plans for distribution being subject to final review and authorization by the Clarke County Board of Supervisors; and

Further Be It Resolved that Joint Administrative Services be granted a 4% increase in its total budgeted employee payroll, effective retroactively to July 1, 2014, to

be appropriated, funded and distributed in equal shares from "government savings" and "school savings" carryover from FY 2014 (a combined amount estimated at $14,667), with individual employee grades and salaries to be adopted and approved subject to the plan prepared by Evergreen and adopted by the School Board and Joint Administrative Services Board.

The motion was approved by the following roll-call vote:

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

26) Adjournment

There being no further business to be brought before the Board at 8:05 pm Chairman Hobert adjourned the Board of Supervisors meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday November 18, 2014 at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: October 21, 2014

J. Michael Hobert, Chair

David L. Ash, County Administrator

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

Consent Agenda

A. Lord Fairfax Health District 2014-2015 Locality Agreement

B. 2014-14R - Resolution Of The Board Of Supervisors Of Clarke County Approving A Financing To Be Undertaken By The Industrial Development Authority Of Clarke County, Virginia, For The Benefit Of A Multifamily Rental Residential Facility Consisting Of 60 Units Designed For Persons And Families Of Low And Moderate Incomes

C. Acceptance Abstract of Votes Election 2014

D. Conservation Easement DUR Purchase

E. Appalachian Trail Community™ program

Consent Agenda

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RECEIVED OCT 2 1 2014

Lord Fairfax Health District

LORD FAIRFAX HEALTH DISTRICT

Office of Administrative Services
10 Baker Street
Winchester, Virginia 22601
Tel. (540) 722-3470 ~ Fax (540) 722-3476
www.vdh.virginia.gov

VDH VIRGINIA DEPARTMENT OF HEALTH
Protecting You and Your Environment

To: All Local Governing Bodies
Lord Fairfax Health District

From: David D. Crabtree, Administrator
Lord Fairfax Health District

Date: October 20, 2014

Subject: 2014-2015 Locality Agreement

Attached you will find three complete copies of the 2014-2015 agreement between your Locality and the Virginia Department of Health. After reviewing the agreement, please have the local authorizing officer *sign each of the three copies with an original signature* on the second page.

After signing, please return all three copies to my attention (address below). I will forward the signed agreements to the Commissioner of Health. When all parties have signed off on the agreement, I will return one completed copy of the agreement to your attention.

If at all possible I would like to receive the agreements before December 12, 2014. If you have any questions, please call.

Please mail to:

David D. Crabtree, M.S.
District Business Administrator
10 Baker Street
Winchester, Va. 22601
(540) 542-1322

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HEALTH

STATEMENT OF AGREEMENT WITH the Board of Supervisors of Clarke County

Under this agreement, which is created in satisfaction of the requirements of § 32.1-31 of the ***Code of Virginia*** (1950), as amended, the Virginia Department of Health, over the course of one fiscal year, will pay an amount not to exceed $243,560 from the state general fund to support the cooperative budget in accordance with appropriations by the General Assembly, and in like time frame, the **Board of Supervisors of Clarke County** will provide by appropriation and in equal quarterly payments a sum of $159,779 local matching funds and $45,221 one-hundred percent local funds for a total of **$205,000** local funds. These joint funds will be distributed in timely installments, as services are rendered in the operation of the **Clarke County Health Department**, which shall perform public health services to the Commonwealth as indicated in Attachment A(1.), and will perform services required by local ordinances as indicated in Attachment A(2.). Payments from the local government are due on the third Monday of each fiscal quarter.

The term of this agreement begins July 1, 2014. This agreement will be automatically extended on a state fiscal year to year renewal basis under the terms and conditions of the original agreement unless written notice of termination is provided by either party. Such written notice shall be given at least 60 days prior to the beginning of the fiscal year in which the termination is to be effective. Any increase or decrease in funding allocation shall be made by an amendment to this agreement.

The parties agree that:

1. Under this agreement, as set forth in paragraphs A, B, C, and D below, the Commonwealth of Virginia and the Virginia Department of Health shall be responsible for providing liability insurance coverage and will provide legal defense for state employees of the local health department for acts or occurrences arising from performance of activities conducted pursuant to state statutes and regulations.

   A. The responsibility of the Commonwealth and the Virginia Department of Health to provide liability insurance coverage shall be limited to and governed by the Self-Insured General Liability Plan for the Commonwealth of Virginia, established under § 2.2-1837 of the Code of Virginia. Such insurance coverage shall extend to the services specified in Attachments A(1.) and A(2.), unless the locality has opted to provide coverage for the employee under the Public Officials Liability Self-Insurance Plan, established under § 2.2-1839 of the Code or under a policy procured by the locality.

   B. The Commonwealth and the Virginia Department of Health will be responsible for providing legal defense for those acts or occurrences arising from the performance of those services listed in Attachment A(1.), conducted in the performance of this contract, as provided for under the Code of Virginia and as provided for under the terms and conditions of the Self-Insured General Liability Plan for the Commonwealth of Virginia.

C. Services listed in Attachment A(2.), any services performed pursuant to a local ordinance, and any services authorized solely by Title 15.2 of the Code of Virginia, when performed by a state employee, are herewith expressly excepted from any requirements of legal defense or representation by the Attorney General or the Commonwealth. For purposes of assuring the eligibility of a state employee performing such services for liability coverage under the Self-Insured General Liability Plan of the Commonwealth of Virginia, the Attorney General has approved, pursuant to ə 2.2-507 of the Code of Virginia and the Self-Insured General Liability Plan of the Commonwealth of Virginia, the legal representation of said employee by the city or county attorney, and the **Board of Clarke County** hereby expressly agrees to provide the legal defense or representation at its sole expense in such cases by its local attorney.

D. In no event shall the Commonwealth or the Virginia Department of Health be responsible for providing legal defense or insurance coverage for local government employees.

2. Title to equipment purchased with funds appropriated by the local government and transferred to the state, either as match for state dollars or as a purchase under appropriated funds expressly allocated to support the activities of the local health department, will be retained by the Commonwealth and will be entered into the Virginia Fixed Asset Accounting and Control System. Local appropriations for equipment to be locally owned and controlled should not be remitted to the Commonwealth, and the local government's procurement procedures shall apply in the purchase. The locality assumes the responsibility to maintain the equipment and all records thereon.

3. Amendments to or modifications of this contract must be agreed to in writing and signed by both parties.

Marissa J. Levine, MD MPH, FAAFP
State Health Commissioner
Virginia Department of Health

Local authorizing officer signature

Authorizing officer printed name

Authorizing officer title

Date

Date

Approved as to form by the Office of the Attorney General on August 29, 2011.

Attachments: Local Government Agreement, Attachment A(1.)
Local Government Agreement, Attachment A(2.)

LGA-Revised February 2014

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

BASIC PUBLIC HEALTH SERVICES TO BE **ASSURED** BY LOCAL HEALTH DEPARTMENTS
INCOME LEVEL A IS DEFINED BY THE BOARD OF HEALTH TO BE MEDICALLY INDIGENT (32.1-11)

For Each Service Provided, Check Block for Highest Income Level Served			
COMMUNICABLE DISEASE SERVICES	Income A only	Defined by Federal Regulations	All (specify income level if not ALL)
Immunization of patients against certain diseases, including Childhood Immunizations As provided for in 32.1-46 Code Link-32.1-46			X
Sexually transmitted disease screening, diagnosis, treatment, and surveillance 32.1-57, Districts may provide counseling Code Link-32.1-57			X
Surveillance and investigation of disease 32.1-35 and 32.1-39 Code Links-32.1-35, 32.1-39			X
HIV/AIDS surveillance, investigation, and sero prevalence survey 32.1-36, 32.1-36.1, 32.1-39 Code Links-32.1-36, 32.1-36.1,32.1-39			X
Tuberculosis control screening, diagnosis, treatment, and surveillance 32.1-49, 32.1-50.1, and 32.1-54 Code Links-32.1-49, 32.1-50, 32.1-54			X
CHILD HEALTH SERVICES	Income A only	Defined by Federal Regulations	All
Children Specialty Services; diagnosis, treatment, follow-up, and parent teaching 32.1-77, 32.1-89 and 32.1-90 Code Links-32.1-77, 32.1-89, 32.1-90			X
Screening for genetic traits and inborn errors of metabolism, and provision of dietary supplements Code Links-32.1-65, 32.1-69			X
Well child care up to age 19 (enter year) Board of Health Code Link-32.1-77			X
WIC Federal grant requirement Public Law 108-265 as amended, Child Nutrition Act of 1966; Child Nutrition and WIC Reauthorization Act 2009 Code Link-32.1-351.2		X	
EPSDT DMAS MOA Social Security Act section 1905(r) (5) Code Link-32.1-11			X
Blood lead level testing Code Link-32.1-46.1, 32.1-46.2			X
Outreach, Patient and Community Health Education Code Link-32.1-11, 32.1-11.3, 32.1-39			X
Community Education Code Link-32.1-11, 32.1-23			X
Pre-school Physicals for school entry Code Link-22.1-270			X

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

BASIC PUBLIC HEALTH SERVICES TO BE **ASSURED** BY LOCAL HEALTH DEPARTMENTS
INCOME LEVEL A IS DEFINED BY THE BOARD OF HEALTH TO BE MEDICALLY INDIGENT (32.1-11)

Disabled disability Waiver Screenings DMAS MOA Code Link-32.1-330			X
Services for Children with Special health care needs Title V, Social Security Act Code Link-32.1-77			X
Child restraints in motor vehicles Code Link-46.2-1095, 46.2-1097			X
Babycare DMAS MOA			X
MATERNAL HEALTH SERVICES	Income A only	Defined by Federal Regulations	All
Prenatal and post partum care for low risk and intermediate risk women , Title V, Social Security Act Code Link-32.1-77		X	
Babycare Services DMAS MOA		X	
WIC Federal grant requirement Public Law 108-265 as amended, Child Nutrition Act of 1966; Child Nutrition and WIC Reauthorization Act 2009 Code Link-32.1-351.2		X	
FAMILY PLANING SERVICES	Income A only	Defined by Federal Regulations	All
Clinic services including drugs and Contraceptive supplies Family Planning Population Research Act of 1970, Title X Code Link-32.1-77, 32.1-325		X	
Pregnancy testing and counseling Family Planning Population Research Act of 1970, Title X Code Link-32.1-77, 32.1-325		X	

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

ENVIRONMENTAL HEALTH SERVICES
BASIC PUBLIC HEALTH SERVICES TO BE **ASSURED** BY LOCAL HEALTH DEPARTMENTS

The following services performed in accordance with the provisions of the Code of Virginia, the regulation of the Board of Health and/or VDH agreements with other state or federal agencies.	
Ice cream/frozen desserts: Under the agency's Memorandum of Agreement (MOA) with the Virginia Department of Agriculture and Consumer Services (VDACS), the local health department is responsible for initiating the issuance, suspension, reinstatement and revocation of permits for all frozen desserts plants which are an integral part of any premises, including Grade "A" milk plants, hotels, restaurants, and mobile units where frozen desserts are frozen or partially frozen or dispensed for retail sale.	X
Investigation of communicable diseases: Pursuant to §§ 32.1-35 and 32.1-39 of the Code of the Code of Virginia, the local health director and local staff are responsible for investigating any outbreak or unusual occurrence of a preventable disease that the Board of Health requires to be reported. Code Links-32.1-35, 32.1-39	X
Marinas: Pursuant to §32.1-246 of the Code of Virginia, local health department staff are responsible for permitting marinas and other places where boats are moored and is responsible for inspecting them to ensure that their sanitary fixtures and sewage disposal facilities are in compliance with the Marina Regulations (12VAC5-570-10 et seq.) Code Link-32.1-246	X
Migrant labor camps: Pursuant to §§ 32.1-203-32.1-211 of the Code of Virginia, local health departments are responsible for issuing, denying, suspending and revoking permits to operate migrant labor camps. Local health departments also must inspect migrant labor camps and ensure that the construction, operation and maintenance of such camps are in compliance with the Rules and Regulations Governing Migrant Labor Camps (12VAC5-501-10 et seq.). Code Links-32.1-203, 32.1-211	X
Milk: Pursuant to §§ 3.2-5130, 3.2-5206, 3.2-5208 of the Code of Virginia and the agency's MOA with VDACS, the local health department is responsible for issuing, denying, suspending and revoking permits for Grade "A" milk processing plants which offer milk and or milk products for sale in Virginia. Local health department are also responsible for the inspection of Grade "A" milk plants for compliance with the Regulations Governing Grade "A" Milk (2VAC5-490-10). Code Links-3.2-5130, 3.2-5206, 3.2-5208	X
Alternative discharging sewage systems: Pursuant to § 32.1-164(A) of the Code of Virginia, local health department are responsible for issuing, denying and revoking construction and operation permits for alternative discharging systems of less than 1000 gallons per day serving single family dwellings. Local health departments are also required to conduct regular inspections of alternative discharging systems in order to ensure that their construction and operation are in compliance with the Alternative Discharging Regulations (12VAC5-640-10 et seq.). Code Link-32.1-164	X
Onsite sewage systems: Pursuant to §32.1-163 et seq. of the Code of Virginia, local health department staff is responsible for performing site evaluations and designs of onsite sewage systems. Local health department staff is also responsible for issuing, denying and revoking construction and operation permits for conventional and alternative onsite sewage systems. Local health department staff are also responsible for inspecting the construction of onsite sewage systems for compliance with the Sewage Handling and Disposal Regulations (12VAC5-610-20 et seq.;"SHDR") and the Alternative Onsite Sewage System Regulations (12VAC5-613-10 et seq.;"AOSS Regulations). Local health department is also responsible for ensuring the performance, operation and maintenance of onsite sewage systems are in compliance with the SHDR and AOSS Regulations. Code Link-32.1-163	X
Rabies: **Pursuant to §3.2-6500 et seq. of the Code of Virginia, the local health department is responsible for investigating complaints and reports of suspected rabid animals exposing a person, companion animal, or livestock to rabies.** **Code Link-** 3.2-6500	X

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

ENVIRONMENTAL HEALTH SERVICES
BASIC PUBLIC HEALTH SERVICES TO BE **ASSURED** BY LOCAL HEALTH DEPARTMENTS

Restaurants/eating establishments: Pursuant to §35.1-14 of the Code of Virginia, local health departments are responsible for issuing, denying, renewing, revoking and suspending permits to operate food establishments. In addition, local health departments are required to conduct at least one annual inspection of each food establishment to ensure compliance with the requirements of the Food Regulations (12VAC5-421-10 et seq.). These regulations include requirements and standards for the safe preparation, handling, protection, and preservation of food; the sanitary maintenance and use of equipment and physical facilities; the safe and sanitary supply of water and disposal of waste and employee hygiene standards. Code Link- 35.1-14	X
Sanitary surveys: The local health department is responsible for conducting surveys of properties which include soil evaluations and identification of potential sources of contamination. The surveys are conducted in order to determine site suitability for onsite sewage systems, alternative discharging systems and wells. Code Link-32.1-11, 32.1-43	X
Single home sewage discharge Code Link-32.1-164	
Hotels/Motels: In accordance with §35.1.13 of the Code of Virginia, local health department staff is responsible for issuing, denying, revoking and suspending permits to operate hotels. The local health department is responsible for conducting inspections of hotels to ensure compliance with the Hotel Regulations (12VAC5-431-10 et seq.). These regulations include requirements and standards for physical plant sanitation; safe and sanitary housekeeping and maintenance practices; safe and sanitary water supply and sewage disposal and vector and pest control. Code Link-35.1-13	X
Water supply sanitation-Inspection of Water Supplies **Code Link-** 15.2-2144	X
Wells: Pursuant to §32.1-176.2, local health departments are responsible for issuing, denying and revoking construction permits and inspection statements for private wells. Local health departments are also responsible for inspecting private wells to ensure that their construction and location are in compliance with the Private Well Regulations (12VAC5-630-10 et seq.). Code Link-32.1-176.2	X
Homes for adults: The local health department, at the request of the Department of Social Services (DSS) will inspect DSS-permitted homes for adults to evaluate their food safety operations, wastewater disposal and general environmental health conditions.	X
Juvenile Justice Institutions: Pursuant to §35.1-23 of the Code of Virginia and the agency's memorandum of understanding with the Department of Corrections, local health departments are responsible for conducting at least one annual unannounced inspection of juvenile justice institutions in order to evaluate their kitchen facilities, general sanitation and environmental health conditions. Code Link-35.1-23	X
Jail inspections: Pursuant to § 53.1-68 of the Code of Virginia and the agency's memorandum of understanding with the Department of Corrections, local health departments are responsible for conducting at least one annual unannounced inspection of correction facilities in order to evaluate their kitchen facilities, general sanitation and environmental health conditions. Code Link-53.1-68	X
Daycare centers: At the request of DSS will inspect DSS-permitted daycare centers to evaluate their food safety operations, wastewater disposal and general environmental health conditions.	X
Radon Pursuant to §32.1-229 local health department may assist VDH Central Office with Radon testing and analysis. Code Link-32.1-229.	X
Summer camps/ Campgrounds: Pursuant to 35.1-16 and 35.1-17 of the Code of Virginia, local health departments are responsible for issuing, denying, revoking and suspending permits to operate summer camps and campgrounds. The local health department is responsible for conducting inspections of summer camps and campgrounds not less than annually to ensure that their construction, operation and maintenance are in compliance with the Regulations for Summer Camps (12VAC5-440-10 et seq.) and the Rules and Regulations for Campgrounds (12VAC5-450-10 et seq.). Code Links-35.1-16, 35.1-17	X

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

OTHER PUBLIC HEALTH SERVICES
BASIC PUBLIC HEALTH SERVICES TO BE **ASSURED** BY LOCAL HEALTH DEPARTMENTS

The following services performed in accordance with the provisions of the Code of Virginia, the regulations of the Board of Health and/or the policies and procedures of the State Department of Health	
Medicaid Nursing Home Screening DMAS MOA Code Link- 32.1-330	X
Comprehensive Services Act 2.2-5201-2.2-5211 Code Link- 2.2-5201, 2.2-5211	X
Vital Records (Death Certificates) Code Link- 32.1-254, 32.1-255, 32.1-272	X
Early Intervention Services Community Policy and Management Teams (CPMT) Interagency Coordinating Council (Infants/Toddlers) Code Link- 2.2-5305, 2.2-5306	X
Immunizations for maternity and post-partum patients Code Link-32.1-11, 32.1-325, 54.1-3408.	X
AIDS Drug Assistance Program (ADAP) Code Link-32.1-11,32.1-330	X
Emergency Preparedness and Response Code Link-32.1-42, 32.1-43, 32.1-229,	X
HIV Counseling, Testing and Referral Code Link-32.1-37.2	X

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

OPTIONAL PUBLIC HEALTH SERVICES

For Each Service Provided, Check Block for Highest Income Level Served

	Income A only	Defined by Federal Regulations	All
COMMUNICABLE DISEASE SERVICES			
Foreign Travel Immunizations			
Other:			
CHILD HEALTH SERVICES			
School health services			
Sick child care			
Other:			
Community Education			X
	Income A only	Defined by Federal Regulations	All
MATERNAL HEALTH SERVICES			
Funds for deliveries			
Funds for special tests and drugs			
Diagnosis, treatment, and referral for gynecological problems			
Other:			
Community Education			X
	Income A only	Defined by Federal Regulations	All
FAMILY PLANNING SERVICES			
Nutrition Education			
Preventive Health Services			
Pre-Conception Health Care			
Other: Community Education			X

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(1.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

OPTIONAL PUBLIC HEALTH SERVICES

For Each Service Provided, Check Block for Highest Income Level Served			
GENERAL MEDICAL SERVICES	Income A only	Defined by Federal Regulations	All
Activities of Daily Living			
Community Education			X
General Clinic Services (100% Locally Funded)			
Outreach			
Occupational health services			
Personal care			
Pharmacy services-Alternate Drug Delivery Site			
Hypertension screening, referral, and counseling			X
Respite care services			
Other:			
SPECIALTY CLINIC SERVICES (List)	Income A only	Defined by Federal Regulations	All
DENTAL HEALTH SERVICES	Income A only	Defined by Federal Regulations	All
Preventive Clinic Services - Children			
Preventive Clinic Services - Adults			
Restorative Clinic Services			
Community Education			
Other:			

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(2.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

PUBLIC HEALTH SERVICES PROVIDED
UNDER LOCAL ORDINANCE

Neither the *Code of Virginia* nor Regulations of the Board of Health requires the following services to be provided by the local health department	Place an X in this column if service is provided for locality	Local ordinance code cite	Provide a brief description of local ordinance requirements
Accident Prevention			
Air Pollution			
Bird Control			
Employee Physicals			
General Environmental	X	Chapter 61,124,137	Animals, Nuisances, and Property Maintenance – Investigate Complaints
Housing - BOCA & local building codes	X	Chapter 124, 137	Nuisance and Property Maintenance-Investigate Complaints
Insect control	X	Chapter 124, 137	Nuisance and Property Maintenance-Investigate Complaints
Noise			
Plumbing			
Radiological Health			
Rodent Control	X	Chapter 124, 137	Nuisance and Property Maintenance-Investigate Complaints
Solid Waste	X	Chapter 137	Property Maintenance-Investigate Complaints
Swimming facilities			
Weeds	X	Chapter 137	Property Maintenance-Investigate Complaints
Smoking Ordinances			
Other environmental services (identify)			
Building Permit Walkover	X	Chapter 143 / Code of VA 32.1-165	Safe, Adequate, and Proper Review per Code
Local Septic Ordinance	X	Chapter 143	Determination of adequate site requirements and proper documentation per Ordinance
Local Well ordinance	X	Chapter 184	Determination of adequate site requirements and proper documentation per Ordinance

LOCAL GOVERNMENT AGREEMENT, ATTACHMENT A(2.)

VIRGINIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH SERVICES

PUBLIC HEALTH SERVICES PROVIDED UNDER
LOCAL ORDINANCES OR CONTRACT WITH LOCAL GOVERNMENTS

OPTIONAL PUBLIC HEALTH SERVICES

For Each Service Provided, Check Block for Highest Income Level Served			
	Income A only	Defined by Federal Regulations	All
Employee physicals			
Primary care for inmates in local jails or correctional institutions			
Other medical services (List)			
Other (please list)			
Please see attachment 043_FY14A			X

The Health District will convene a meeting with pertinent Clarke County staff no later than February 28 to delineate current County and State Environmental Health service needs as well as project future needs.

The Lord Fairfax Health District will staff the Board of Septic and Well Appeals with an assigned staff person as well as a back-up staff person. Clarke County Government will communicate directly with assigned health department staff and the Environmental Health Supervisor as to meeting requirements. The county will provide annual feedback to the Environmental Health Supervisor concerning the quality of assistance received.

Clarke County government will provide training to both Environmental Health Specialists Senior and the Clarke County Environmental Health Supervisor in the use of GPS technology to document the location of private onsite septic drain fields and wells and proper interface with the County's GIS mapping system. Once training is completed, the Health District will provide use of at least one GPS unit to the Clarke County Environmental Health staff. Staff will include documentation of private onsite septic drain field and well locations in all future permitting activities, recording this data in the State's VENIS database and also sharing this data with Clarke County government. In addition, staff will collect this data, as time allows, on existing wells and drain fields – for instance, when investigating environmental health complaints that involve either wells or private onsite septic drain fields.

Clarke County Health Department will distribute Clarke County government's environmental health educational brochures and written materials to customers and clients. Clarke County government will provide training and information concerning their local environmental initiatives to all health department support and environmental health staff so that staff will be able to support the county's needs in this area.

The Lord Fairfax Health District will develop and implement a strategy to increase the sharing of desired data with Clarke County government. It will include promoting the provision of GW-2 forms.

The Lord Fairfax Health District and Clarke County will complete an assessment of duties and services desired in Environmental Health no later than May 1 Yearly. This assessment will be used to evaluate current Environmental Health and Support staffing levels.

1. The Health District will convene a meeting with pertinent Clarke County staff no later than February 28 Yearly to delineate current County and State Environmental Health service needs as well as project future needs.
2. Complete a staffing level evaluation for Environmental Health and Support (clerical) staff by May 1, Yearly.
3. Add GPS coordinates to future well and private onsite sewage disposal system VENIS records and share with county.
4. Distribute requested County materials to customers.
5. Staff the Board of Septic and Well Appeals with a primary and back-up staffer.
6. Develop a strategy to provide requested data to the County routinely.

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

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

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

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

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

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF CLARKE COUNTY APPROVING A FINANCING TO BE UNDERTAKEN BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF CLARKE COUNTY, VIRGINIA, FOR THE BENEFIT OF A MULTIFAMILY RENTAL RESIDENTIAL FACILITY CONSISTING OF 60 UNITS DESIGNED FOR PERSONS AND FAMILIES OF LOW AND MODERATE INCOMES
2014-14R

WHEREAS, the Industrial Development Authority of Clarke County, Virginia (the "Authority"), on October 15, 2014, adopted a resolution (the "Authority Resolution") authorizing the issuance and sale of its Multifamily Revenue Bonds, Series 2014, in a principal amount not to exceed $4,300,000 (the "Bonds"), for the benefit of Berryville United Methodist Housing, L.P., a Virginia limited partnership (the "Borrower"), to finance the costs of acquiring, rehabilitating, equipping and furnishing Mary Hardesty House, a multifamily rental residential facility consisting of 60 dwelling units designed for persons and families of low and moderate incomes (the "Project");

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code") and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code"), require that the governmental unit on whose behalf the Bonds are issued approve the issuance of such Bonds;

WHEREAS, Section 147(f) of the Internal Revenue Code requires that any such approval by the applicable governmental unit be given after a public hearing following reasonable public notice, which hearing may be held by the public authority issuing the Bonds;

WHEREAS, on October 15, 2014, in accordance with the requirements of Section 147(f) of the Internal Revenue Code and Section 15.2-4906 of the Virginia Code, the Authority held a public hearing and adopted the Authority Resolution approving the issuance of the Bonds;

WHEREAS, a copy of the Authority Resolution, a record of the public hearing and a fiscal impact statement with respect to the issuance of the Bonds have been filed with the Board of Supervisors (the "Board of Supervisors") of Clarke County, Virginia (the "County");

WHEREAS, the Borrower has requested the Board of Supervisors to approve the issuance of the Bonds to comply with Section 147(f) of the Internal Revenue Code and with Section 15.2-4906 of the Virginia Code; and

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CLARKE COUNTY, VIRGINIA:

The Board of Supervisors hereby approves the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Internal Revenue Code and by Section 15.2-4906 of the Virginia Code.

The approval of the issuance of the Bonds does not constitute an endorsement of the Bonds or the creditworthiness of the Borrower. As required by Section 15.2-4909 of the Virginia Code, the Bonds shall provide that the County will have no obligation to pay the Bonds or the interest thereon or other costs incident thereto.

All acts and doings of the officers of the County and the Board of Supervisors that are in conformity with the purposes and intent of this resolution shall be, and the same hereby are, in all respects approved and confirmed.

The Board of Supervisors' approval of the issuance of the Bonds is conditioned upon the issuance of the Bonds by October 14, 2015.

This resolution shall take effect immediately.

Members present at the meeting:

Members absent from the meeting were:

Members voting in favor of the foregoing resolution were:

Members voting against the foregoing resolution were:

Members abstaining from voting on the foregoing resolution were:

WITNESS MY HAND and the seal of the Board of Supervisors of Clarke County, Virginia, this 18th day of November, 2014.

[SEAL]

David L. Ash - Clerk, Board of
Supervisors of Clarke County, Virginia

CERTIFICATE

The undersigned Secretary of the Industrial Development Authority of Clarke County ("Authority") certifies as follows:

1. A meeting of the Authority was duly called and held on October 15, 2014, at 10:00 o'clock a.m. in Meeting Rooms A and B, 2nd Floor, Clarke County/Berryville Joint Governmental Center, in Berryville, Virginia, pursuant to proper notice given to each Director of the Authority before such meeting. The meeting was open to the public. The time of the meeting and the place at which the meeting was held provided a reasonable opportunity for persons of differing views to appear and be heard.

2. The Chairman announced the commencement of a public hearing on the application of Berryville United Methodist Housing L.P., a Virginia limited partnership and that a notice of the hearing was published once a week for two successive weeks in a newspaper having general circulation in Berryville, Virginia ("Notice"), with the second publication appearing not less than six days nor more than twenty-one days prior to the hearing date. A copy of the Notice has been filed with the minutes of the Authority and is attached as Exhibit A.

3. A summary of the statements made at the public hearing is attached as Exhibit B.

4. Attached as Exhibit C is a true, correct and complete copy of a resolution ("Resolution") adopted at such meeting of the Authority by a majority of the Directors present at such meeting. The Resolution constitutes all formal action taken by the Authority at such meeting relating to matters referred to in the Resolution. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on this date.

WITNESS my hand and the seal of the Authority, this 15th day of October, 2014.

Secretary, Industrial Development Authority
of Clarke County, Virginia

[SEAL]

Exhibits:

A - Copy of Certified Notice
B - Summary of Statements
C - Inducement Resolution

EXHIBIT B TO CERTIFICATE

Summary of Statements

Mr. Mal Malinowski, President of Virginia United Methodist Housing Development Corporation, the developer of the Mary Hardesty House acquisition and redevelopment, spoke on behalf of the project describing the rehabilitation to be undertaken upon acquisition. There were no comments made in opposition to the Project at the public hearing.

RESOLUTION OF THE
INDUSTRIAL DEVELOPMENT AUTHORITY
OF CLARKE COUNTY, VIRGINIA

WHEREAS, there has been described to the Industrial Development Authority of Clarke County, Virginia (the "Authority"), the plans by Berryville United Methodist Housing, L.P., a Virginia limited partnership (the "Borrower"), to finance the costs of acquiring, rehabilitating, equipping and furnishing Mary Hardesty House, a multifamily rental residential facility consisting of 60 dwelling units for persons and families of low and moderate incomes and located at 218 Mosby Boulevard, Berryville, Virginia 22611, (the "Project");

WHEREAS, the Borrower in its application has described the benefits of the financing, and has requested the Authority to issue its multifamily revenue bonds (as more particularly described below, the "Bonds") under the Virginia Industrial Development and Revenue Bond Act in Section 15.2-4900, *et. seq.* of the Code of Virginia of 1950, as amended (the "Act") in such amounts as may be necessary to finance costs to be incurred in acquiring, rehabilitating, equipping and furnishing the Project; and

WHEREAS, a public hearing has been held as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and Section 15.2-4906 of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF CLARKE COUNTY, VIRGINIA:

1. It is hereby found and determined that the financing of the Project for the Borrower will be in the public interest of Clarke County, Virginia (the "County"), and its environs, and will enable the Borrower to provide safe and affordable rental housing facilities for the use of inhabitants of low and moderate income in the Commonwealth of Virginia (the "Commonwealth") and the County, and will be in furtherance of the purposes of the Act.

2. The Authority hereby agrees to assist the Borrower to finance the acquisition, rehabilitation, equipping and furnishing of the Project by undertaking the issuance of its multifamily revenue bonds therefor in an amount not to exceed $4,300,000, upon terms and conditions to be mutually agreed upon between the Authority and the Borrower.

3. The proceeds of the Bonds shall be loaned to the Borrower to enable it to acquire, rehabilitate, equip and furnish the Project, and pay any costs of issuance for the Bonds. The Borrower shall agree to provide payments to the Authority sufficient to pay the principal of, premium, if any, and interest on the Bonds and to pay all other expenses in connection with financing the Project. The Bonds shall be issued in form and pursuant to terms to be approved by the Authority, and the payment of the Bonds shall be secured by an assignment, for the benefit of the holders thereof, of the Authority's rights to payments (other than rights to fees, expenses and indemnification) under the agreement pursuant to which the proceeds of the Bonds will be loaned to the Borrower.

4. The Authority hereby agrees with the recommendation of the Borrower that Jones Walker LLP be appointed as bond counsel in connection with the issuance of the Bonds, and hereby appoints such firm to supervise the proceedings and approve the issuance of the Bonds.

5. All lawful costs and expenses in connection with the financing of the Project, including the fees and expenses of bond counsel, counsel for the Authority and the underwriter for the sale of the Bonds, shall be paid from the proceeds of the Bonds or by the Borrower. If for any reason the Bonds are not issued, or the Bonds are issued but it is determined that a part or all of such costs are not lawfully payable out of Bond proceeds, it is understood that all such expenses shall be paid by the Borrower and that the Authority shall have no responsibility therefor.

6. The financing instruments shall provide for payment by the Borrower to the Authority of an annual fee consistent with the Authority's policy for such fees; provided, however, that the amount so paid shall not equal or exceed an amount that would cause the "yield" on the obligation of the Borrower to the Authority or any other "acquired purpose obligation" to be "materially higher" than the yield on the Bonds, as the terms are defined in Section 148 of the Code.

7. The Borrower shall indemnify and save harmless the Authority, its officers, directors, employees, and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs, and expenses in any way connected with the Borrower or the issuance of the Bonds.

8. Any action heretofore or hereafter taken by any officer of the Authority in conformity with the purposes and intent of this resolution and the issuance of the Bonds is hereby ratified, approved and confirmed.

9. The Authority hereby recommends that, in accordance with the Act, the Board of Supervisors of Clarke County, Virginia, approve the issuance of the Bonds.

10. This resolution shall take effect immediately upon its adoption.

CERTIFICATE

The undersigned Secretary of the Industrial Development Authority of Clarke County, Virginia, hereby certifies that the foregoing is a true, correct and complete copy of a Resolution adopted by a majority of the Directors of the Authority present and voting at a meeting duly called and held on October 15, 2014, in accordance with law, at which meeting a quorum was present and acting throughout, and such Resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof.

WITNESS my hand and seal of the Authority this 20th day of October, 2014.

Secretary, Industrial Development Authority of Clarke County, Virginia

[SEAL]

ABSTRACT of VOTES

Cast in CLARKE COUNTY, VIRGINIA
at the 2014 November General Election held on November 04, 2014 for,

United States Senate

NAMES OF CANDIDATES ON THE BALLOT	*TOTAL VOTES RECEIVED (IN FIGURES)*
Ed W. Gillespie - Republican	2893
Mark R. Warner - Democrat	1954
Robert C. Sarvis - Libertarian	143
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	3
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 04, 2014, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the United States Senate.

Ed W. Gillespie - Republican

Given under our hands this 7th *day of* NOVEMBER, 2014

Carol S. Hazelwood, Chairman

Susan D. Ndar, Vice Chairman

Donald De Haven, Secretary

Donald De Haven, Secretary, Electoral Board

ABSTRACT of VOTES

Cast in CLARKE COUNTY, VIRGINIA
at the 2014 November General Election held on November 04, 2014 for,

Member House of Representatives

District: 10

NAMES OF CANDIDATES ON THE BALLOT	*TOTAL VOTES RECEIVED (IN FIGURES)*
Barbara J. Comstock - Republican	3079
John W. Foust - Democrat	1721
William B. Redpath - Libertarian	99
Brad A. Eickholt - Independent	61
Dianne L. Blais - Independent Green	24
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	1
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 04, 2014, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Member House of Representatives.

Barbara J. Comstock - Republican

Given under our hands this 7th *day of* NOVEMBER, 2014

COUNTY ELECTORAL BOARD VIRGINIA

Carol S Hesterlee, Chairman

Susan D. Ware, Vice Chairman

Donald De Haven, Secretary

Donald De Haven, Secretary, Electoral Board

ABSTRACT OF VOTES

cast in the County/City of CLARKE **, Virginia**
at the November 4, 2014 Special Election, for:

PROPOSED CONSTITUTIONAL AMENDMENT

QUESTION: Shall Section 6-A of Article X (Taxation and Finance) of the Constitution of Virginia be amended to allow the General Assembly to exempt from taxation the real property of the surviving spouse of any member of the armed forces of the United States who was killed in action, where the surviving spouse occupies the real property as his or her principal place of residence and has not remarried?

	TOTAL VOTES RECEIVED (IN FIGURES)
Yes	4343
No	564
Total Number Of Overvotes For Question	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 4, 2014, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for and against the proposed constitutional amendment.

Given under our hands this 7th *day of November, 2014.*

A copy teste:

Carol S Hes Jewett, Chairman

Susan D Ndar, Vice Chairman

Donald De Haven, Secretary

Donald De Haven Secretary, Electoral Board

ABSTRACT of VOTES

Cast in the Town of BOYCE in CLARKE COUNTY, VIRGINIA
at the 2014 November General Election held on November 04, 2014 for,

Member Town Council - Special

District: BOYCE

NAMES OF CANDIDATES ON THE BALLOT	*TOTAL VOTES RECEIVED (IN FIGURES)*
Dennis S. Hall	90
Ruth A. Hayes	68
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_ins = Total Write In Votes]	5
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 04, 2014, do herby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member Town Council - Special .

Dennis S. Hall

Given under our hands this 7TH *day of* NOVEMBER, 2014

Carol S Hesselbrock, Chairman

Susan D. Ndan, Vice Chairman

Donald De Haven, Secretary

Donald De Haven, Secretary, Electoral Board

Commonwealth of Virginia

November 4, 2014 General and Special Elections

Clarke County Results Report

OFFICE: United States Senate - Statewide

Locality / Precinct		Registered All	Registered Active	Turnout	Ed W. Gillespie (R)	Mark R. Warner (D)	Robert C. Sarvis (L)	Write-in
CLARKE COUNTY	## AB - Central Absentee Precinct			276	142	128	5	0
	#_ Provisional			4	1	1		0
	101 - RUSSELL	2095	2013	1000	673	307	20	1
	201 - BERRYVILLE	1915	1772	852	427	382	35	0
	301 - MILLWOOD	1435	1366	671	374	279	17	0
	302 - PINE GROVE	636	616	337	203	116	16	1
	401 - WHITE POST	2005	1891	941	538	371	25	1
	501 - BUCKMARSH	1483	1388	696	407	268	17	0
	502 - BLUE RIDGE	510	474	238	128	102	8	
		10079	9520	5015	2893	1954	143	3
	Turnout %	49.76%	52.68%					

Commonwealth of Virginia

November 4, 2014 General and Special Elections

Clarke County Results Report

OFFICE: Member House of Representatives - 10

Locality / Precinct		Barbara J. Comstock (R)	John W. Foust (D)	William B. Redpath (L)	Dianne L. Blais (IG)	Brad A. Eickholt (I)	Write-in
CLARKE COUNTY	## AB - Central Absentee Precinct	147	120	4	2	3	0
	#_ Provisional	1	1				
	101 - RUSSELL	709	262	14	1	9	1
	201 - BERRYVILLE	454	354	26	4	10	0
	301 - MILLWOOD	398	246	10	4	5	0
	302 - PINE GROVE	214	102	11	0	7	0
	401 - WHITE POST	581	317	18	7	11	0
	501 - BUCKMARSH	429	236	12	5	12	0
	502 - BLUE RIDGE	146	83	4	1	4	0
		3079	1721	99	24	61	1

Proposed Amendment

	Yes	No	
## AB - Central Absentee Precinct	233	31	
#_ Provisional	2		
101 - RUSSELL	882	96	
201 - BERRYVILLE	731	107	
301 - MILLWOOD	584	73	
302 - PINE GROVE	294	38	
401 - WHITE POST	804	114	
501 - BUCKMARSH	596	89	
502 - BLUE RIDGE	217	16	
	4343	564	

Commonwealth of Virginia

November 4, 2014 General and Special Elections

Clarke County Results Report

OFFICE: Member Town Council - Special - BOYCE

Locality / Precinct		Dennis S. Hall (I)	Ruth A. Hayes (I)	Write-in
CLARKE COUNTY	## AB - Central Absentee Precinct	0	1	
	#_ Provisional			
		90	67	5
		90	68	5

MEMORANDUM

TO: Board of Supervisors, David Ash
FROM: Conservation Easement Authority, Alison Teetor
DATE: November 10, 2014
SUBJECT: Item for Consent Agenda

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

Easement DUR Purchase
Glen Masters has applied to the easement authority for approval of an easement DUR Purchase. The property consists of 2 parcels located at 1004 Pyletown Road 1 mile west of Route 340. The parcel identified 21-((A))-18A is 11.8 acres with and existing house. Parcel 18B is 6.4 acres with 1 DUR. The parcels will be merged prior to easement recordation and therefore are treated as one for this application. A site visit was conducted October 15th.

The parcel is zoned AOC qualify for use value taxation, in accord with the Commissioner of Revenue's requirements, therefore a DUR purchase may be considered if at least two of the following four guidelines are met:

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

The parcels were originally scored separately but when since merger is eminent the scoring was redone to evaluate the property as a whole.

The property meets 3 of the 4 criteria, it is next to an existing easement (Bauhan), scored over 35 (57.39) and is retiring the one remaining DUR. The entire property is within the Prospect Hill Spring drainage area, and has frontage on 2 scenic byways Pyletown Road and Summerville Rd.

The Authority approved and Mr. Masters accepted a DUR purchase price of $40,000. VDACS will pay 50% of the purchase price.

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

TO: **Board of Supervisors, David Ash**

FROM: **Alison Teetor, Brandon Stidham**

DATE: **November 10, 2014**

SUBJECT: **Appalachian Trail Community™ program**

In August 2014, Christy Dunkle submitted an application for Clarke County-Town of Berryville to become a Certified Appalachian Trail Community. The Appalachian Trail Community™ program is designed to recognize communities that promote and protect the Appalachian Trail (A.T.). Towns, counties, and communities along the A.T.'s corridor are considered assets by all that use the A.T. and many of these towns act as good friends and neighbors to the Trail. The program serves to assist communities with sustainable economic development through tourism and outdoor recreation, while preserving and protecting the A.T.

Designation as an Appalachian Trail Community™ and participation in the program is aimed to:

- Engage community citizens, Trail visitors and stewards
- Recognize and thank communities for their service to the Trail and hikers
- Act as a catalyst for enhancing sustainable economic development
- Aid local municipalities and regional areas with conservation planning
- Help local community members see the Trail as a resource and asset

On October 25, 2014, Ms. Dunkle, Alison Teetor, and Lee Sheaffer attended the Mid-Atlantic Appalachian Trail Conservancy Regional Partnership Committee meeting in Harrisburg, Pennsylvania and presented a Powerpoint summarizing the application. After the presentation, members voted unanimously to accept us as an Appalachian Trail Community. Next steps are to hold a public celebration of the acceptance and begin developing items for inclusion on their website. We will continue to keep the Board apprised of implementation activities including the date and location of the public celebration once it is scheduled.

APPALACHIAN TRAIL CONSERVANCY®

Dear Brandon Stidham, October 30, 2014

Thank you for all your work supporting Berryville/Clarke County's application to become an Appalachian Trail Community™. Your support and commitment to the Appalachian National Scenic Trail is an asset to our organization and the greater Trail Community. On October 25, 2014, the Appalachian Trail Conservancy's Mid Atlantic Regional Partnership Committee formally approved Berryville and Clarke County, VA as an official Appalachian Trail Community™!

Our next steps are to work with you and the leadership team responsible for submitting such a commendable application to publicly celebrate the designation. Accompanying this letter, you will find the A.T. Community Designation Manual that contains a wealth of information to help you plan your celebration event. As a new member of the A.T. Community network, we hope to keep open lines of communication to foster strong relationships between the Appalachian Trail Conservancy and Berryville/Clarke County. As a means of doing this, we ask you and the Advisory Committee help us by:

- Generating content you would like to see on your page on the ATC website – see examples from other communities at: http://www.appalachiantrail.org/what-we-do/community-engagement
- Letting ATC know if there are any leadership changes in your committee
- Keeping track of volunteer hours donated to growing your A.T. Community (meetings, events, service projects, etc)
- Forwarding ATC a copy of minutes from your committee meetings, contacting us with meeting dates
- Provide us with any news or upcoming events in your community related to the Trail – we love to share these in our e-newsletters, on our Facebook page, and A.T. Community Blog!

ATC hosts regional conference calls for A.T. Community representatives to collaborate on ideas, share successes and discuss challenges. We hope you and your committee will participate regularly!

As always, please feel free to contact me if you have any questions about the next steps for your community. The Appalachian Trail Conservancy is happy to call Berryville/Clarke County our newest Appalachian Trail Community ™. We look forward to celebrating with you in the near future!

Sincerely,

Julie Judkins, Appalachian Trail Conservancy Community Program Manager

GEORGIA, NORTH CAROLINA AND TENNESSEE REGIONAL OFFICE
160 A Zillicoa Street, P.O. Box 2750, Asheville, NC 28801 | Phone: 828.254.3708 | Fax: 828.254.3754 | www.appalachiantrail.org

Personnel Committee Items

November 12, 2014; 9:30 am
Second Floor, Main Meeting Room
Berryville/Clarke County Government Center
101 Chalmers Court, Berryville, Virginia 22611

Item No.	*Description*

A. **Closed Session**

11/08/2014 Summary: **Supervisor McKay moved to convene into Closed Session pursuant to §2.2-3711-A1. The motion carried as follows:**

Beverly B. McKay	-	Aye
J. Michael Hobert	-	Aye

The members of the Board of Supervisors Personnel Committee being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, **Supervisor McKay moved to reconvene in open session. The motion carried as follows:**

Beverly B. McKay	-	Aye
J. Michael Hobert	-	Aye

Supervisor McKay further moved to execute the following Certification of Closed Session:

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, Personnel Committee has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires a certification by the Board of Supervisors of the County of Clarke, Virginia Personnel Committee that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, Personnel Committee hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia.

The motion was approved by the following roll-call vote:

Beverley B. McKay	-	Aye

J. Michael Hobert - Aye

No action was taken on matters discussed in Closed Session.

B. **Expiration of Term for appointments expiring through January 2015**

11-12-2014 Summary: The Personnel Committee recommends appointment of the following:

- Christina J. Kraybill to serve on the Economic Development Advisory Committee for the remainder of the current term expiring December 31, 2017. This appointee fills the vacancy left by Jay Hillerson.
- Ed Pierce to serve on the Board of Social Services for a term expiring July 15, 2018.
- Gwendolyn Malone to serve on the Clarke County Planning Commission to serve the remainder of the unexpired term of William Steinmetz, II. The terms expires April 30, 2016.

In other matters, the Personnel Committee directed staff to request a presentation on the activities and status of the Warren-Clarke County Microenterprise Assistance Program Management Team.

Appointments by Expiration Through January 2015

				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."

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.

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.

Economic Development Advisory Committee			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.

				Appt Date	Exp Date	Orig Appt Date:
Economic Development Advisory Committee			4 Yr			
Myer	Dr. Eric	Agriculture Rep, Business Owner		1/1/2011	12/31/2014	1/21/2003
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
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.						
Northwestern Community Services Board			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; 37.2-501(A)]						
Parks & Recreation Advisory Board			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	
(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

			Appt Date	Exp Date
Barns of Rose Hill Board of Directors				3 Yr
Johnston	Bill	Buckmarsh District	7/17/2012	12/31/2015
BCCGC Joint Building Committee				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
Berryville Area Development Authority				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
Berryville Area Development Authority Comprehensive Plan Committee				Open-End
Hobert	J. Michael	Berryville District	1/7/2008	
McKay	Beverly	White Post District	3/20/2012	
Berryville/Clarke County Joint Committee for Economic Development and Tourism				Ongoing
Ash	David L.	County Administrator	10/14/2014	
Staelin	John	BoS - Appointed Member	10/14/2014	
Board of Septic & Well Appeals				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
Board of Social Services				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
Board of Supervisors				4 Yr
Byrd	Barbara J.	Russell District	1/1/2012	12/31/2015

			Appt Date	Exp Date
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
Board of Supervisors Finance Committee				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
Board of Supervisors Personnel Committee				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
Board of Zoning Appeals				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
Career and Technical Education Advisory Committee				1 Yr
McKay	Beverly	BoS - Appointed Member	10/21/2014	12/31/2014
Clarke County Agricultural Advisory Committee				
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
Clarke County Historic Preservation Commission				4 Yr
Caldwell	Anne	Millwood District	4/16/2014	5/31/2017

			Appt Date	Exp Date
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	10/21/2014	10/30/2018
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	Berrryville 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
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

			Appt Date	Exp Date
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
Clarke County Sanitary Authority				4 Yr
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
Conservation Easement Authority				3 Yr
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
Constitutional Officer				
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
County Administrator				
Ash	David L.	County Administrator	3/19/1991	
Economic Development Advisory Committee				4 Yr
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

			Appt Date	Exp Date
Fire & EMS Commission				
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
Handley Regional Library Board				4 Yr
Myer	Tamara	Town of Boyce	8/20/2013	11/30/2017
Joint Administrative Services Board				Open-End
Ash	David L.	County Administrator	12/22/1993	
Bishop	Chuck	School Superintendent	7/1/2014	
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	
Schutte	Charles	School Board Representative	1/8/2012	12/31/2013
Weiss	David	BOS - Alternate	1/23/2014	12/31/2014
Legislative Liaison and High Growth Coalition				1 Yr
Hobert	J. Michael	BOS - Liaison	1/23/2014	12/31/2014
Lord Fairfax Community College Board				4 Yr
Daniel	William	Berryville District	7/1/2012	6/30/2016
Lord Fairfax Emergency Medical Services Council				3 Yr
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
Northern Shenandoah Valley Regional Commission				1 Yr
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
Northwestern Community Services Board				3 Yr
Harris	Lucille	Millwood District	1/15/2013	12/31/2015
Stieg, Jr.	Robert	Millwood District	3/20/2012	12/31/2014

			Appt Date	Exp Date
Northwestern Regional Jail Authority				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
Northwestern Regional Juvenile Detention Center Commission				1 Yr
Byrd	Barbara J.	BOS - Liaison	1/23/2014	12/31/2014
Wyatt	Jimmy	Millwood District	1/15/2013	12/20/2016
Old Dominion Alcohol Safety Action Policy Board & Division of Court Services				3 Yr
Roper	Anthony	Sheriff	11/19/2013	12/31/2016
Old Dominion Community Criminal Justice Board				3 Yr
Roper	Anthony	Sheriff	11/19/2013	12/31/2016
Our Health				3 Yr
Shipe	Diane	Buckmarsh District	4/16/2013	3/15/2016
Parks & Recreation Advisory Board				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
People Inc. of Virginia				3 Yr
Hillerson	Coleen	Clarke County Rep Board of Directors	6/18/2013	7/31/2016
Regional Airport Authority				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
Shenandoah Area Agency on Aging, Inc.				4 Yr
Bouffault	Robina Rich	White Post District	10/21/2014	9/30/2018
Steinmetz, II	William	Berryville District	9/16/2014	9/30/2016
Shenandoah Valley Chief Local Elected Officials Consortium				
Ash	David L.	BOS Designee for Chief Elected Official		

			Appt Date	Exp Date
Shenandoah Valley Workforce Investment Board				4 Yr
James	Patricia	Berryville District	9/17/2013	6/30/2017
Strategic Planning Committee				1 Yr
Weiss	David	BoS - Appointed Member	10/21/2014	12/31/2014
The 150th Committee				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
Warren-Clarke County Microenterprise Assistance Program Management Team				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	

NORTHWESTERN COMMUNITY SERVICES

MILLARD F. HALL, JR.
Chief Executive Officer

ADMINISTRATIVE OFFICES
209 West Criser Road
Suite 300
Front Royal, VA 22630
(540) 636-4250
Fax # (540) 636-7171
T.D.D. 800-828-1120
www.nwcsb.com

RECEIVED OCT 14 2014

October 8, 2014

From the October 21, 2014 Regular Meeting Packet

Mr. David Ash
Clarke County Administrator
101 Chalmers Court, Suite B
Berryville, Virginia 22611

Dear Mr. Ash:

I am writing to notify you that Robert W. Stieg's time on our Board of Directors expires on December 31, 2014.

We would ask that, if possible, your locality appoint a new representative as soon as possible. Also, please note Section 37.2-501(A) of the Code of Virginia that discusses broad citizen representation on Community Services Boards, i.e., consumers, family members, etc.

If I can be of assistance to you in identifying a new representative to our Board, please call. I am available to meet with a prospective member to provide detailed information as to the role, responsibilities, etc. of Board Membership.

Thank you.

Sincerely,

Millard F. Hall, Jr.
Chief Executive Officer

MFHjr/vls

cc: Mr. Jack Alkire, Chair

Board of Supervisors Work Session Agenda

November 12, 2014 10:00 am
Berryville/Clarke County Government Center, 2nd Floor
101 Chalmers Court, Berryville, Virginia 22611

Item No.	*Description*

A. Clarke County General Government Pay and Classification Study

11-12-2104 Summary: Sharon Keeler, Suni Mackall, Donna Peake, Tony Roper and Barbara Bosserman addressed the board with regard to their concerns and reservations regarding the implementation of the pay and classification system and proposed pay raises. Collectively the group believed that the grading system was based on an inaccurate interpretation of the various duties and responsibilities of the County's employees, it favored County employees over employees of Constitutional Officers, and that assigned grades unduly limited future earnings. They also expressed concern that the increases granted by the Board, along with the discretionary pool, did not adequately address the issues of salary compression and internal promotion.

The Board offered to make the consultant available to explain the classification system and to respond to their concerns.

Constitutional Officers agreed to implement the raise granted by the Board with the expectation that there would be future discussions and actions to address their concerns.

B. 2014 Conflict of Interest Filing Briefing by David Ash

11-12-2014 Summary: David Ash referred Board members to the information regarding Conflict of Interest contained in the packet noting that there still appeared to be much confusion and must uncertainty regarding specific filing requirements. He promised that any additional information or clarification received between now and the filing deadline would be distributed to affected individuals.

C. Jefferson County Music Festival Update by David Ash

11-12-2014 Summary: David Ash reported that it appeared that the Jefferson County Board of Zoning Appeals had acted to approve the request for a large music festival located on Withers LaRue Road near the Clarke County border. Although the appeals board refused to consider the applicants request for

clarification of terminology, the terms were in fact interpreted to the applicants' benefit in the subsequent order. The order included approval of a traffic management plan that appears to include utilization of public roadways in Clarke County for purposes of ingress, egress and traffic stacking. A small map was included in the order but its low resolution was not legible. Efforts are being made to obtain a legible copy and Clarke County law enforcement and emergency services will provide a response to any proposed use of public facilities or services in Clarke County.

D. **Fire and EMS Implementation Items: Fee for Service Update**

11-12-2014 Summary: Frank Davis, Director Fire and Emergency Medical Services, reported that he had arranged meetings with Valley Health Services to discuss details of fee for service billing training and management services. He hoped to have a more detailed recommendation at the Boards' December Work Session. The Board discussed the need to ensure that sufficient public notice, education and support was developed before adopting an ordinance implementing fee for service.

County of Clarke
David Ash, County Administrator

To: Clarke County Board of Supervisors

Date: November 12, 2014

A copy of the 2014-2015 edition of Virginia Freedom of Information Act, Virginia Conflict of Interest Act, and the Virginia Public Records Act Guide for Local Government Leaders is being provided to you for your information and reference.

The 2014 General Assembly passed the Ethics Reform Bill (i.e. HB 1211 and SB 649), which made changes to the Conflict of Interests Act (COIA). The changes that most directly affect board members pertain to personal interests, gifts, and disclosures.

Personal Interests

Under the previous version of the COIA, board members were required to disclose personal interests valued at $10,000 or more per year. Under the 2014 legislation, the amount requiring reporting has been reduced to $5,000. This new reporting requirement applies to salary earned from a business and the value of an ownership interest. In addition, this $5,000 limit applies to personal liabilities, which includes money owed to a bank or a creditor for such things as student loans and/or credit card debt. You are not required to report debts owed to any government, car loans, or mortgages.

In addition to the changes to the disclosure amount, the definition of immediate family has been modified. The current definition still includes spouse, but is now limited to a “child who resides in the same household who is a dependent of the officer/employee.” The old provision was very broad in definition and applied to “any other person” residing in the house and who was a dependent. The new language limits the definition of immediate family and applicability of this provision for reporting purposes.

Gifts

Gifts have been redefined into two categories – tangible gifts and intangible gifts.

Tangible gifts are defined as gifts that do not lose their value upon the happening of an event or a given date (e.g. clothing, artwork, etc.). Tangible gifts are capped at $250 per gift or cumulatively per calendar year from lobbyists, lobbyists’ principals, and people/entities with a contract or seeking a contract with an

official's locality. Exceptions to these rules include:

- Campaign contributions reported as such.
- Gifts related to the private profession of the official/employee.
- Gifts from relatives and personal friends. For purposes of this article, relatives are defined as spouse, child, uncle, aunt, niece, nephew, fiancé, parent, grandparent, grandchild, brother, sister, and their spouses. *There is a note of caution with this exemption. If the personal friend is a lobbyist, lobbyist's principal, or is seeking a contract with the agency then this exception does not apply and the $250 limit applies to the gift.*
- Honorary degree or need, athletic or merit based scholarship or aid, if the procedures for obtaining are applicable to the general public.

Certain reporting requirements apply to tangible gifts. Intangible gifts are defined as things of a temporary value or that upon the happening of an event lose their value. Examples include trips, entertainment, lodging, meals, or transportation. There are no limits on intangible gifts, but the reporting requirements apply. Reportable gifts are to be reported on the Statement of Economic Interests.

Disclosures

There are new rules governing the filing of the Statement of Economic Interests forms. Previously these forms were filed annually with the Clerk of the governing body. Under the changes to the COIA, you will make the 2014 filing in December with the Clerk of the governing body. Beginning in 2015, those officers required to file the Statement of Economic Interests forms will file semi-annually, **June 15** and **December 15** for the preceding six months.

Beginning July 1, 2015, the Statement of Economic Interests forms are to be filed with the Conflict of Interest and Ethics Advisory Council. By December 15, 2015 these forms will be filed electronically with this agency.

There are new reporting rules for the Statement of Economic Interests forms. You must disclose payments, that combined, exceed $200 for registration, lodging, meals, transportation, or other payments for attending any meetings, conferences, or events, if attendance educates or enhances the knowledge and skill of attendees on matters related to their role in the government agency. These payments should be listed on Schedule D, except if the payments are made by the government agency. If the government agency pays then only payments for out of state events must be listed. If the event has no educational value then it must be listed as a gift.

The official must disclose gifts to the official and gifts to members of the official's immediate family when their value exceeds $50 each or the total value exceeds

$100. If the gift falls into one of the exceptions listed above then no reporting is required. Again the exceptions apply to campaign contributions, gifts related to the official's private profession, gifts from relatives, and gifts from personal friends. However, if the personal friend is a lobbyist or a lobbyist's principal or an entity that has or is seeking a contract with the government agency, you cannot use the personal friend exemption.

We are providing this memo to you as a means of highlighting some of the changes to the Conflict of Interest Act and filing requirements. The entirety of the act has been included in the attachment for your additional reference.

Should you have any questions, please do not hesitate to contact us.

Contents Courtesy of Jay E. Tibbs, Deputy County Administrator Frederick County and Roderick B. Williams, County Attorney

Virginia Freedom of Information Act, Virginia Conflict of Interest Act

and the

Virginia Public Records Act

2014-2015 Edition

Guide for Local Government Leaders

VIRGINIA MUNICIPAL LEAGUE

July 2014

Introduction

July 2014

THIS UPDATED GUIDE IS DESIGNED to help local government officials understand their responsibilities under the Virginia Freedom of Information Act (FOIA), Virginia Conflict of Interests Act (COIA) and Virginia Public Records Act.

Each of the acts requires council members and certain other elected and appointed officials to read and familiarize themselves with the three sets of laws.

This 2014 Virginia Municipal League publication explains all three laws in non-legal terms as much as possible. It is not written for lawyers, though we hope it will be useful for attorneys, too.

VML appreciates the contributions of Roger Wiley and Jeff Gore of the law firm Hefty & Wiley, P.C. in Richmond for writing the chapter on the Public Records Act. Contact Roger at: roger@heftywiley.com or 804/780-3143.

Updates throughout this publication, including those explaining changes in the law made by the 2014 General Assembly, were written by VML legal intern Emma Buck, a third-year student at the T.C. Williams School of Law at the University of Richmond.

Mark Flynn

If you have questions about these laws or comments about this publication, contact Mark Flynn, VML general counsel, at: 804/523-8525 or mflynn@vml.org.

While FOIA and COIA constitute a large part of the rules of conduct for state and local government officials, local officials might also want to consult a publication produced by VML and George Mason University on ethical conduct. *The Ethical GPS, Navigating Everyday Dilemmas* is a comprehensive guide to ethics. VML encourages city and town council members to consult it when questions arise about the propriety of a course of action.

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Virginia Freedom of Information Act
Guide for Local Government Officials

Introduction

The Virginia Freedom of Information Act was enacted by the General Assembly in 1968. In the years since, the law has undergone major revisions and has been modified annually to address new situations. The 2014 version of the act is included following this section of the guide.

Local public officials are required to read and familiarize themselves with the law. § 2.2-3702(ii). This guide provides useful assistance in meeting that obligation. Many provisions of the act address state agencies and other matters that do not concern local governments. Those provisions are not discussed. This guide will help local officials become familiar with their obligations under the law.

The Freedom of Information Act Advisory Council, through its staff, provides local officials with timely information about the act that will assist in compliance. Contact information for the staff is found later in this report.

This guide has two major sections – meetings of a public body and records of a public body. The term "public body" will be used to generally describe any locally elected public body, such as city and town councils, as well as county boards and committees of all such bodies. Where a difference exists in the act's requirements for a specific type of local elected public body, the difference is noted.

Purpose of the act

FOIA generally determines how local public bodies must conduct their meetings, from city council sessions to a citizen advisory committee recommending where to locate a new sidewalk. The act also regulates the public's access to local government records.

The guiding principle of FOIA is openness. The act aims to "[ensure] the people of the Commonwealth ready access to records in the custody of public officials and free entry to meetings of public bodies wherein the business of the people is being conducted." § 2.2-3700(B). The section further declares that "the affairs of government are not intended to be conducted in an atmosphere of secrecy since at all times the public is to be the beneficiary of any action taken at any level of government." Id.

Thus, FOIA attempts to ensure that Virginia's citizens have the ability to observe how their elected public officials are conducting public business.

What's New

The General Assembly passed one major revision to FOIA in the 2014 session, dealing with remote participation in meetings.

Public bodies that wish to allow their members to participate in meetings remotely, in case of a personal matter or medical condition, must establish a policy governing electronic participation that complies with § 2.2-3708.1. Members will be allowed to participate as long as the reason for their absence does not violate the established policy. This legislation also removes the requirement added last session that the member's participation be approved by a majority vote of the present members. HB 193. The effect is that if the council adopts the policy, it must allow any member to participate electronically as long as they comply with the policy.

I. Meetings.

The basic principle of FOIA is that all meetings of public bodies are open to the public. Section 2.2-3700(B) makes this clear:

All public records and meetings shall be presumed open, unless an exemption is properly invoked. The provisions of this chapter shall be liberally construed to promote an increased awareness by all persons of governmental activities and afford every opportunity to citizens to witness the operations of governments. Any exemption from public access to…meetings shall be narrowly construed and no…meeting closed to the public unless specifically made exempt pursuant to this chapter or other specific provision of law.

Nevertheless, the act contains numerous exceptions to the open meeting requirement. Some issues may be discussed in a meeting closed to the public. For instance, public bodies may hold a closed meeting if an open discussion will lead to the release of information that certain other state laws require to be kept secret. See § 2.2-3711(A)(26), (33), (34). Still, the fact that a meeting may be closed does not mean that it must be or even should be closed. Furthermore, any exceptions are to be narrowly construed.

A. Public body.

The open meeting requirements apply whenever a public body holds or participates in a meeting. The definition of "public body" is very broad. See § 2.2-3701. City and town councils and county boards of supervisors obviously are included. All committees and subcommittees are included, whether any members of the local governing body serve on the committee. Citizen committees are included if the committee is charged with either carrying out some function for the public body or advising it. FOIA specifically states that having citizen members does not exempt the body from the act. Id. Accordingly, a citizens' committee formed by the city or town to advise where a park or school should be located would be a public body subject to FOIA.

A committee of a council is a public body, as noted above. Whether the committee is a standing committee or an ad hoc committee, it is subject to the act. If the chair of a four-member finance committee appoints two members to negotiate a contract or to carry out-some other role, that subcommittee of the finance committee is also subject to the act.

B. What is a meeting?

City and town council meetings, county board meetings and committee meetings of a public body are certainly meetings regulated by the act. Like the definition of public body, the definition of meeting is broadly construed under § 2.2-3701, intending to capture any meeting where public business is transacted or discussed. A council work session is also a meeting, as is any other "informal assemblage" of as many as three members of a public body (or a quorum, if quorum is less than three members) where public business of the locality is discussed.

FOIA typically applies to public body gatherings irrespective of the meeting's location. It doesn't matter if a meeting is held in the council chambers or at a council retreat held out of the locality.

Attendance at a VML Annual Conference or a National League of Cities meeting is sometimes a touchy subject. Because of the broad definition of public meeting, some councils and boards consider attendance at a state or national conference to be a meeting, and will comply with the notice requirements of the act (discussed below) to be on the safe side, even though there is no plan to discuss the locality's public business. This action sometimes invokes a negative response from the media or citizens who complain that they cannot attend the out of town meeting. Conversely, if the council doesn't consider attendance at a conference to be a meeting, then the complaint becomes one that the council has sneaked out of town on a private meeting. The best solution is to announce the conference at a council meeting, but not describe it as a meeting of the locality, and to strictly avoid deliberating on the locality's public business while attending the conference.

A gathering of council does not create a meeting if public business is not discussed or carried out and the gathering was not called for the purpose of doing public business. § 2.2-3707. This section is aimed at allowing participation in community events or parties. Without this section, a citizen could criticize a council for holding a meeting if three members of council show up at a community forum. Similarly, attending a public forum, debate, or candidate's forum does not count as a meeting if the gathering is held to inform the electorate and no public business is being transacted. Finally, a meeting of employees for business purposes does not constitute a meeting, under the § 2.2-3701 definition.

Number of public officials needed to constitute a meeting

Obviously, any meeting of a council qualifies as a public meeting. For the purposes of the act, such a council meeting is created if a majority of council, or three members, regardless of how many are needed for a majority, get together and discuss public business. § 2.2-3701. Therefore, if three members of a council meet to discuss or act on government business, that creates a council meeting for purposes of FOIA, even if it is not a meeting per the locality's rules.

In contrast, if the three members are on a committee and meet as the committee, that meeting is a committee meeting, not a council meeting. If additional council members attend a committee meeting, that does not necessarily convert the meeting from a committee meeting to a council meeting. This was established in a Winchester Circuit Court opinion in Shenandoah Publishing House, Inc. v. Winchester City Council, 37 Va. Cir 149 (1995).

Notice provisions

General notice requirements that are spelled out in the act must be followed in order to hold any meeting of a public body. The state code also contains numerous specific notice and advertising requirements for particular types of public business. Examples include notice of zoning actions (§ 15.2-2204) and adopting budgets (§ 15.2-2506). In all cases, the more general requirements in FOIA need to be followed in addition to any other requirements. The state code's specific, subject matter requirements apply only if the public body is discussing the relevant type of public business. For all regular meetings of a council, committee, board, or other agency, notice must be posted on the body's public bulletin board and in the council clerk's office, or, if there is none, the office of the chief administrator. The notice must state the date, time and location of the meeting and must be posted at least three days before the date the meeting is to take place. § 2.2-3707(C).

For regular meetings, a simple way to comply with this requirement is to post a single notice listing the information for all meetings of the next year. This way, nobody will forget to give notice of a regularly scheduled meeting. For special or emergency meetings, the notice must be reasonable given the circumstances. The notice must be given to the public no later than when it is given to the members being called to attend. § 2.2-3707(D).

Any person may file an annual request for notice of all meetings. In that case, the public body must notify the person making the request of all meetings. Sending the annual schedule of all regular meetings will assist in complying with this obligation. If the requester supplies an e-mail address, all notices may be sent via e-mail, unless the person objects. § 2.2-3707(E).

If a citizen submits an e-mail address and other personal information, such as a home address to the locality for the purpose of being notified of meetings and other events, that e-mail address and other information need not be disclosed to others by the locality, pursuant to § 2.2-3705.1(10), but only if the person who has submitted the e-mail address requests the nondisclosure. Localities that are interested in keeping e-mail addresses private may want to send an e-mail to all e-mail recipients asking them to advise whether they want to have their e-mail address withheld and should have a check-box asking if the person wants to opt out of disclosure on the webpage where citizens sign up.

Meeting minutes

Minutes of council meetings must be taken at all open meetings. § 2.2-3707(I). Minutes must be written and include the meeting's date, time, and location, along with attendance, a summary of discussed matters, and any votes taken. Minutes of council committee meetings are required to be taken only if a majority of the members of the council serve on the committee. Accordingly, localities are advised to avoid creating committees that include a majority of the council.

Draft minutes and any audio or video recording made of a meeting are available to the public for inspection and copying. § 2.2-3707(I). This means that draft minutes must be disclosed if requested.

The agenda packet and all materials furnished to the members of the council (except documents that are exempt from disclosure, such as advice of the town or city attorney) must be made available for public inspection at the same time it is distributed to the members. § 2.2-3707(F). Any records that are exempt from disclosure do not need to be made available. The practical problem is for staff to remember to cull any exempt documents when making the public copy of the agenda. The better practice is to not include exempt documents as a part of the agenda, but to send them separately.

Recording meetings

Citizens have an absolute right to photograph and make video or audiotapes of public meetings. While the council may establish rules for where the equipment may be set up so meetings are not disrupted, the recording equipment may not be excluded altogether. § 2.2-3707(H). Council may not meet in a location where recordings are prohibited. If a courtroom, for example, has a standing order forbidding any form of recordation, public body meetings must be held elsewhere. § 2.2-3707(H).

Electronic meetings

Generally, council may not hold a meeting via electronic media, including a conference call, pursuant to §§ 2.2-3707 & 3708. There are two exceptions:

First, if the governor declares an emergency, the council may hold an electronic meeting, where members phone in or participate by other electronic means, solely to address the emergency. Council must give notice to the public to the extent possible and must provide public access to the meeting. § 2.2-3708(G).

Second, a member of council may participate electronically if he or she has an emergency or personal matter and identifies the emergency or personal matter, or if he or she has a medical condition that prevents attendance. The minutes should record the reason for the member's absence and the remote location from which

the member participated. Each public body must develop a written policy regulating electronic participation by its members. Once this policy is adopted, it must be applied uniformly to all members. A member's participation from a remote location may be disapproved if it violates the established policy. The disapproval must be noted in the body's minutes. An individual may participate electronically in no more than two meetings per year or 25% of the year's meeting, whichever is less. The body must maintain a physical quorum for the meeting. § 2.2-3708.1.

In addition to these exceptions, council members have some flexibility in communicating through e-mail. A 2004 Virginia Supreme Court opinion, Beck v. Shelton, 267 Va. 482; 593 S.E.2d 195, ruled that council members e-mailing each other did not create a meeting for purposes of FOIA. In Beck, multiple e-mails were sent by an individual council member to all other members; some e-mails were in a reply to all members, and in one or two of the e-mails, the reply was made more than 24 hours after the e-mail to which it replied. The court found that no meeting had occurred, although the opinion noted that the outcome may have been different had the e-mails been part of instant messaging or a chat room discussion.

The Virginia Supreme Court reinforced its Beck reasoning in Hill v. Fairfax County School Board, No. 111805 (June 7, 2012). Hill involved e-mails between members of a school board that were exchanged over an even shorter interval than in Beck. Back-and-forth communications only occurred between two board members (not the three required for a meeting under FOIA). Any e-mail that was received by three or more members was found to be of an informational or unilateral nature and did not create any discussion among members. Following Beck, the court reiterated that e-mails between council members must be sufficiently simultaneous to create a meeting for the purposes of FOIA. Hill affirmed the lower court's finding that the school board members' communications did not create a meeting because the e-mails did not show the simultaneity or group discussion required under FOIA. Thus, responsive e-mails between at least three council members must occur within quick succession to constitute an assembly of members (though the precise responsive speed that would be necessary is unclear).

Beck and Hill indicate that e-mail communication between more than two council members may comprise a meeting under FOIA if consisting of mutual discussion within a time frame short enough to be considered an assemblage. In light of these cases, council members have some discretion to send e-mails to other members if over an extended timeframe or if non-conversational (however, these e-mails will almost always be public records and subject to FOIA's disclosure provisions; see Part II of this guide). Nonetheless, council members should be cautious when communicating public business over e-mail because the courts have not clearly stated where responsive e-mails are considered an assemblage. Furthermore, this vagueness will only become amplified as technology improves and e-mail communication becomes ever more instantaneous. If a series of e-mails is found to be sufficiently analogous to an assembly of three or more council members, then all of FOIA's requirements apply. In that case, demonstrating how a group of e-mails between council members was open to the public may prove difficult.

Voting

All votes must be made publicly. Secret ballots are not allowed, unless permitted by some other provision of law. § 2.2-3710(A). This section, however, specifically authorizes each member of council to contact other members of a council or other body "for the purpose of ascertaining a member's position" on public business without making the position public. § 2.2-3710(B).

C. Closed meetings

A closed meeting is a meeting of a council or other public body from which the public is excluded. It may be held only for specific reasons, which are delineated in the act. A closed meeting must be entered into during an open meeting of the public body (the specific procedures are described below). After the closed portion of a meeting, the council must reconvene in open session to certify that the closed meeting portion was carried out legally. There are exceptions to the requirement that a closed meeting be held as a part of an open meeting. They are discussed below.

Purposes for closed meetings

Section 2.2-3711 sets out 45 reasons for holding a closed meeting. A city or town council will generally need to hold a closed meeting for one of six of the possibilities:

- Personnel matters - subsection 1;
- Real property - subsection 3;
- Privacy of individuals unrelated to public business - subsection 4;
- Prospective business - subsection 5;
- Consultation with legal counsel - subsection 7; and
- Terrorism- subsection 19.

1. Personnel matters. Section 2.2-3711(A)(1) authorizes a closed meeting for: "[d]iscussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body."

The most significant requirement in the subsection is that the discussion be about one or more specific people. This means that the council may not discuss general personnel issues in a closed meeting. For example, the council would not be authorized to meet behind closed doors to discuss a pay plan or set salaries for all employees. The council could, however, meet to discuss the pay increase to be given an employee or appointee, based on the council's discussion in the meeting of the employee's performance.

Note that the section applies to three classes of public officials: public officers, public appointees and employees of the public body. Therefore, the council could discuss the performance of a specific planning commission member in closed meeting since that person is an appointee of the council.

Two Virginia attorney general opinions have clouded the use of the section for a closed meeting discussion of most employees and some other public officials. In an opinion issued Dec. 16, 1998, the attorney general opined that a council may not hold a closed meeting to discuss employees who are not directly employed by the council. The opinion states that only the manager, clerk, and city attorney could be discussed in a closed meeting, because the city charter stated that only those three employees are under the "full supervisory authority" of the council. The attorney general confirmed the opinion in a second opinion dated May 18, 2000, which was written in response to a request for reconsideration. 2000 WL 8752.

Many local government attorneys, as well as VML, disagree with this opinion. The specific language of the subsection allowing a closed meeting for personnel matters states that the individual must be an employee of the public body. The opinion limits the term "employee of the public body" in a manner that is inconsistent with the common understanding of the authority of a city or town council over all employees, not just those who report directly to the council. If a council directs the manager to fire an employee for a problem it discussed in a closed meeting, the manager would be expected to fire the individual. Direct supervisory control by council may not exist, but the council retains the ultimate responsibility for the operation of the city or town; hence, the council should logically retain the ability to confidentially discuss the employee. The FOIA Council does advise that, even accepting the attorney's general opinion, the council could convene in closed session to discuss the manager's handling of the personnel matter, since the manager is a direct employee of the council.

The other opinion that has cast a cloud on the use of the exemption was issued April 5, 1999. It states that a school board cannot meet in closed session to discuss choosing a chairman and vice chairman. The rationale was that the chairman and vice chairman are not appointed or employed by the public body. The specific words of the section, however, make personnel matters apply to "specific public officers, appointees or employees" of the public body. Certainly, the chairman is a public officer and appointee of the school board, since the board makes the appointment or election in the case in the opinion, and the chair is the leader of the board.

Opinions of the attorney general do not have the effect of a court decision. They are only opinions that may be considered for guidance. Courts will give some weight to such opinions, but are not bound by them. Localities are cautioned in this area. It is always possible that a judge will simply follow an opinion without evaluating its merits. In that case, a locality could find itself losing a case in court over either of these two issues.

2. Real property. A closed session for discussion of real property issues is allowed for the acquisition of land for a public purpose or disposition of publicly held land, but only if discussing the matter in open session would harm the council's bargaining position. § 2.2-3711(A)(3).

The council does not need to state why an open discussion would harm its position in the motion to hold a closed meeting. Still, a council should be prepared to defend the closed meeting if challenged.

3. Privacy of individuals unrelated to public business. Local governments do not use this section very often because a council meeting is generally limited to discussing public business. However, if as a part of public business a matter arises that affects the privacy of an individual unrelated to public business, the meeting may be carried out in private.

This provision's usefulness can be illustrated through discussion of routing a new street. If a landowner who could be displaced has a medical condition that would make condemning his home a life threatening situation, that would be a privacy issue for

the citizen not related to public business. It would be appropriate for the council to avoid discussion in the public view, in order to protect the individual's privacy. § 2.2-3711(A)(4).

4. Prospective business and business retention. In today's competitive market for recruiting and retaining businesses, much negotiation goes on between the council and a company, often involving tax benefits, land deals, employment incentives and similar matters. If that kind of information is discussed in public session, competing localities from other states will gain a competitive advantage, since they will know how much must be offered to take the business away from the Virginia locality. Section 2.2-3711(A)(5) allows a closed meeting to protect these negotiations.

In order to enter into a closed meeting, there must have been no "announcement" of the interest of the business in the community. Whether a local newspaper's report of the business interest may constitute an announcement of the interest is an unresolved question. One circuit court has ruled that a news report without any statement by the government qualifies as an announcement. The state FOIA office, however, takes the position that an announcement is something more than a newspaper report speculating about business. If a public official or official of the business makes the statement about the business in an official capacity, that clearly constitutes an announcement and the section could not be invoked.

The section not only authorizes a meeting for the location of a business, but also the expansion of an existing business. In the case of an expansion, there must have been no announcement of the interest in expanding.

A locality may also go into closed session to discuss the retention of an existing business. The code authorizes this when the retention discussion relies on proprietary information from the business, or memoranda and/or working papers from the public body that, if publicized, would be adverse to the financial interests of the locality. §§ 2.2-3711(40) & 2.2-3705.6(3).

5. Consultation with legal counsel. This important provision is limited to three types of legal matters:

1. Actual litigation;
2. Probable litigation; and,
3. Specific legal matters requiring the advice of counsel. § 2.2-3711(A)(7).

In actual or probable litigation, a closed meeting can be held only if holding a discussion in the open "adversely affect[s] the negotiating or litigating posture" of the council. § 2.2-3711(A)(7). For example, there is no need to hold a closed meeting to simply explain to council that the locality had been sued. The suit is a public record in the circuit court clerk's office, therefore a briefing that the suit had been filed should be done in open meeting. In contrast, a briefing by the city attorney on the strategy for defending the suit would be appropriate for a closed meeting because open discussion would obviously hinder the defense. Again, the council does not need to identify why a closed meeting is needed; it only has to be able to defend the decision if later challenged.

Actual litigation refers to existing litigation. Probable litigation is defined to mean that a suit has been "specifically threatened" or the council or its attorney has a "reasonable basis" to believe a suit will be filed.

The third category is limited to "consultation with counsel ... regarding specific legal matters" requiring legal advice. § 2.2-3711(A)(7). This category, like the two litigation categories, is limited to consulting the attorney (or other staff members or consultants) about an appropriate matter for a closed meeting. The section may not be used to hold a discussion among the members of a council, even if the attorney is present. Nonetheless, discussion among members for the purpose of consulting an attorney is allowed. Simply having an attorney present does not allow a closed meeting and does not allow a general discussion among the members. If non-attorney staff members participate, the attorney should still be present and participating in the consultation. This was reinforced by language added in 1999: "Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney ... is in attendance or is consulted on a matter." Id.

This rule was demonstrated in the March 2000 Richmond Circuit Court opinion Colonial Downs, L.P v. Virginia Racing Commission, (2000 WL 305986). In that case, the racing commission went into a closed meeting for consultation with counsel, but spent the time holding a general discussion of Colonial Downs' application for licensing. The court held that the meeting was a violation of the act.

6. Terrorism. After the Sept. 11 terrorist attacks, it became clear that some provisions of the act made it easy for a terrorist to gain security information through a FOIA request. One step in response was a change to § 2.2-3711(A)(19) that allows a meeting in closed session to discuss planning for terrorist activity. The public body may meet to be briefed by staff, attorneys or law-enforcement or emergency personnel to respond to terrorist or "a related threat to public safety."

Procedures for closed meetings

Getting into closed meetings. In order to go from an open meeting to a closed meeting, there must be a recorded vote in open meeting. The motion must include the following elements:

1. The subject must be identified (example: new park in east end of city);
2. A statement of the purpose of the meeting (acquiring land for park); and,
3. A reference to the code section authorizing the meeting. § 2.2-3712(A).

The degree of specificity in the statement of the subject and purpose of a meeting varies with the nature of the issue. A discussion about a pending lawsuit should name the suit. After all, the pleadings are public and the suit may well have been the subject of a newspaper article. On the other hand, a discussion of a sensitive personnel matter should not contain much specificity in the motion, so as to not embarrass the employee who is the subject of the meeting. The council will need to exercise discretion in the motion's specificity.

Nonetheless, in no case will it be sufficient to make a general statement to satisfy the first and second requirements above. "Personnel matters, pursuant to FOIA" is inadequate for a motion for a closed meeting. The Virginia Supreme Court opinion in White Dog Publishing, Inc. v. Culpeper County Board of Supervisors, made this clear.

During a closed meeting, only the topics identified in the motion may be discussed. § 2.2-3712(C). In order to discuss more than one topic, the council should either include both topics in one motion, which is the preferred method, or come out of closed meeting and re-enter after making a motion on the second topic. The council may record minutes, but that is not required. In almost every case, it is not a good idea. The minutes serve little purpose, since the council must take any action in open meeting, and there will be a record of the open meeting. § 2.2-3712(I).

Va. Code § 2.2-3712(H) states that any official vote or action must he held in open session. Many local governments, therefore, take no more than a straw poll during a closed meeting, or take no votes at all, no matter how informal.

Getting out of closed meeting. At the conclusion of each closed meeting, the public body must certify in open session that it complied with the act by a roll call vote. The vote must confirm that the meeting was held for purposes allowed by the act and that while in the closed session, only those matters identified in the motion to hold a closed meeting were discussed. If a member disagrees, he must state how the closed meeting did not satisfy the requirements of the act before the vote is taken. § 2.2-3712(D). A record of the vote must be kept in the public body's records.

Interviewing chief administrative officer candidates. Most closed meetings must be held as a part of an open meeting, so the public knows the time and place of it. The act contains an important exception for local governments in § 2.2-3712(B). If a public body is to hold interviews for its chief administrative officer, it may make a single announcement in open meeting that it will hold interviews. It need not identify the location of the interviews or the names of the interviewees. The interviews must be held within 15 days of the motion.

Annexation agreements - no FOIA requirements. Independent of FOIA, Va. Code § 15.2-2907(D) allows a council or board to hold meetings on matters concerning annexation or a voluntary settlement agreement with no FOIA implications. This means notice need not be given, the public need not be invited, and minutes need not be taken. No other FOIA requirements need to be followed. The section does not prohibit a public body from following the FOIA requirements, but they are not mandatory.

II. Records

The second major purpose of FOIA is to set out the rules for public record disclosure. The general rule in FOIA concerning records is that they are open to public inspection and copying. However, more than 80 categories of records are exempt from public access. Most do not apply to local governments. The fact that a record may be exempt from disclosure does not require it to be withheld. Each exemption section states in the opening sentence that the records "may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law." § 2.2-3705.1, 2, 3, 4, 5, 6, 7. Some records, however, are prohibited from being disclosed at all. The custodian has no discretion to permit their disclosure. The main examples are certain tax records that Va. Code § 58.1-3 requires to be kept confidential, and matters for which the Privacy Protection Act prohibits disclosure. The act applies to records of the public body, whether the records are on paper, or in an electronic form, such as e-mails, databases and other electronic formats.

A. Responding to disclosure requests

Custodian of records. The records provisions of the act use the term "custodian of the records" as

the person who has the responsibility to respond. Some sections mention the obligation of the public body, but the responsibility is clearly with the custodian. If suit is brought over a violation, however, the public body can expect to be named as a defendant.

One temptation is to deny a request because it was made to the wrong public official. If another public official who works in the same local government has the records, the request should not be denied just because it was directed to the wrong official if the recipient knows or should know that the records are available from another official. In this case, the official should respond to the request with the contact information for the other public body or just work with the other official to provide the records. § 2.2-3704(B)(3).

If the locality stores archived records off-site, and the records are in control of a third party, it is still the public body's responsibility to retrieve those records if they are requested. § 2.2-3704(J). The Library of Virginia is the custodian of the records if the locality properly archives records with the state library.

Procedures for handling requests. Any citizen or member of the media may request an opportunity to inspect and/or copy public records. The request does not have to refer to the act, but only needs to identify the records with reasonable specificity. § 2.2-3704(B). There is no authority to require the request to be in writing, nor may the custodian of the records refuse to reply to a request if the requester refuses to put a request in writing. Some government offices ask for the request to be reduced to writing. This is a useful policy because it helps the custodian better understand what is being requested. That helps the requester, since the custodian can shorten the time researching records, thereby reducing the cost to the individual. If the individual declines to reduce the request to writing, a helpful option is to confer with the individual and write down the request, allowing the person to see the note and hopefully sign it, so no confusion will exist.

The custodian may require the person asking to see or copy records for his name and legal address. § 2.2-3704(A). This 2002 amendment is part of the terrorism bill, but is not limited to requests relating to terrorism. The act is not clear on what happens if the requester refuses. VML suggests that if the requester does refuse, the language that the custodian "may require" the information necessarily implies that the custodian may refuse to allow access to the records.

The act does not give any rights to people who are not residents of Virginia, or to media representatives if the media entity does not publish or broadcast into the state. § 2.2-3704. As a practical matter, however, many government agencies don't discriminate based on where the requester is from. It is generally easy for an out-of-state person or media representative to find a Virginia individual to make the request. Therefore, there is little point in denying a request based on residency. Still, there is nothing that prohibits denying the request, so a locality is certainly free to follow the statute. Last year, a federal court upheld this law.

B. Types of responses

There are three possible responses to a request:

1. Provide the records;
2. Obtain seven additional days to respond; or,
3. Claim an exemption to all or a portion of the request.

The initial response must be made within five business days of the receipt of the request, pursuant to § 2.2-3704, regardless of which response is used. If the custodian fails to respond within the times required, § 2.2-3704 considers that to be a denial of the request and makes it a violation of the act.

Notably, the custodian is not required to create records if they do not exist. § 2.2-3704(D). For example, if a request is for a list of trash collectors who do business in a locality, and the locality does not have such information, there is no requirement to create that list. Subsection D does encourage public bodies to abstract or summarize information in a manner agreed to with the requester.

1. Provide the records. The first response, providing the records, is straightforward. The custodian simply makes them available. If the individual asks to receive copies, the copies need to be made within the five days, if possible, or at such time the custodian and requester agree.

In a June 1, 1999 opinion, the attorney general opined that a local commissioner of the revenue is not required to make a copy of the personal property book for a citizen. The personal property book is a large, computer-generated bound book that every commissioner maintains. The attorney general reasoned that the act allows the commissioner to put the burden of copying on the citizen if the office has no means to copy the document. The same reasoning would apply to other local government agencies where the agency is incapable of providing requested information stored on electronic databases. § 2.2-3704(G).

2. Obtain seven additional days to respond.

Similarly, if it is "not practically possible to provide the ... records or to determine whether they are available," § 2.2-3704(B)(4), within the five days, the custodian may send a written response to the person explaining the conditions that make the response impractical. Upon compliance with this requirement, the custodian will have an additional seven workdays to respond. The added seven days does not begin until the end of the fifth day of the initial period. For example, if the custodian sends a letter on the second day after receipt of the request, he or she will still have a total of 12 workdays to respond.

One unanswered question is whether the custodian may claim more time to respond based on the time it takes to determine whether an exemption applies. The quoted language above uses the term "available." It is not clear whether deciding if an exemption applies is included in determining whether records are available. In discussions with the Virginia Press Association during the 2000 committee meetings on changes to the act, the VPA spokesman represented that the association would not contest a custodian's obtaining extra time to determine if exemptions apply. No court has answered the issue.

In addition to the 12 days to reply, a public body may petition a court for even more time to respond to a request. The additional time will likely be granted if the public body can demonstrate that the volume of records requested is so large that it would disrupt its operations to respond in the prescribed time and that it is unable to reach an agreement for a time to respond with the requester. § 2.2-3704(C).

3. Claim a partial or full exemption to the request. If one or more of the many exemptions apply, the custodian may, within the five workday limit, send the requester a written explanation of why all or some of the records are exempt. The explanation must identify the subject matter of the records (example: performance evaluations) and must cite the section of FOIA that authorizes the exemption. § 2.2-3704(B)(2). If only a portion of the requested records is exempt, the non-exempt parts must be made available within the five days, unless additional time is properly invoked.

In 1999, the Virginia Supreme Court decided Lawrence v. Jenkins, 258 Va. 598, a case in which a county zoning administrator failed to supply the code section he was relying on to exempt certain information in response to a FOIA request. The act required the code sections to be identified in the written response to the requester. Long after the time to respond had passed, the administrator sent the individual a letter identifying the code section. The court ruled that the violation still did not permit the individual to see the records and ruled that the records were exempt. Even though the zoning administrator did fail to meet FOIA requirements, the court determined the violation did not harm the requestor because he would not have been allowed to see the records if the act had been complied with. VML does not recommend relying on Lawrence.

Charges for responding to a request

The public body may charge the requester for searching and copying records. The costs must be reasonable, not to exceed the actual cost "incurred in accessing, duplicating, supplying, or searching for the requested records." § 2.2-3704(F). A public body may not charge for overhead items, such as utilities, debt payments and the like. The hourly salary rate of any local employee who spends time researching and assembling records for the request may be charged, as may actual copying costs.

In responding to a request for duplication of part of a geographic information system database by making copies of GIS maps, the locality may base its charge on a per acre cost if the area requested exceeds 50 acres. § 2.2-3704(F).

If the custodian determines that the cost of responding will be more than $200, he may demand the requester to agree to pay a deposit in the amount of the projected costs before any information is disclosed. The time limits are tolled until payment of the deposit. The custodian is not required to send the estimate in writing, though providing a written estimate is the better practice, in order to avoid a claim by the individual that no deposit was requested. § 2.2-3704(H).

Format of records

Confusingly, the custodian must provide computer records in any "tangible medium identified by the requester," except that it need not produce the material found in an electronic database in "a format not regularly used by the public body." § 2.2-3704(G). The subsection is further confused by a statement that provides – not withstanding this limitation – the public body is to attempt to come to an agreement with the requester regarding the format of the documents to be supplied. Thus, a public body does not have to disclosure electronic records in a format it does not regularly use, but must comply with any request for records maintained in a medium the public body uses in the regular course of business.

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E-mails

E-mails have generated much controversy since they began being used in government business operation. E-mails that deal with public business are public records. E-mails kept on the home computer of a council member or local government employee that relate to the transaction of public business are public and subject to inspection and copying by a citizen who makes a request to see the records.

Draft documents

Draft documents are records. The specific mention of draft records is to the minutes of a public body. Section § 2.2-3707 specifically states that draft minutes are available for inspection. Some local governments once had policies that denied the public viewing of draft minutes. The act prohibits such policies. Some draft documents fall into the working papers exemption. In that case, or if any other exemption applies, the draft documents are not required to be made available for inspection.

C. Exemptions list.

The list of records that may be held exempt from disclosure by the custodian is set out in seven separate, lengthy sections. Fortunately, the sections are arranged by subject area in order to make it easier to find the exemptions that may apply.

The current sections are:

- Exclusions of general application to public bodies: § 2.2-3705.1.
- Exclusions; records relating to public safety: § 2.2-3705.2.
- Exclusions; records relating to administrative investigations: § 2.2-3705.3.
- Exclusions; educational records and certain records of educational institutions: § 2.2-3705.4.
- Exclusions; health and social services records: § 2.2-3705.5.
- Exclusions; proprietary records and trade secrets: § 2.2-3705.6.
- Exclusions; records of specific public bodies and certain other limited exemptions: § 2.2-3705.7.

Most local governments will only use 20 or so of the exemptions, and only 10 will apply frequently. The exemptions that most often apply to local government are:

- "State income, business, and estate tax returns, personal property tax returns, scholastic and confidential records held pursuant to § 58.1-3." § 2.2-3705.7(1).
- "Personnel records containing information concerning identifiable individuals, except that access shall not be denied to the person who is the subject thereof." § 2.2-3705.1.(1). Any adult subject may waive confidentiality, in which case the government may release information on the person.
- "Working papers and correspondence of the ... mayor or chief executive officer of any political subdivision of the Commonwealth .... However, no record which is otherwise open to inspection under this chapter shall be deemed exempt by virtue of the fact that it has been attached to or incorporated within any working paper or correspondence. § 2.2-3705.7(2).

  As used in this subdivision: "Working papers" means those records prepared by or for an above named public official for his personal or deliberative use. Generally, once the records have been shared by the chief administrative officer (county administrator or city or town manager), the records lose the working papers status, unless the records are collected from the council members or other people who have accessed them at the end of a meeting where the records were distributed.
- Consultants' reports as working papers: Working papers, by the above definition, applies to records prepared by or for a manager or mayor for his personal or deliberative use. Once a consultant's report is distributed or disclosed to council or the council has scheduled any action on a matter that is the subject of the consultant's report, the report loses its exempt status as a working paper. § 2.2-3705.8(B). Therefore, until either of the two conditions occur, the report may be withheld as a working paper. Once either event occurs, the working paper's status ceases to exist. If the report is exempt for other reasons, it remains exempt.
- "Written advice of legal counsel to state, regional or local public bodies or public officials, and any other records protected by the attorney client privilege." § 2.2-3705.1(2).
- "Legal memoranda and other work product compiled specifically for use in litigation or for use in an active administrative investigation concerning a matter which is properly the subject of a closed meeting under § 2.2-3711." § 2.2-3705.1(3).

  Subsections 2 and 3 of § 2.2-3705.1 are the classic attorney client and attorney's work product rules.
- "Library records which can be used to identify

both (i) any library patron who has borrowed material from a library and (ii) the material such patron borrowed." § 2.2-3705.7(3).

- "Any test or examination used, administered or prepared by any public body for purposes of evaluation of (i) any student or any student's performance, (ii) any employee or employment seeker's qualifications or aptitude for employment, retention, or promotion, or (iii) qualifications for any license or certificate issued by a public body." § 2.2-3705.1(4). This subsection includes exemptions for test keys and any information that would defeat the usefulness of the test.
- "Records recorded in or compiled exclusively for use in closed meetings lawfully held pursuant to § 2.1-344. However, no record which is otherwise open to inspection under this chapter shall be deemed exempt by virtue of the fact that it has been reviewed or discussed in a closed meeting." § 2.2-3705.1(5).
- "Computer software developed by or for a ... political subdivision of the Commonwealth." § 2.2-705.1(7).
- "Customer account information of a public utility affiliated with a political subdivision of the Commonwealth, including the customer's name and service address, but excluding the amount of utility service provided and the amount of money paid for such utility service." § 2.2-3705.7(7). Note that under this subsection, anyone has access to the volume of service used by a customer and the price paid, even though the name and address of a customer need not be given. A typical example of how this works: An individual could not demand a listing of the names of customers, but could demand to know how much water, gas, or electricity a customer has used and the amount paid for the same, where the person names the customer.
- "Appraisals and cost estimates of real property subject to a proposed purchase, sale or lease, prior to the completion of such purchase, sale or lease." § 2.2-3705.1(8).

  This section has been modified by Va. Code § 25-248. Local governments are now in the list of agencies that must follow the Uniform Relocation Assistance Act. One of the obligations, in subsection (b) requires that: "real property shall be appraised before the initiation of negotiations, and the owner or his designated representative shall be given an opportunity to accompany the appraiser during his inspection of the property." Therefore, in any purchase of land to which the URAA applies, the landowner must be allowed to see a copy of the appraisal, and the appraisal must be done before beginning negotiations for the land.
- "Confidential information designated as provided in (submitting a bid in procurement regulated by the Procurement Act) as trade secrets or proprietary information by any person who has submitted to a public body an application for prequalification to bid on public construction projects in accordance with subsection B of § 11-46." § 2.2-3705.6(10). Language in the Procurement Act supports this exemption.
- Plans to prevent or respond to terrorist activity, to the extent such records set forth specific tactics, or specific security or emergency procedures, the disclosure of which would jeopardize the safety of governmental personnel or the general public, or the security of any governmental facility, building, structure, or information storage system. § 2.2-3705.2(4).
- Engineering and architectural drawings, operational, procedural, tactical planning or training manuals, staff meeting minutes or other records, the disclosure of which would reveal surveillance techniques, personnel deployments, alarm or security systems or technologies, or operational and transportation plans or protocols, to the extent such disclosure would jeopardize the security of any governmental facility, building or structure or the safety of persons using such facility, building or structure. § 2.2-3705.2(6).

  These two subsections help localities maintain security without having a risk of terrorists or other people gaining access to the security information.
- Personal information, as defined in § 2.2-3801, including electronic mail addresses, furnished to a public body for the purpose of receiving electronic mail from the public body, provided that the electronic mail recipient has requested that the public body not disclose such information. However, access shall not be denied to the person who is the subject of the record. § 2.2-3705.1(10).
- The name, address and phone number of a person complaining about another person on a zoning, building code or Fire Prevention Code complaint are exempt from disclosure. The new provision is not limited to criminal complaints: it applies in any investigation of the complaints. § 2.2-3705.3(10). Building Code and Fire Prevention Codes complaints were added in 2009.

D. Criminal incident information.

The majority of the rules for criminal incident information are set out in § 2.2-3706. The section's basic requirement is that "criminal incident information" has to be made available only if it applies to a felony. This means that local law enforcement officials do not have to make misdemeanor criminal incident information available. The policy behind the distinction between misdemeanors and felonies is based on the probable burden that would be shouldered by local police departments and sheriff's offices if required to make public information about every misdemeanor.

There are several exemptions that allow a law enforcement agency to withhold information in order to promote public safety and to not hinder ongoing criminal investigations. If release would hinder an investigation or be likely to cause the criminal to flee or destroy evidence, it need not be released. Once the reason for concern has ended, the exemption no longer applies. However, § 2.2-3706(A)(1)(b),(c) requires the names of adult arrestees and the status of charges or arrests to be released.

The identities of crime victims and confidential informants do not need to be released. There is no time limit on this exemption. Thus, unlike other information, the exemption continues even after the reason for concern ceases to exist.

Various other criminal records are exempt:

- complaints, memos, correspondence and evidence that is not "criminal incident information;"
- photos of adult arrestees, if release would harm an investigation or prosecution;
- confidential reports made to the police or sheriffs personnel;
- local crime commission information identifying persons providing information about criminal activity; and,
- neighborhood watch program information that contains the names, addresses or schedules of the watch participants, if the information is provided under a promise of anonymity.

The provision exempting law-enforcement records containing police and other tactical plans that need to be kept secure for safety reasons is set out in § 2.2-3706(A)(2)(e).

Section 15.2-1722 obligates each police chief and sheriff to maintain records about arrests, investigations and incidents to promote efficient law enforcement operation. Section 2.2-3706(A)(3) clarifies that those records are subject to FOIA, except information of a "personal, medical or financial nature," if the release would jeopardize the safety or privacy of a person. Also exempt are undercover operation plans, background checks of law enforcement job applicants and confidential administrative investigations.

Section 2.2-3706(A)(2)(g) exempts from disclosure the mobile phone and pager numbers of police officers for devices provided by the police department to assist the officers in carrying out their duties. This arose from attempts by reporters to obtain the cell phone numbers of police officers, then calling while the officers were on a call.

Rights of penal institution inmates under FOIA

Section 2.2-3703(C) denies people who are in a local jail or state or federal penitentiary any rights under FOIA. The only rights are those guaranteed by the Constitution, such as the right to subpoena evidence.

Enforcement provisions

Any person who feels a public body or public official has violated the act may file suit in the general district or circuit court of the locality where the body or official operates. § 2.2-3713(A). A FOIA action may commence in the name of a person, even if the plaintiff's attorney, acting on his or her behalf, made the original FOIA request. The case must be heard within seven days of filing. § 2.2-3713(C). As a practical matter, this rocket docket provision inconveniences judges greatly, as their court schedules are usually very busy. Saturday hearings are common for FOIA cases.

The petitioner must state a claim of a violation with reasonable specificity, pursuant to subsection D. Even though a suit is filed by the complaining citizen, the public body must put on its evidence first and must prove that it has complied with the act. It is not the petitioner's obligation to prove the violation. § 2.2-3713.

The court may award an injunction against repeated violations, or even for a single occurrence of noncompliance. Further, if the petitioner wins the case, he may be awarded attorney's fees by the court. If the court determines that an official willfully or knowingly violated the law, it is required to impose a civil penalty against him or her in an amount between $500 and $2,000 for a first offense and $2,000 to $5,000 for subsequent offenses. The penalties are to be paid into the Literary Fund. § 2.2-3714.

Freedom of Information Advisory Council

The Freedom of Information Advisory Council serves primarily as an office to answer questions about FOIA made by government agencies, the public, and the media. An attorney who staffs the office makes the opinions of the council. The opinions are to be informal, advisory, and nonbinding. If a government agency submits records for a review and advice by the FOIA officer, the officer may not release the submitted information without the permission of the agency that submitted them.

The office has a toll free number (866) 448-4100 for requests, and has a website: http://dls.state.va.us/foiacouncil.htm. The council has lists of written opinions on the website.

In addition to issuing opinions, which may be made via telephone, letter or e-mail, the office conducts FOIA training for government agencies. Because public officials must read and familiarize themselves with the act, the training sessions are an important opportunity to learn the act's requirements. § 30-179.

Summary

The Freedom of Information Act includes many requirements and restrictions pertaining to public access of government information. The basic policy woven throughout the act makes clear that the public is to have free access to government information and meetings. The act sets out the types of meetings that can be closed. The exemptions protect the operation of government reasonably well.

FOIA will continue to evolve to meet the changing expectations of the public and government agencies. In the area of electronic information, expect to see significant changes as the General Assembly makes the act more relevant in the fast changing electronic age. For example, application of the act to the use of e-mail, instant messaging and other social media software will likely be revisited.

We hope this guide will help local governments serve the public more effectively. Questions or comments for future editions should be sent to the author, Mark K. Flynn, VML general counsel, at (804) 523-8525 or mflynn@vml.org.

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§ 2.2-3700 Short title; policy

A. This chapter may be cited as "The Virginia Freedom of Information Act."

B. By enacting this chapter, the General Assembly ensures the people of the Commonwealth ready access to public records in the custody of a public body or its officers and employees, and free entry to meetings of public bodies wherein the business of the people is being conducted. The affairs of government are not intended to be conducted in an atmosphere of secrecy since at all times the public is to be the beneficiary of any action taken at any level of government. Unless a public body or its officers or employees specifically elect to exercise an exemption provided by this chapter or any other statute, every meeting shall be open to the public and all public records shall be available for inspection and copying upon request. All public records and meetings shall be presumed open, unless an exemption is properly invokedThe provisions of this chapter shall be liberally construed to promote an increased awareness by all persons of governmental activities and afford every opportunity to citizens to witness the operations of government. Any exemption from public access to records or meetings shall be narrowly construed and no record shall be withheld or meeting closed to the public unless specifically made exempt pursuant to this chapter or other specific provision of law. This chapter shall not be construed to discourage the free discussion by government officials or employees of public matters with the citizens of the Commonwealth.

All public bodies and their officers and employees shall make reasonable efforts to reach an agreement with a requester concerning the production of the records requested.

Any ordinance adopted by a local governing body that conflicts with the provisions of this chapter shall be void.

§ 2.2-3701 Definitions

As used in this chapter, unless the context requires a different meaning:

"Closed meeting" means a meeting from which the public is excluded.

"Electronic communication" means any audio or combined audio and visual communication method.

"Emergency" means an unforeseen circumstance rendering the notice required by this chapter impossible or impracticable and which circumstance requires immediate action.

"Meeting" or "meetings" means the meetings including work sessions, when sitting physically, or through telephonic or video equipment pursuant to § 2.2-3708 or 2.2-3708.1, as a body or entity, or as an informal assemblage of (i) as many as three members or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, of any public body. The gathering of employees of a public body shall not be deemed a "meeting" subject to the provisions of this chapter.

"Open meeting" or "public meeting" means a meeting at which the public may be present.

"Public body" means any legislative body, authority, board, bureau, commission, district or agency of the Commonwealth or of any political subdivision of the Commonwealth, including cities, towns and counties, municipal councils, governing bodies of counties, school boards and planning commissions; boards of visitors of public institutions of higher education; and other organizations, corporations or agencies in the Commonwealth supported wholly or principally by public funds. It shall include (i) the Virginia Birth-Related Neurological Injury Compensation Program and its board of directors established pursuant to Chapter 50 (§ 38.2-5000 et seq.) of Title 38.2 and (ii) any committee, subcommittee, or other entity however designated, of the public body created to perform delegated functions of the public body or to advise the public body. It shall not exclude any such committee, subcommittee or entity because it has private sector or citizen members. Corporations organized by the Virginia Retirement System are "public bodies" for purposes of this chapter.

For the purposes of the provisions of this chapter applicable to access to public records, constitutional officers shall be considered public bodies and, except as otherwise expressly provided by law, shall have the same obligations to disclose public records as other custodians of public records.

"Public records" means all writings and recordings that consist of letters, words or numbers, or their equivalent, set down by handwriting, typewriting, printing, photostatting, photography, magnetic impulse, optical or magneto-optical form, mechanical or electronic recording or other form of data compilation, however stored, and regardless of physical form or characteristics, prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. Records that are not prepared for or used in the transaction of public

business are not public records.

"Regional public body" means a unit of government organized as provided by law within defined boundaries, as determined by the General Assembly, whose members are appointed by the participating local governing bodies, and such unit includes two or more counties or cities.

"Scholastic records" means those records containing information directly related to a student or an applicant for admission and maintained by a public body that is an educational agency or institution or by a person acting for such agency or institution.

§ 2.2-3702 Notice of chapter

Any person elected, reelected, appointed or reappointed to any body not excepted from this chapter shall (i) be furnished by the public body›s administrator or legal counsel with a copy of this chapter within two weeks following election, reelection, appointment or reappointment and (ii) read and become familiar with the provisions of this chapter.

§ 2.2-3703 Public bodies and records to which chapter inapplicable; voter registration and election records; access by persons incarcerated in a state, local, or federal correctional facility

A. The provisions of this chapter shall not apply to:

1. The Virginia Parole Board, except that (i) information from the Virginia Parole Board providing the number of inmates considered by such Board for discretionary parole, the number of inmates granted or denied parole, and the number of parolees returned to the custody of the Department of Corrections solely as a result of a determination by such Board of a violation of parole shall be open to inspection and available for release, on a monthly basis, as provided by § 2.2-3704 and (ii) all records concerning the finances of the Virginia Parole Board shall be public records and subject to the provisions of this chapter. The information required by clause (i) shall be furnished by offense, sex, race, age of the inmate, and the locality in which the conviction was obtained, upon the request of the party seeking the information;
2. Petit juries and grand juries;
3. Family assessment and planning teams established pursuant to § 2.2-5207;
4. The Virginia State Crime Commission; and
5. The records required by law to be maintained by the clerks of the courts of record, as defined in §1-212, and courts not of record, as defined in § 16.1-69.5. However, other records maintained by the clerks of such courts shall be public records and subject to the provisions of this chapter.

B. Public access to voter registration and election records shall be governed by the provisions of Title 24.2 and this chapter. The provisions of Title 24.2 shall be controlling in the event of any conflict.

C. No provision of this chapter or Chapter 21 (§ 30-178 et seq.) of Title 30 shall be construed to afford any rights to any person (i) incarcerated in a state, local or federal correctional facility, whether or not such facility is (a) located in the Commonwealth or (b) operated pursuant to the Corrections Private Management Act (§ 53.1-261 et seq.) or (ii) civilly committed pursuant to the Sexually Violent Predators Act (§ 37.2-900 et seq.). However, this subsection shall not be construed to prevent such persons from exercising their constitutionally protected rights, including, but not limited to, their right to call for evidence in their favor in a criminal prosecution.

§ 2.2-3703.1 Disclosure pursuant to court order or subpoena

Nothing contained in this chapter shall have any bearing upon disclosures required to be made pursuant to any court order or subpoena. No discretionary exemption from mandatory disclosure shall be construed to make records covered by such discretionary exemption privileged under the rules of discovery, unless disclosure is otherwise prohibited by law.

§ 2.2-3704 Public records to be open to inspection; procedure for requesting records and responding to request; charges; transfer of records for storage, etc

A. Except as otherwise specifically provided by law, all public records shall be open to inspection and copying by any citizens of the Commonwealth during the regular office hours of the custodian of such records. Access to such records shall not be denied to citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth, and representatives of radio and television stations broadcasting in or into the Commonwealth. The custodian may require the requester to provide his name and legal address. The custodian of such records shall take

all necessary precautions for their preservation and safekeeping.

B. A request for public records shall identify the requested records with reasonable specificity. The request need not make reference to this chapter in order to invoke the provisions of this chapter or to impose the time limits for response by a public body. Any public body that is subject to this chapter and that is the custodian of the requested records shall promptly, but in all cases within five working days of receiving a request, provide the requested records to the requester or make one of the following responses in writing:

1. The requested records are being entirely withheld because their release is prohibited by law or the custodian has exercised his discretion to withhold the records in accordance with this chapter. Such response shall identify with reasonable particularity the volume and subject matter of withheld records, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records.
2. The requested records are being provided in part and are being withheld in part because the release of part of the records is prohibited by law or the custodian has exercised his discretion to withhold a portion of the records in accordance with this chapter. Such response shall identify with reasonable particularity the subject matter of withheld portions, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records. When a portion of a requested record is withheld, the public body may delete or excise only that portion of the record to which an exemption applies and shall release the remainder of the record.
3. The requested records could not be found or do not exist. However, if the public body that received the request knows that another public body has the requested records, the response shall include contact information for the other public body.
4. It is not practically possible to provide the requested records or to determine whether they are available within the five-work-day period. Such response shall specify the conditions that make a response impossible. If the response is made within five working days, the public body shall have an additional seven work days in which to provide one of the four preceding responses.

C. Any public body may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search, and a response by the public body within the time required by this chapter will prevent the public body from meeting its operational responsibilities. Before proceeding with the petition, however, the public body shall make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.

D. Subject to the provisions of subsection G, no public body shall be required to create a new record if the record does not already exist. However, a public body may abstract or summarize information under such terms and conditions as agreed between the requester and the public body.

E. Failure to respond to a request for records shall be deemed a denial of the request and shall constitute a violation of this chapter.

F. A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. The public body may also make a reasonable charge for the cost incurred in supplying records produced from a geographic information system at the request of anyone other than the owner of the land that is the subject of the request. However, such charges shall not exceed the actual cost to the public body in supplying such records, except that the public body may charge, on a pro rata per acre basis, for the cost of creating topographical maps developed by the public body, for such maps or portions thereof, which encompass a contiguous area greater than 50 acres. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen.

G. Public records maintained by a public body in an electronic data processing system, computer database, or any other structured collection of data shall be made available to a requester at a reasonable cost, not to exceed the actual cost in accordance with subsection F. When electronic or other databases are combined or contain exempt and nonexempt records, the public body may provide access to the exempt records if not otherwise prohibited by law, but shall provide access to the nonexempt records as provided by this chapter.

Public bodies shall produce nonexempt records

maintained in an electronic database in any tangible medium identified by the requester, including, where the public body has the capability, the option of posting the records on a website or delivering the records through an electronic mail address provided by the requester, if that medium is used by the public body in the regular course of business. No public body shall be required to produce records from an electronic database in a format not regularly used by the public body. However, the public body shall make reasonable efforts to provide records in any format under such terms and conditions as agreed between the requester and public body, including the payment of reasonable costs. The excision of exempt fields of information from a database or the conversion of data from one available format to another shall not be deemed the creation, preparation or compilation of a new public record.

H. In any case where a public body determines in advance that charges for producing the requested records are likely to exceed $200, the public body may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. The period within which the public body shall respond under this section shall be tolled for the amount of time that elapses between notice of the advance determination and the response of the requester.

I. Before processing a request for records, a public body may require the requester to pay any amounts owed to the public body for previous requests for records that remain unpaid 30 days or more after billing.

J. In the event a public body has transferred possession of public records to any entity, including but not limited to any other public body, for storage, maintenance, or archiving, the public body initiating the transfer of such records shall remain the custodian of such records for purposes of responding to requests for public records made pursuant to this chapter and shall be responsible for retrieving and supplying such public records to the requester. In the event a public body has transferred public records for storage, maintenance, or archiving and such transferring public body is no longer in existence, any public body that is a successor to the transferring public body shall be deemed the custodian of such records. In the event no successor entity exists, the entity in possession of the public records shall be deemed the custodian of the records for purposes of compliance with this chapter, and shall retrieve and supply such records to the requester. Nothing in this subsection shall be construed to apply to records transferred to the Library of Virginia for permanent archiving pursuant to the duties imposed by the Virginia Public Records Act (§ 42.1-76et seq.). In accordance with § 42.1-79, the Library of Virginia shall be the custodian of such permanently archived records and shall be responsible for responding to requests for such records made pursuant to this chapter.

§ 2.2-3704.1 Posting of notice of rights and responsibilities by state public bodies; assistance by the Freedom of Information Advisory Council

A. All state public bodies created in the executive branch of state government and subject to the provisions of this chapter shall make available the following information to the public upon request and shall post such information on their respective public government websites:

1. A plain English explanation of the rights of a requester under this chapter, the procedures to obtain public records from the public body, and the responsibilities of the public body in complying with this chapter. For purposes of this section, "plain English" means written in nontechnical, readily understandable language using words of common everyday usage and avoiding legal terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to a particular field or profession;
2. Contact information for the person designated by the public body to (i) assist a requester in making a request for records or (ii) respond to requests for public records;
3. A general description, summary, list, or index of the types of public records maintained by such state public body;
4. A general description, summary, list, or index of any exemptions in law that permit or require such public records to be withheld from release;
5. Any policy the public body has concerning the type of public records it routinely withholds from release as permitted by this chapter or other law; and
6. The following statement: "A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of

the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § 2.2-3704 of the Code of Virginia . "

B. The Freedom of Information Advisory Council, created pursuant to § 30-178, shall assist in the development and implementation of the provisions of subsection A, upon request.

§ 2.2-3705.1 Exclusions to application of chapter; exclusions of general application to public bodies

The following records are excluded from the provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law:

1. Personnel records containing information concerning identifiable individuals, except that access shall not be denied to the person who is the subject thereof. Any person who is the subject of any personnel record and who is 18 years of age or older may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, the public body shall open such records for inspection and copying.
2. Written advice of legal counsel to state, regional or local public bodies or the officers or employees of such public bodies, and any other records protected by the attorney-client privilege.
3. Legal memoranda and other work product compiled specifically for use in litigation or for use in an active administrative investigation concerning a matter that is properly the subject of a closed meeting under § 2.2-3711.
4. Any test or examination used, administered or prepared by any public body for purposes of evaluation of (i) any student or any student's performance, (ii) any employee or employment seeker's qualifications or aptitude for employment, retention, or promotion, or (iii) qualifications for any license or certificate issued by a public body.

   As used in this subdivision, "test or examination" shall include (a) any scoring key for any such test or examination and (b) any other document that would jeopardize the security of the test or examination. Nothing contained in this subdivision shall prohibit the release of test scores or results as provided by law, or limit access to individual records as provided by law. However, the subject of such employment tests shall be entitled to review and inspect all records relative to his performance on such employment tests.

   When, in the reasonable opinion of such public body, any such test or examination no longer has any potential for future use, and the security of future tests or examinations will not be jeopardized, the test or examination shall be made available to the public. However, minimum competency tests administered to public school children shall be made available to the public contemporaneously with statewide release of the scores of those taking such tests, but in no event shall such tests be made available to the public later than six months after the administration of such tests.
5. Records recorded in or compiled exclusively for use in closed meetings lawfully held pursuant to §2.2-3711. However, no record that is otherwise open to inspection under this chapter shall be deemed exempt by virtue of the fact that it has been reviewed or discussed in a closed meeting.
6. Vendor proprietary information software that may be in the official records of a public body. For the purpose of this subdivision, "vendor proprietary software" means computer programs acquired from a vendor for purposes of processing data for agencies or political subdivisions of the Commonwealth.
7. Computer software developed by or for a state agency, state-supported institution of higher education or political subdivision of the Commonwealth.
8. Appraisals and cost estimates of real property subject to a proposed purchase, sale or lease, prior to the completion of such purchase, sale or lease.
9. Records concerning reserves established in specific claims administered by the Department of the Treasury through its Division of Risk Management as provided in Article 5 (§ 2.2-1832 et seq.) of Chapter 18 of this title, or by any county, city, or town; and investigative notes, correspondence and information furnished in confidence with respect to an investigation of a claim or a potential claim against a public body's insurance policy or self-insurance plan. However, nothing in this subdivision shall prohibit the disclosure of information taken from inactive reports upon expiration of the period of limitations for the filing of a civil suit.

10. Personal information, as defined in § 2.2-3801, including electronic mail addresses, furnished to a public body for the purpose of receiving electronic mail from the public body, provided that the electronic mail recipient has requested that the public body not disclose such information. However, access shall not be denied to the person who is the subject of the record.
11. Communications and materials required to be kept confidential pursuant to § 2.2-4119 of the Virginia Administrative Dispute Resolution Act (§ 2.2-4115 et seq.).
12. Records relating to the negotiation and award of a specific contract where competition or bargaining is involved and where the release of such records would adversely affect the bargaining position or negotiating strategy of the public body. Such records shall not be withheld after the public body has made a decision to award or not to award the contract. In the case of procurement transactions conducted pursuant to the Virginia Public Procurement Act (§ 2.2-4300 et seq.), the provisions of this subdivision shall not apply, and any release of records relating to such transactions shall be governed by the Virginia Public Procurement Act.
13. Those portions of records that contain account numbers or routing information for any credit card, debit card, or other account with a financial institution of any person or public body. However, access shall not be denied to the person who is the subject of the record. For the purposes of this subdivision, "financial institution" means any organization authorized to do business under state or federal laws relating to financial institutions, including, without limitation, banks and trust companies, savings banks, savings and loan companies or associations, and credit unions.

§ 2.2-3705.2 Exclusions to application of chapter; records relating to public safety

The following records are excluded from the provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law:

1. Confidential records, including victim identity, provided to or obtained by staff in a rape crisis center or a program for battered spouses.
2. Those portions of engineering and construction drawings and plans submitted for the sole purpose of complying with the Building Code in obtaining a building permit that would identify specific trade secrets or other information, the disclosure of which would be harmful to the competitive position of the owner or lessee. However, such information shall be exempt only until the building is completed. Information relating to the safety or environmental soundness of any building shall not be exempt from disclosure.

   Those portions of engineering and construction drawings and plans that reveal critical structural components, security equipment and systems, ventilation systems, fire protection equipment, mandatory building emergency equipment or systems, elevators, electrical systems, telecommunications equipment and systems, and other utility equipment and systems submitted for the purpose of complying with the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.), the disclosure of which would jeopardize the safety or security of any public or private commercial office, multifamily residential or retail building or its occupants in the event of terrorism or other threat to public safety, to the extent that the owner or lessee of such property, equipment or system in writing (i) invokes the protections of this paragraph; (ii) identifies the drawings, plans, or other materials to be protected; and (iii) states the reasons why protection is necessary.

   Nothing in this subdivision shall prevent the disclosure of information relating to any building in connection with an inquiry into the performance of that building after it has been subjected to fire, explosion, natural disaster or other catastrophic event.
3. Documentation or other information that describes the design, function, operation or access control features of any security system, whether manual or automated, which is used to control access to or use of any automated data processing or telecommunications system.
4. Plans and information to prevent or respond to terrorist activity, the disclosure of which would jeopardize the safety of any person, including (i) critical infrastructure sector or structural components; (ii) vulnerability assessments, operational, procedural, transportation, and tactical planning or training manuals, and staff meeting minutes or other records; and (iii) engineering or architectural records, or records containing information derived from such records, to the extent such re-

cords reveal the location or operation of security equipment and systems, elevators, ventilation, fire protection, emergency, electrical, telecommunications or utility equipment and systems of any public building, structure or information storage facility, or telecommunications or utility equipment or systems. The same categories of records of any governmental or nongovernmental person or entity submitted to a public body for the purpose of antiterrorism response planning may be withheld from disclosure if such person or entity in writing (a) invokes the protections of this subdivision, (b) identifies with specificity the records or portions thereof for which protection is sought, and (c) states with reasonable particularity why the protection of such records from public disclosure is necessary to meet the objective of antiterrorism planning or protection. Such statement shall be a public record and shall be disclosed upon request. Nothing in this subdivision shall be construed to prohibit the disclosure of records relating to the structural or environmental soundness of any building, nor shall it prevent the disclosure of information relating to any building in connection with an inquiry into the performance of that building after it has been subjected to fire, explosion, natural disaster or other catastrophic event.

5. Information that would disclose the security aspects of a system safety program plan adopted pursuant to 49 C.F.R. Part 659 by the Commonwealth›s designated Rail Fixed Guideway Systems Safety Oversight agency; and information in the possession of such agency, the release of which would jeopardize the success of an ongoing investigation of a rail accident or other incident threatening railway safety.

6. Engineering and architectural drawings, operational, procedural, tactical planning or training manuals, or staff meeting minutes or other records, the disclosure of which would reveal surveillance techniques, personnel deployments, alarm or security systems or technologies, or operational and transportation plans or protocols, to the extent such disclosure would jeopardize the security of any governmental facility, building or structure or the safety of persons using such facility, building or structure.

7. Security plans and specific assessment components of school safety audits, as provided in § 22.1-279.8.

Nothing in this subdivision shall be construed to prohibit the disclosure of records relating to the effectiveness of security plans after (i) any school building or property has been subjected to fire, explosion, natural disaster or other catastrophic event, or (ii) any person on school property has suffered or been threatened with any personal injury.

8. [Expired.]

9. Records of the Commitment Review Committee concerning the mental health assessment of an individual subject to commitment as a sexually violent predator under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2; except that in no case shall records identifying the victims of a sexually violent predator be disclosed.

10. Subscriber data, which for the purposes of this subdivision, means the name, address, telephone number, and any other information identifying a subscriber of a telecommunications carrier, provided directly or indirectly by a telecommunications carrier to a public body that operates a 911 or E-911 emergency dispatch system or an emergency notification or reverse 911 system, if the data is in a form not made available by the telecommunications carrier to the public generally. Nothing in this subdivision shall prevent the release of subscriber data generated in connection with specific calls to a 911 emergency system, where the requester is seeking to obtain public records about the use of the system in response to a specific crime, emergency or other event as to which a citizen has initiated a 911 call.

11. Subscriber data, which for the purposes of this subdivision, means the name, address, telephone number, and any other information identifying a subscriber of a telecommunications carrier, collected by a local governing body in accordance with the Enhanced Public Safety Telephone Services Act (§ 56-484.12 et seq.), and other identifying information of a personal, medical, or financial nature provided to a local governing body in connection with a 911 or E-911 emergency dispatch system or an emergency notification or reverse 911 system, if such records are not otherwise publicly available. Nothing in this subdivision shall prevent the release of subscriber data generated in connection with specific calls to a 911 emergency system, where the requester is seeking to obtain public records about the use of the system in response to a specific crime,

emergency or other event as to which a citizen has initiated a 911 call.

12. Records of the Virginia Military Advisory Council or any commission created by executive order for the purpose of studying and making recommendations regarding preventing closure or realignment of federal military and national security installations and facilities located in Virginia and relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a local governing body, to the extent such records (i) contain information relating to strategies under consideration or development by the Council or such commission or organizations to prevent the closure or realignment of federal military installations located in Virginia or the relocation of national security facilities located in Virginia, to limit the adverse economic effect of such realignment, closure, or relocation, or to seek additional tenant activity growth from the Department of Defense or federal government or (ii) disclose trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided to the Council or such commission or organizations in connection with their work. In order to invoke the trade secret protection provided by clause (ii), the submitting entity shall, in writing and at the time of submission (a) invoke this exclusion, (b) identify with specificity the information for which such protection is sought, and (c) state the reason why such protection is necessary. Nothing in this subdivision shall be construed to authorize the withholding of all or part of any record, other than a trade secret that has been specifically identified as required by this subdivision, after the Department of Defense or federal agency has issued a final, unappealable decision, or in the event of litigation, a court of competent jurisdiction has entered a final, unappealable order concerning the closure, realignment, or expansion of the military installation or tenant activities, or the relocation of the national security facility, for which records are sought.

13. Documentation or other information as determined by the State Comptroller that describes the design, function, operation, or implementation of internal controls over the Commonwealth›s financial processes and systems, and the assessment of risks and vulnerabilities of those controls, including the annual assessment of internal controls mandated by the State Comptroller, the disclosure of which would jeopardize the security of the Commonwealth›s financial assets. However, records relating to the investigation of and findings concerning the soundness of any fiscal process shall be disclosed in a form that does not compromise internal controls. Nothing in this subdivision shall be construed to prohibit the Auditor of Public Accounts or the Joint Legislative Audit and Review Commission from reporting internal control deficiencies discovered during the course of an audit.

14. Documentation or other information relating to the Statewide Agencies Radio System (STARS) or any other similar local or regional public safety communications system that (i) describes the design, function, programming, operation, or access control features of the overall system, components, structures, individual networks, and subsystems of the STARS or any other similar local or regional communications system or (ii) relates to radio frequencies assigned to or utilized by STARS or any other similar local or regional communications system, code plugs, circuit routing, addressing schemes, talk groups, fleet maps, encryption, programming maintained by or utilized by STARS or any other similar local or regional public safety communications system; those portions of engineering and construction drawings and plans that reveal critical structural components, interconnectivity, security equipment and systems, network monitoring, network operation center, master sites, ventilation systems, fire protection equipment, mandatory building emergency equipment, electrical systems, and other utility equipment and systems related to STARS or any other similar local or regional public safety communications system; and special event plans, operational plans, storm plans, or other pre-arranged programming, the disclosure of which would reveal surveillance techniques, personnel deployments, alarm or security systems or technologies, or operational and transportation plans or protocols, to the extent such disclosure would jeopardize the security of any governmental facility, building, or structure or the safety of any person.

15. Records of a salaried or volunteer Fire/EMS company or Fire/EMS department, to the extent that the records disclose the telephone numbers for cellular telephones, pagers, or comparable portable communication devices provided to its personnel for use in the performance of their official duties.

16. Records of hospitals and nursing homes regulated by the Board of Health pursuant to Chapter 5 (§ 32.1-123 et seq.) of Title 32.1 provided to the Department of Health, to the extent such records reveal the disaster recovery plans or the evacuation plans for such facilities in the event of fire, explosion, natural disaster, or other catastrophic event. Nothing in this subdivision shall be construed to prohibit the disclosure of records relating to the effectiveness of executed evacuation plans after the occurrence of fire, explosion, natural disaster, or other catastrophic event.

§ 2.2-3705.3 Exclusions to application of chapter; records relating to administrative investigations

The following records are excluded from the provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law:

1. Confidential records of all investigations of applications for licenses and permits, and of all licensees and permittees, made by or submitted to the Alcoholic Beverage Control Board, the Virginia Lottery, the Virginia Racing Commission, the Department of Agriculture and Consumer Services relating to investigations and applications pursuant to Article 1.1:1 (§ 18.2-340.15 et seq.) of Chapter 8 of Title 18.2, or the Private Security Services Unit of the Department of Criminal Justice Services.
2. Records of active investigations being conducted by the Department of Health Professions or by any health regulatory board in the Commonwealth.
3. Investigator notes, and other correspondence and information, furnished in confidence with respect to an active investigation of individual employment discrimination complaints made to the Department of Human Resource Management, to such personnel of any local public body, including local school boards, as are responsible for conducting such investigations in confidence, or to any public institution of higher education. However, nothing in this section shall prohibit the disclosure of information taken from inactive reports in a form that does not reveal the identity of charging parties, persons supplying the information, or other individuals involved in the investigation.
4. Records of active investigations being conducted by the Department of Medical Assistance Services pursuant to Chapter 10 (§ 32.1-323 et seq.) of Title 32.1.
5. Investigative notes and other correspondence and information furnished in confidence with respect to an investigation or conciliation process involving an alleged unlawful discriminatory practice under the Virginia Human Rights Act (§ 2.2-3900 et seq.) or under any local ordinance adopted in accordance with the authority specified in § 2.2-524, or adopted pursuant to § 15.2-965, or adopted prior to July 1, 1987, in accordance with applicable law, relating to local human rights or human relations commissions. However, nothing in this section shall prohibit the distribution of information taken from inactive reports in a form that does not reveal the identity of the parties involved or other persons supplying information.
6. Records of studies and investigations by the Virginia Lottery of (i) lottery agents, (ii) lottery vendors, (iii) lottery crimes under §§ 58.1-4014 through 58.1-4018, (iv) defects in the law or regulations that cause abuses in the administration and operation of the lottery and any evasions of such provisions, or (v) the use of the lottery as a subterfuge for organized crime and illegal gambling where such official records have not been publicly released, published or copyrighted. All studies and investigations referred to under clauses (iii), (iv), and (v) shall be open to inspection and copying upon completion of the study or investigation.
7. Investigative notes, correspondence and information furnished in confidence, and records otherwise exempted by this chapter or any Virginia statute, provided to or produced by or for (i) the Auditor of Public Accounts; (ii) the Joint Legislative Audit and Review Commission; (iii) an appropriate authority as defined in § 2.2-3010 with respect to an allegation of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act (§ 2.2-3009 et seq.); (iv) the Office of the State Inspector General with respect to an investigation initiated through the Fraud, Waste and Abuse Hotline or an investigation initiated pursuant to Chapter 3.2 (§ 2.2-307 et seq.); (v) internal auditors appointed by the head of a state agency or by any public institution of higher education; (vi) the committee or the auditor with respect to an investigation or audit conducted pur-

suant to §15.2-825; or (vii) the auditors, appointed by the local governing body of any county, city, or town or a school board, who by charter, ordinance, or statute have responsibility for conducting an investigation of any officer, department, or program of such body. Records of completed investigations shall be disclosed in a form that does not reveal the identity of the complainants or persons supplying information to investigators. Unless disclosure is prohibited by this section, the records disclosed shall include, but not be limited to, the agency involved, the identity of the person who is the subject of the complaint, the nature of the complaint, and the actions taken to resolve the complaint. If an investigation does not lead to corrective action, the identity of the person who is the subject of the complaint may be released only with the consent of the subject person. Local governing bodies shall adopt guidelines to govern the disclosure required by this subdivision.

8. Information furnished in confidence to the Department of Human Resource Management with respect to an investigation, consultation, or mediation under § 2.2-1202.1, and memoranda, correspondence and other records resulting from any such investigation, consultation or mediation. However, nothing in this section shall prohibit the distribution of information taken from inactive reports in a form that does not reveal the identity of the parties involved or other persons supplying information.

9. The names, addresses and telephone numbers of complainants furnished in confidence with respect to an investigation of individual zoning enforcement complaints or complaints relating to the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) made to a local governing body.

10. Records of active investigations being conducted by the Department of Criminal Justice Services pursuant to Article 4 (§ 9.1-138 et seq.), Article 4.1 (§ 9.1-150.1 et seq.), Article 11 (§ 9.1-185 et seq.), and Article 12 (§ 9.1-186 et seq.) of Chapter 1 of Title 9.1.

11. Records furnished to or prepared by the Board of Education pursuant to subsection D of § 22.1-253.13:3 in connection with the review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests. However, this section shall not prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board.

12. Investigator notes, and other correspondence and information, furnished in confidence with respect to an active investigation conducted by or for the Board of Education related to the denial, suspension, or revocation of teacher licenses. However, this subdivision shall not prohibit the disclosure of records to a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee. Records of completed investigations shall be disclosed in a form that does not reveal the identity of any complainant or person supplying information to investigators. The records disclosed shall include information regarding the school or facility involved, the identity of the person who was the subject of the complaint, the nature of the complaint, and the actions taken to resolve the complaint. If an investigation fails to support a complaint or does not lead to corrective action, the identity of the person who was the subject of the complaint may be released only with the consent of the subject person. No personally identifiable information in the records regarding a current or former student shall be released except as permitted by state or federal law.

13. Records, notes and information provided in confidence and related to an investigation by the Attorney General under Article 1 (§ 3.2-4200 et seq.) or Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2, Article 10 (§ 18.2-246.6 et seq.) of Chapter 6 or Chapter 13 (§ 18.2-512 et seq.) of Title 18.2, or Article 1 (§ 58.1-1000) of Chapter 10 of Title 58.1. However, records related to an investigation that has been inactive for more than six months shall, upon request, be disclosed provided such disclosure is not otherwise prohibited by law and does not reveal the identity of charging parties, complainants, persons supplying information, witnesses, or other individuals involved in the investigation.

§ 2.2-3705.4 Exclusions to application of chapter; educational records and certain records of educational institutions

The following records are excluded from the provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law:

1. Scholastic records containing information concerning identifiable individuals, except that such access shall not be denied to the person who is the subject thereof, or the parent or legal guardian of the student. However, no student shall have access to (i) financial records of a parent or guardian or (ii) records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto, that are in the sole possession of the maker thereof and that are not accessible or revealed to any other person except a substitute.

   The parent or legal guardian of a student may prohibit, by written request, the release of any individual information regarding that student until the student reaches the age of 18 years. For scholastic records of students under the age of 18 years, the right of access may be asserted only by his legal guardian or parent, including a noncustodial parent, unless such parent›s parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For scholastic records of students who are emancipated or attending a state-supported institution of higher education, the right of access may be asserted by the student.

   Any person who is the subject of any scholastic record and who is 18 years of age or older may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, the public body shall open such records for inspection and copying.

2. Confidential letters and statements of recommendation placed in the records of educational agencies or institutions respecting (i) admission to any educational agency or institution, (ii) an application for employment or promotion, or (iii) receipt of an honor or honorary recognition.

3. Records of the Brown v. Board of Education Scholarship Awards Committee relating to personally identifiable information, including scholarship applications, personal financial information, and confidential correspondence and letters of recommendation.

4. Data, records or information of a proprietary nature produced or collected by or for faculty or staff of public institutions of higher education, other than the institutions› financial or administrative records, in the conduct of or as a result of study or research on medical, scientific, technical or scholarly issues, whether sponsored by the institution alone or in conjunction with a governmental body or a private concern, where such data, records or information has not been publicly released, published, copyrighted or patented.

5. All records of the University of Virginia or the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, that contain proprietary, business-related information pertaining to the operations of the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, including business development or marketing strategies and activities with existing or future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, has formed, or forms, any arrangement for the delivery of health care, if disclosure of such information would be harmful to the competitive position of the Medical Center or Eastern Virginia Medical School, as the case may be.

6. Personal information, as defined in § 2.2-3801, provided to the Board of the Virginia College Savings Plan or its employees by or on behalf of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or savings trust account agreements pursuant to Chapter 4.9 (§ 23-38.75 et seq.) of Title 23. Nothing in this subdivision shall be construed to prohibit disclosure or publication of information in a statistical or other form that does not identify individuals or provide personal information. Individuals shall be provided access to their own personal information.

7. Records maintained in connection with fundraising activities by or for a public institution of higher education to the extent that such records reveal (i) personal fundraising strategies relating to identifiable donors or prospective donors or (ii) wealth assessments; estate, financial, or tax planning information; health-related information; employment, familial, or marital status information; electronic mail addresses, facsimile or

telephone numbers; birth dates or social security numbers of identifiable donors or prospective donors. Nothing in this subdivision, however, shall be construed to authorize the withholding of records relating to the amount, date, purpose, and terms of the pledge or donation, or the identity of the donor unless the donor has requested anonymity in connection with or as a condition of making a pledge or donation. The exclusion provided by this subdivision shall not apply to protect from disclosure (i) the identities of sponsors providing grants to or contracting with the institution for the performance of research services or other work or (ii) the terms and conditions of such grants or contracts.

8. Records of a threat assessment team established by a public institution of higher education pursuant to § 23-9.2:10 relating to the assessment or intervention with a specific individual. However, in the event an individual who has been under assessment commits an act, or is prosecuted for the commission of an act that has caused the death of, or caused serious bodily injury, including any felony sexual assault, to another person, the records of such threat assessment team concerning the individual under assessment shall be made available as provided by this chapter, with the exception of any criminal history records obtained pursuant to § 19.2-389or 19.2-389.1, health records obtained pursuant to § 32.1-127.1:03, or scholastic records as defined in § 22.1-289. The public body providing such records shall remove information identifying any person who provided information to the threat assessment team under a promise of confidentiality.

§ 2.2-3705.5 Exclusions to application of chapter; health and social services records

The following records are excluded from the provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law:

1. Health records, except that such records may be personally reviewed by the individual who is the subject of such records, as provided in subsection F of § 32.1-127.1:03.

   Where the person who is the subject of health records is confined in a state or local correctional facility, the administrator or chief medical officer of such facility may assert such confined person's right of access to the health records if the administrator or chief medical officer has reasonable cause to believe that such confined person has an infectious disease or other medical condition from which other persons so confined need to be protected. Health records shall only be reviewed and shall not be copied by such administrator or chief medical officer. The information in the health records of a person so confined shall continue to be confidential and shall not be disclosed by the administrator or chief medical officer of the facility to any person except the subject or except as provided by law.

   Where the person who is the subject of health records is under the age of 18, his right of access may be asserted only by his guardian or his parent, including a noncustodial parent, unless such parent's parental rights have been terminated, a court of competent jurisdiction has restricted or denied such access, or a parent has been denied access to the health record in accordance with § 20-124.6. In instances where the person who is the subject thereof is an emancipated minor, a student in a public institution of higher education, or is a minor who has consented to his own treatment as authorized by § 16.1-338 or 54.1-2969, the right of access may be asserted by the subject person.

   For the purposes of this chapter, statistical summaries of incidents and statistical data concerning abuse of individuals receiving services compiled by the Commissioner of Behavioral Health and Developmental Services shall be open to inspection and copying as provided in § 2.2-3704. No such summaries or data shall include any information that identifies specific individuals receiving services.

2. Applications for admission to examinations or for licensure and scoring records maintained by the Department of Health Professions or any board in that department on individual licensees or applicants. However, such material may be made available during normal working hours for copying, at the requester's expense, by the individual who is the subject thereof, in the offices of the Department of Health Professions or in the offices of any health regulatory board, whichever may possess the material.
3. Reports, documentary evidence and other information as specified in §§ 51.5-122, 51.5-141, and63.2-104.
4. Investigative notes; proprietary information not

published, copyrighted or patented; information obtained from employee personnel records; personally identifiable information regarding residents, clients or other recipients of services; other correspondence and information furnished in confidence to the Department of Social Services in connection with an active investigation of an applicant or licensee pursuant to Chapters 17 (§ 63.2-1700 et seq.) and 18 (§ 63.2-1800 et seq.) of Title 63.2; and records and information furnished to the Office of the Attorney General in connection with an investigation or litigation pursuant to Article 19.1 (§ 8.01-216.1 et seq.) of Chapter 3 of Title 8.01 and Chapter 9 (§ 32.1-310 et seq.) of Title 32.1. However, nothing in this section shall prohibit disclosure of information from the records of completed investigations in a form that does not reveal the identity of complainants, persons supplying information, or other individuals involved in the investigation.

5. Information and records collected for the designation and verification of trauma centers and other specialty care centers within the Statewide Emergency Medical Services System and Services pursuant to Article 2.1 (§ 32.1-111.1 et seq.) of Chapter 4 of Title 32.1.

6. Reports and court documents relating to involuntary admission required to be kept confidential pursuant to § 37.2-818.

7. Data formerly required to be submitted to the Commissioner of Health relating to the establishment of new or the expansion of existing clinical health services, acquisition of major medical equipment, or certain projects requiring capital expenditures pursuant to former § 32.1-102.3:4.

8. Information required to be provided to the Department of Health Professions by certain licensees pursuant to § 54.1-2506.1.

9. Information and records acquired (i) during a review of any child death conducted by the State Child Fatality Review team established pursuant to § 32.1-283.1 or by a local or regional child fatality review team to the extent made confidential by § 32.1-283.2; (ii) during a review of any death conducted by a family violence fatality review team to the extent made confidential by § 32.1-283.3; or (iii) during a review of any adult death conducted by the Adult Fatality Review Team to the extent made confidential by § 32.1-283.5.

10. Patient level data collected by the Board of Health and not yet processed, verified, and released, pursuant to § 32.1-276.9, to the Board by the nonprofit organization with which the Commissioner of Health has contracted pursuant to § 32.1-276.4.

11. Records of the Health Practitioners' Monitoring Program Committee within the Department of Health Professions, to the extent such records may identify any practitioner who may be, or who is actually, impaired to the extent disclosure is prohibited by § 54.1-2517.

12. Records submitted as a grant application, or accompanying a grant application, to the Commonwealth Neurotrauma Initiative Advisory Board pursuant to Article 12 (§ 51.5-178 et seq.) of Chapter 14 of Title 51.5, to the extent such records contain (i) medical or mental health records, or other data identifying individual patients or (ii) proprietary business or research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical or scholarly issues, when such information has not been publicly released, published, copyrighted or patented, if the disclosure of such information would be harmful to the competitive position of the applicant.

13. Any record copied, recorded or received by the Commissioner of Health in the course of an examination, investigation or review of a managed care health insurance plan licensee pursuant to §§ 32.1-137.4 and 32.1-137.5, including books, records, files, accounts, papers, documents, and any or all computer or other recordings.

14. Records, information and statistical registries required to be kept confidential pursuant to §§63.2-102 and 63.2-104.

15. All data, records, and reports relating to the prescribing and dispensing of covered substances to recipients and any abstracts from such data, records, and reports that are in the possession of the Prescription Monitoring Program pursuant to Chapter 25.2 (§ 54.1-2519 et seq.) of Title 54.1 and any material relating to the operation or security of the Program.

16. Records of the Virginia Birth-Related Neurological Injury Compensation Program required to be kept confidential pursuant to § 38.2-5002.2.

17. Records of the State Health Commissioner relating to the health of any person or persons subject to an order of quarantine or an order of isolation

pursuant to Article 3.02 (§ 32.1-48.05 et seq.) of Chapter 2 of Title 32.1; this provision shall not, however, be construed to prohibit the disclosure of statistical summaries, abstracts or other information in aggregate form.

18. Records containing the names and addresses or other contact information of persons receiving transportation services from a state or local public body or its designee under Title II of the Americans with Disabilities Act, (42 U.S.C. § 12131 et seq.) or funded by Temporary Assistance for Needy Families (TANF) created under § 63.2-600.

§ 2.2-3705.6 Exclusions to application of chapter; proprietary records and trade secrets

The following records are excluded from the provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law:

1. Proprietary information gathered by or for the Virginia Port Authority as provided in § 62.1-132.4 or 62.1-134.1.
2. Financial statements not publicly available filed with applications for industrial development financings in accordance with Chapter 49 (§ 15.2-4900 et seq.) of Title 15.2.
3. Confidential proprietary records, voluntarily provided by private business pursuant to a promise of confidentiality from a public body, used by the public body for business, trade and tourism development or retention; and memoranda, working papers or other records related to businesses that are considering locating or expanding in Virginia, prepared by a public body, where competition or bargaining is involved and where, if such records are made public, the financial interest of the public body would be adversely affected.
4. Information that was filed as confidential under the Toxic Substances Information Act (§ 32.1-239 et seq.), as such Act existed prior to July 1, 1992.
5. Fisheries data that would permit identification of any person or vessel, except when required by court order as specified in § 28.2-204.
6. Confidential financial statements, balance sheets, trade secrets, and revenue and cost projections provided to the Department of Rail and Public Transportation, provided such information is exempt under the federal Freedom of Information Act or the federal Interstate Commerce Act or other laws administered by the Surface Transportation Board or the Federal Railroad Administration with respect to data provided in confidence to the Surface Transportation Board and the Federal Railroad Administration.
7. Confidential proprietary records related to inventory and sales, voluntarily provided by private energy suppliers to the Department of Mines, Minerals and Energy, used by that Department for energy contingency planning purposes or for developing consolidated statistical information on energy supplies.
8. Confidential proprietary information furnished to the Board of Medical Assistance Services or the Medicaid Prior Authorization Advisory Committee pursuant to Article 4 (§ 32.1-331.12 et seq.) of Chapter 10 of Title 32.1.
9. Proprietary, commercial or financial information, balance sheets, trade secrets, and revenue and cost projections provided by a private transportation business to the Virginia Department of Transportation and the Department of Rail and Public Transportation for the purpose of conducting transportation studies needed to obtain grants or other financial assistance under the Transportation Equity Act for the 21st Century (P.L. 105-178) for transportation projects, provided such information is exempt under the federal Freedom of Information Act or the federal Interstate Commerce Act or other laws administered by the Surface Transportation Board or the Federal Railroad Administration with respect to data provided in confidence to the Surface Transportation Board and the Federal Railroad Administration. However, the exemption provided by this subdivision shall not apply to any wholly owned subsidiary of a public body.
10. Confidential information designated as provided in subsection F of § 2.2-4342 as trade secrets or proprietary information by any person who has submitted to a public body an application for prequalification to bid on public construction projects in accordance with subsection B of § 2.2-4317.
11. a. Memoranda, staff evaluations, or other records prepared by the responsible public entity, its staff, outside advisors, or consultants exclusively for the evaluation and negotiation of proposals filed under the Public-Private Transportation Act of 1995 (§ 56-556 et seq.) or the Public Private

Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.), where (i) if such records were made public prior to or after the execution of an interim or a comprehensive agreement, § 56-573.1:1 or 56-575.17 notwithstanding, the financial interest or bargaining position of the public entity would be adversely affected, and (ii) the basis for the determination required in clause (i) is documented in writing by the responsible public entity; and

b. Records provided by a private entity to a responsible public entity, affected jurisdiction, or affected local jurisdiction pursuant to the provisions of the Public-Private Transportation Act of 1995 or the Public-Private Education Facilities and Infrastructure Act of 2002, to the extent that such records contain (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.); (ii) financial records of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity, where, if the records were made public prior to the execution of an interim agreement or a comprehensive agreement, the financial interest or bargaining position of the public or private entity would be adversely affected. In order for the records specified in clauses (i), (ii), and (iii) to be excluded from the provisions of this chapter, the private entity shall make a written request to the responsible public entity:

1. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

2. Identifying with specificity the data or other materials for which protection is sought; and

3. Stating the reasons why protection is necessary.

The responsible public entity shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. To protect other records submitted by the private entity from disclosure, the responsible public entity shall determine whether public disclosure prior to the execution of an interim agreement or a comprehensive agreement would adversely affect the financial interest or bargaining position of the public or private entity. The responsible public entity shall make a written determination of the nature and scope of the protection to be afforded by the responsible public entity under this subdivision. Once a written determination is made by the responsible public entity, the records afforded protection under this subdivision shall continue to be protected from disclosure when in the possession of any affected jurisdiction or affected local jurisdiction.

Except as specifically provided in subdivision 11 a, nothing in this subdivision shall be construed to authorize the withholding of (a) procurement records as required by § 56-573.1:1 or 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by the responsible public entity and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of any private entity developing or operating a qualifying transportation facility or a qualifying project.

For the purposes of this subdivision, the terms "affected jurisdiction," "affected local jurisdiction," "comprehensive agreement," "interim agreement," "qualifying project," "qualifying transportation facility," "responsible public entity," and "private entity" shall mean the same as those terms are defined in the Public-Private Transportation Act of 1995 or in the Public-Private Education Facilities and Infrastructure Act of 2002.

12. Confidential proprietary information or trade secrets, not publicly available, provided by a private person or entity to the Virginia Resources Authority or to a fund administered in connection with financial assistance rendered or to be rendered by the Virginia Resources Authority where, if such information were made public, the financial interest of the private person or entity would be adversely affected, and, after June 30, 1997, where such information was provided pursuant to a promise of confidentiality.

13. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), or confidential proprietary records that are not generally available to the public through regulatory disclosure or otherwise, provided by a (a) bidder or applicant for a franchise or (b) franchisee under Chapter 21 (§15.2-2100 et seq.) of Title 15.2 to

the applicable franchising authority pursuant to a promise of confidentiality from the franchising authority, to the extent the records relate to the bidder's, applicant's, or franchisee's financial capacity or provision of new services, adoption of new technologies or implementation of improvements, where such new services, technologies or improvements have not been implemented by the franchisee on a nonexperimental scale in the franchise area, and where, if such records were made public, the competitive advantage or financial interests of the franchisee would be adversely affected.

In order for trade secrets or confidential proprietary information to be excluded from the provisions of this chapter, the bidder, applicant, or franchisee shall (i) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (ii) identify the data or other materials for which protection is sought, and (iii) state the reason why protection is necessary.

No bidder, applicant, or franchisee may invoke the exclusion provided by this subdivision if the bidder, applicant, or franchisee is owned or controlled by a public body or if any representative of the applicable franchising authority serves on the management board or as an officer of the bidder, applicant, or franchisee.

14. Documents and other information of a proprietary nature furnished by a supplier of charitable gaming supplies to the Department of Agriculture and Consumer Services pursuant to subsection E of § 18.2-340.34.

15. Records and reports related to Virginia apple producer sales provided to the Virginia State Apple Board pursuant to § 3.2-1215.

16. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) of Title 59.1, submitted by CMRS providers as defined in § 56-484.12 to the Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to § 56-484.15, relating to the provision of wireless E-911 service.

17. Records submitted as a grant or loan application, or accompanying a grant or loan application, to the Innovation and Entrepreneurship Investment Authority pursuant to Article 3 (§ 2.2-2233.1 et seq.) of Chapter 22 of Title 2.2 or to the Commonwealth Health Research Board pursuant to Chapter 22 (§ 23-277 et seq.) of Title 23 to the extent such records contain proprietary business or research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, if the disclosure of such information would be harmful to the competitive position of the applicant.

18. Confidential proprietary records and trade secrets developed and held by a local public body (i) providing telecommunication services pursuant to § 56-265.4:4 and (ii) providing cable television services pursuant to Article 1.1 (§ 15.2-2108.2 et seq.) of Chapter 21 of Title 15.2, to the extent that disclosure of such records would be harmful to the competitive position of the locality. In order for confidential proprietary information or trade secrets to be excluded from the provisions of this chapter, the locality in writing shall (a) invoke the protections of this subdivision, (b) identify with specificity the records or portions thereof for which protection is sought, and (c) state the reasons why protection is necessary.

19. Confidential proprietary records and trade secrets developed by or for a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) to provide qualifying communications services as authorized by Article 5.1 (§ 56-484.7:1 et seq.) of Chapter 15 of Title 56, where disclosure of such information would be harmful to the competitive position of the authority, except that records required to be maintained in accordance with § 15.2-2160 shall be released.

20. Trade secrets as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) or financial records of a business, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, provided to the Department of Small Business and Supplier Diversity as part of an application for (i) certification as a small, women-owned, or minority-owned business in accordance with Chapter 16.1 (§ 2.2-1603 et seq.) or (ii) a claim made by a disadvantaged business or an economically disadvantaged individual against the Capital Access Fund for Disadvantaged Businesses created pursuant to § 2.2-2311.

In order for such trade secrets or financial records to be excluded from the provisions of this chapter, the business shall (a) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (b) identify the data or other materials for which protection is sought, and (c) state the reasons why protection is necessary.

21. Documents and other information of a proprietary or confidential nature disclosed by a carrier to the State Health Commissioner pursuant to §§ 32.1-276.5:1 and 32.1-276.7:1.

22. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), including, but not limited to, financial records, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the State Inspector General for the purpose of an audit, special investigation, or any study requested by the Office of the State Inspector General in accordance with law.

In order for the records specified in this subdivision to be excluded from the provisions of this chapter, the private or nongovernmental entity shall make a written request to the State Inspector General:

1. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

2. Identifying with specificity the data or other materials for which protection is sought; and

3. Stating the reasons why protection is necessary.

The State Inspector General shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. The State Inspector General shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

23. Records submitted as a grant application, or accompanying a grant application, to the Virginia Tobacco Indemnification and Community Revitalization Commission to the extent such records contain (i) trade secrets as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), (ii) financial records of a grant applicant that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, or (iii) research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, if the disclosure of such information would be harmful to the competitive position of the applicant; and memoranda, staff evaluations, or other records prepared by the Commission or its staff exclusively for the evaluation of grant applications. The exclusion provided by this subdivision shall apply to grants that are consistent with the powers of and in furtherance of the performance of the duties of the Commission pursuant to § 3.2-3103.

In order for the records specified in this subdivision to be excluded from the provisions of this chapter, the applicant shall make a written request to the Commission:

1. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

2. Identifying with specificity the data, records or other materials for which protection is sought; and

3. Stating the reasons why protection is necessary.

The Commission shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets, financial records or research-related information of the applicant. The Commission shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

24. a. Records of the Commercial Space Flight Authority relating to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority if public disclosure would adversely affect the financial interest or bargaining position of the Authority or a private entity providing records to the Authority; or

b. Records provided by a private entity to the Commercial Space Flight Authority, to the extent that such records contain (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.); (ii) financial records of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory

disclosure or otherwise; or (iii) other information submitted by the private entity, where, if the records were made public, the financial interest or bargaining position of the Authority or private entity would be adversely affected.

In order for the records specified in clauses (i), (ii), and (iii) of subdivision 24 b to be excluded from the provisions of this chapter, the private entity shall make a written request to the Authority:

1. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

2. Identifying with specificity the data or other materials for which protection is sought; and

3. Stating the reasons why protection is necessary.

The Authority shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. To protect other records submitted by the private entity from disclosure, the Authority shall determine whether public disclosure would adversely affect the financial interest or bargaining position of the Authority or private entity. The Authority shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

25. Documents and other information of a proprietary nature furnished by an agricultural landowner or operator to the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Agriculture and Consumer Services or any political subdivision, agency, or board of the Commonwealth pursuant to §§ 10.1-104.7, 10.1-104.8, and10.1-104.9, other than when required as part of a state or federal regulatory enforcement action.

26. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided to the Department of Environmental Quality pursuant to the provisions of § 10.1-1458. In order for such trade secrets to be excluded from the provisions of this chapter, the submitting party shall (i) invoke this exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) state the reasons why protection is necessary.

27. Documents and other information of a proprietary nature furnished by a licensed public-use airport to the Department of Aviation for funding from programs administered by the Department of Aviation or the Virginia Aviation Board, where if the records were made public, the financial interest of the public-use airport would be adversely affected.

In order for the records specified in this subdivision to be excluded from the provisions of this chapter, the public-use airport shall make a written request to the Department of Aviation:

1. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

2. Identifying with specificity the data or other materials for which protection is sought; and

3. Stating the reasons why protection is necessary.

§ 2.2-3705.7 Exclusions to application of chapter; records of specific public bodies and certain other limited exemptions

The following records are excluded from the provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law:

1. State income, business, and estate tax returns, personal property tax returns, scholastic and confidential records held pursuant to § 58.1-3.

2. Working papers and correspondence of the Office of the Governor; Lieutenant Governor; the Attorney General; the members of the General Assembly, the Division of Legislative Services, or the Clerks of the House of Delegates and the Senate of Virginia; the mayor or chief executive officer of any political subdivision of the Commonwealth; or the president or other chief executive officer of any public institution of higher education in Virginia. However, no record, which is otherwise open to inspection under this chapter, shall be deemed exempt by virtue of the fact that it has been attached to or incorporated within any working paper or correspondence.

As used in this subdivision:

"Members of the General Assembly" means each member of the Senate of Virginia and the House of Delegates and their legislative aides when working on behalf of such member.

"Office of the Governor" means the Gover-

nor; his chief of staff, counsel, director of policy, Cabinet Secretaries, and the Assistant to the Governor for Intergovernmental Affairs; and those individuals to whom the Governor has delegated his authority pursuant to § 2.2-104.

"Working papers" means those records prepared by or for an above-named public official for his personal or deliberative use.

3. Library records that can be used to identify both (i) any library patron who has borrowed material from a library and (ii) the material such patron borrowed.

4. Contract cost estimates prepared for the confidential use of the Department of Transportation in awarding contracts for construction or the purchase of goods or services, and records and automated systems prepared for the Department's Bid Analysis and Monitoring Program.

5. Lists of registered owners of bonds issued by a political subdivision of the Commonwealth, whether the lists are maintained by the political subdivision itself or by a single fiduciary designated by the political subdivision.

6. Records and writings furnished by a member of the General Assembly to a meeting of a standing committee, special committee or subcommittee of his house established solely for the purpose of reviewing members' annual disclosure statements and supporting materials filed under § 30-110 or of formulating advisory opinions to members on standards of conduct, or both.

7. Customer account information of a public utility affiliated with a political subdivision of the Commonwealth, including the customer›s name and service address, but excluding the amount of utility service provided and the amount of money paid for such utility service.

8. Personal information, as defined in § 2.2-3801, (i) filed with the Virginia Housing Development Authority concerning individuals who have applied for or received loans or other housing assistance or who have applied for occupancy of or have occupied housing financed, owned or otherwise assisted by the Virginia Housing Development Authority; (ii) concerning persons participating in or persons on the waiting list for federally funded rent-assistance programs; (iii) filed with any local redevelopment and housing authority created pursuant to § 36-4 concerning persons participating in or persons on the waiting list for housing assistance programs funded by local governments or by any such authority; or (iv) filed with any local redevelopment and housing authority created pursuant to § 36-4 or any other local government agency concerning persons who have applied for occupancy or who have occupied affordable dwelling units established pursuant to § 15.2-2304 or 15.2-2305. However, access to one's own information shall not be denied.

9. Records regarding the siting of hazardous waste facilities, except as provided in § 10.1-1441, if disclosure of them would have a detrimental effect upon the negotiating position of a governing body or on the establishment of the terms, conditions and provisions of the siting agreement.

10. Records containing information on the site specific location of rare, threatened, endangered or otherwise imperiled plant and animal species, natural communities, caves, and significant historic and archaeological sites if, in the opinion of the public body that has the responsibility for such information, disclosure of the information would jeopardize the continued existence or the integrity of the resource. This exemption shall not apply to requests from the owner of the land upon which the resource is located.

11. Records, memoranda, working papers, graphics, video or audio tapes, production models, data and information of a proprietary nature produced by or for or collected by or for the Virginia Lottery relating to matters of a specific lottery game design, development, production, operation, ticket price, prize structure, manner of selecting the winning ticket, manner of payment of prizes to holders of winning tickets, frequency of drawings or selections of winning tickets, odds of winning, advertising, or marketing, where such official records have not been publicly released, published, copyrighted or patented. Whether released, published or copyrighted, all game-related information shall be subject to public disclosure under this chapter upon the first day of sales for the specific lottery game to which it pertains.

12. Records of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of a local retirement system, acting pursuant to § 51.1-803, or of the Rector and Visitors of the University of Virginia, acting pursuant to § 23-76.1, or of the Virginia College Savings Plan, acting pursuant to §23-38.77, relating to the acquisition, holding or disposition of a security or other ownership

interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, to the extent that: (i) such records contain confidential analyses prepared for the Rector and Visitors of the University of Virginia, prepared by the retirement system or the Virginia College Savings Plan, or provided to the retirement system or the Virginia College Savings Plan under a promise of confidentiality, of the future value of such ownership interest or the future financial performance of the entity; and (ii) disclosure of such confidential analyses would have an adverse effect on the value of the investment to be acquired, held or disposed of by the retirement system, the Rector and Visitors of the University of Virginia, or the Virginia College Savings Plan. Nothing in this subdivision shall be construed to prevent the disclosure of records relating to the identity of any investment held, the amount invested, or the present value of such investment.

13. Names and addresses of subscribers to Virginia Wildlife magazine, published by the Department of Game and Inland Fisheries, provided the individual subscriber has requested in writing that the Department not release such information.

14. Financial, medical, rehabilitative and other personal information concerning applicants for or recipients of loan funds submitted to or maintained by the Assistive Technology Loan Fund Authority under Chapter 11 (§ 51.5-53 et seq.) of Title 51.5.

15. Records of the Virginia Commonwealth University Health System Authority pertaining to any of the following: an individual›s qualifications for or continued membership on its medical or teaching staffs; proprietary information gathered by or in the possession of the Authority from third parties pursuant to a promise of confidentiality; contract cost estimates prepared for confidential use in awarding contracts for construction or the purchase of goods or services; data, records or information of a proprietary nature produced or collected by or for the Authority or members of its medical or teaching staffs; financial statements not publicly available that may be filed with the Authority from third parties; the identity, accounts or account status of any customer of the Authority; consulting or other reports paid for by the Authority to assist the Authority in connection with its strategic planning and goals; the determination of marketing and operational strategies where disclosure of such strategies would be harmful to the competitive position of the Authority; and data, records or information of a proprietary nature produced or collected by or for employees of the Authority, other than the Authority›s financial or administrative records, in the conduct of or as a result of study or research on medical, scientific, technical or scholarly issues, whether sponsored by the Authority alone or in conjunction with a governmental body or a private concern, when such data, records or information have not been publicly released, published, copyrighted or patented.

16. Records of the Department of Environmental Quality, the State Water Control Board, State Air Pollution Control Board or the Virginia Waste Management Board relating to (i) active federal environmental enforcement actions that are considered confidential under federal law and (ii) enforcement strategies, including proposed sanctions for enforcement actions. Upon request, such records shall be disclosed after a proposed sanction resulting from the investigation has been proposed to the director of the agency. This subdivision shall not be construed to prohibit the disclosure of records related to inspection reports, notices of violation, and documents detailing the nature of any environmental contamination that may have occurred or similar documents.

17. As it pertains to any person, records related to the operation of toll facilities that identify an individual, vehicle, or travel itinerary including, but not limited to, vehicle identification data, vehicle enforcement system information; video or photographic images; Social Security or other identification numbers appearing on driver›s licenses; credit card or bank account data; home addresses; phone numbers; or records of the date or time of toll facility use.

18. Records of the Virginia Lottery pertaining to (i) the social security number, tax identification number, state sales tax number, home address and telephone number, personal and lottery banking account and transit numbers of a retailer, and financial information regarding the nonlottery operations of specific retail locations; and (ii) individual lottery winners, except that a winner›s name, hometown, and amount won shall be disclosed.

19. Records of the Board for Branch Pilots relat-

ing to the chemical or drug testing of a person regulated by the Board, where such person has tested negative or has not been the subject of a disciplinary action by the Board for a positive test result.

20. Records, investigative notes, correspondence, and information pertaining to the planning, scheduling and performance of examinations of holder records pursuant to the Uniform Disposition of Unclaimed Property Act (§ 55-210.1 et seq.) prepared by or for the State Treasurer, his agents, employees or persons employed to perform an audit or examination of holder records.

21. Records of the Virginia Department of Emergency Management or a local governing body relating to citizen emergency response teams established pursuant to an ordinance of a local governing body, to the extent that such records reveal the name, address, including e-mail address, telephone or pager numbers, or operating schedule of an individual participant in the program.

22. Records of state or local park and recreation departments and local and regional park authorities to the extent such records contain information identifying a person under the age of 18 years. However, nothing in this subdivision shall operate to prohibit the disclosure of information defined as directory information under regulations implementing the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, unless the public body has undertaken the parental notification and opt-out requirements provided by such regulations. Access shall not be denied to the parent, including a noncustodial parent, or guardian of such person, unless the parent›s parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For records of such persons who are emancipated, the right of access may be asserted by the subject thereof. Any parent or emancipated person who is the subject of the record may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, the public body shall open such records for inspection and copying.

23. Records submitted for inclusion in the Statewide Alert Network administered by the Department of Emergency Management, to the extent that they reveal names, physical addresses, email addresses, computer or internet protocol information, telephone numbers, pager numbers, other wireless or portable communications device information, or operating schedules of individuals or agencies, where the release of such information would compromise the security of the Statewide Alert Network or individuals participating in the Statewide Alert Network.

24. Records of the Judicial Inquiry and Review Commission made confidential by § 17.1-913.

25. Records of the Virginia Retirement System acting pursuant to § 51.1-124.30, of a local retirement system acting pursuant to § 51.1-803 (hereinafter collectively referred to as the retirement system), or of the Virginia College Savings Plan, acting pursuant to § 23-38.77 relating to:

a. Internal deliberations of or decisions by the retirement system or the Virginia College Savings Plan on the pursuit of particular investment strategies, or the selection or termination of investment managers, prior to the execution of such investment strategies or the selection or termination of such managers, to the extent that disclosure of such records would have an adverse impact on the financial interest of the retirement system or the Virginia College Savings Plan; and

b. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided by a private entity to the retirement system or the Virginia College Savings Plan, to the extent disclosure of such records would have an adverse impact on the financial interest of the retirement system or the Virginia College Savings Plan.

For the records specified in subdivision b to be excluded from the provisions of this chapter, the entity shall make a written request to the retirement system or the Virginia College Savings Plan:

(1) Invoking such exclusion prior to or upon submission of the data or other materials for which protection from disclosure is sought;

(2) Identifying with specificity the data or other materials for which protection is sought; and

(3) Stating the reasons why protection is necessary.

The retirement system or the Virginia College Savings Plan shall determine whether the requested exclusion from disclosure meets the requirements set forth in subdivision b.

Nothing in this subdivision shall be construed to authorize the withholding of the identity or amount of any investment held or the present value and performance of all asset classes and subclasses.

26. Records of the Department of Corrections made confidential by § 53.1-233.

27. Records maintained by the Department of the Treasury or participants in the Local Government Investment Pool (§ 2.2-4600 et seq.), to the extent such records relate to information required to be provided by such participants to the Department to establish accounts in accordance with § 2.2-4602.

28. Personal information, as defined in § 2.2-3801, contained in the Veterans Care Center Resident Trust Funds concerning residents or patients of the Department of Veterans Services Care Centers, except that access shall not be denied to the person who is the subject of the record.

29. Records maintained in connection with fundraising activities by the Veterans Services Foundation pursuant to § 2.2-2716 to the extent that such records reveal the address, electronic mail address, facsimile or telephone number, social security number or other identification number appearing on a driver's license, or credit card or bank account data of identifiable donors, except that access shall not be denied to the person who is the subject of the record. Nothing in this subdivision, however, shall be construed to authorize the withholding of records relating to the amount, date, purpose, and terms of the pledge or donation or the identity of the donor. The exclusion provided by this subdivision shall not apply to protect from disclosure (i) the identities of sponsors providing grants to or contracting with the foundation for the performance of services or other work or (ii) the terms and conditions of such grants or contracts.

30. Names, physical addresses, telephone numbers, and email addresses contained in correspondence between an individual and a member of the governing body, school board, or other public body of the locality in which the individual is a resident, unless the correspondence relates to the transaction of public business. However, no record that is otherwise open to inspection under this chapter shall be deemed exempt by virtue of the fact that it has been attached to or incorporated within any such correspondence.

31. Records of the Commonwealth›s Attorneys› Services Council, to the extent such records are prepared for and utilized by the Commonwealth›s Attorneys› Services Council in the training of state prosecutors or law-enforcement personnel, where such records are not otherwise available to the public and the release of such records would reveal confidential strategies, methods or procedures to be employed in law-enforcement activities, or materials created for the investigation and prosecution of a criminal case.

32. Records provided to the Department of Aviation by other entities of the Commonwealth in connection with the operation of aircraft, where the records would not be subject to disclosure by the entity providing the records. The entity providing the records to the Department of Aviation shall identify the specific portion of the records to be protected and the applicable provision of this chapter that exempts the record or portions thereof from mandatory disclosure.

33. Records created or maintained by or on the behalf of the judicial performance evaluation program related to an evaluation of any individual justice or judge made confidential by § 17.1-100.

§ 2.2-3705.8 Limitation on record exclusions

A. Neither any provision of this chapter nor any provision of Chapter 38 (§ 2.2-3800 et seq.) of this title shall be construed as denying public access to (i) contracts between a public body and its officers or employees, other than contracts settling public employee employment disputes held confidential as personnel records under § 2.2-3705.1; (ii) records of the position, job classification, official salary or rate of pay of, and records of the allowances or reimbursements for expenses paid to any officer, official or employee of a public body; or (iii) the compensation or benefits paid by any corporation organized by the Virginia Retirement System or its officers or employees.

The provisions of this subsection, however, shall not require public access to records of the official salaries or rates of pay of public employees whose annual rate of pay is $10,000 or less.

B. Nothing in this chapter shall be construed as denying public access to the nonexempt portions of a report of a consultant hired by or at the request of a local public body or the mayor or chief executive or administrative officer of such public body if (i) the contents of such report have been distributed or disclosed to members of the local public body or (ii) the local public body has scheduled any action on a matter that is the subject of the consultant's report.

§ 2.2-3706 Disclosure of criminal records; limitations

A. All public bodies engaged in criminal law-enforcement activities shall provide requested records in

accordance with this chapter as follows:

1. Records required to be released:

a. Criminal incident information relating to felony offenses, which shall include:

(1) A general description of the criminal activity reported;

(2) The date the alleged crime was committed;

(3) The general location where the alleged crime was committed;

(4) The identity of the investigating officer or other point of contact; and

(5) A general description of any injuries suffered or property damaged or stolen.

A verbal response as agreed to by the requester and the public body is sufficient to satisfy the requirements of subdivision a.

Where the release of criminal incident information, however, is likely to jeopardize an ongoing investigation or prosecution or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until the above-referenced damage is no longer likely to occur from release of the information. Nothing in subdivision a shall be construed to authorize the withholding of those portions of such information that are not likely to cause the above-referenced damage;

b. Adult arrestee photographs taken during the initial intake following the arrest and as part of the routine booking procedure, except when necessary to avoid jeopardizing an investigation in felony cases until such time as the release of the photograph will no longer jeopardize the investigation; and

c. Information relative to the identity of any individual, other than a juvenile, who is arrested and charged, and the status of the charge or arrest;

2. Discretionary releases. The following records are excluded from the provisions of this chapter, but may be disclosed by the custodian, in his discretion, except where such disclosure is prohibited by law:

a. Criminal investigative files, defined as any documents and information, including complaints, court orders, memoranda, notes, diagrams, maps, photographs, correspondence, reports, witness statements, and evidence relating to a criminal investigation or prosecution, other than criminal incident information subject to release in accordance with subdivision 1 a;

b. Reports submitted in confidence to (i) state and local law-enforcement agencies, (ii) investigators authorized pursuant to Chapter 3.2 (§ 2.2-307 et seq.), and (iii) campus police departments of public institutions of higher education established pursuant to Chapter 17 (§ 23-232 et seq.) of Title 23;

c. Records of local law-enforcement agencies relating to neighborhood watch programs that include the names, addresses, and operating schedules of individual participants in the program that are provided to such agencies under a promise of anonymity;

d. All records of persons imprisoned in penal institutions in the Commonwealth provided such records relate to the imprisonment;

e. Records of law-enforcement agencies, to the extent that such records contain specific tactical plans, the disclosure of which would jeopardize the safety or security of law-enforcement personnel or the general public;

f. All records of adult persons under (i) investigation or supervision by a local pretrial services agency in accordance with Article 5 (§ 19.2-152.2 et seq.) of Chapter 9 of Title 19.2; (ii) investigation, probation supervision, or monitoring by a local community-based probation services agency in accordance with Article 9 (§ 9.1-173 et seq.) of Chapter 1 of Title 9.1; or (iii) investigation or supervision by state probation and parole services in accordance with Article 2 (§ 53.1-141 et seq.) of Chapter 4 of Title 53.1;

g. Records of a law-enforcement agency to the extent that they disclose the telephone numbers for cellular telephones, pagers, or comparable portable communication devices provided to its personnel for use in the performance of their official duties;

h. Those portions of any records containing information related to undercover operations or protective details that would reveal the staffing, logistics, or tactical plans of such undercover operations or protective details. Nothing in this subdivision shall operate to allow the withholding of information concerning the overall costs or expenses associated with undercover operations or protective details;

i. Records of (i) background investigations of applicants for law-enforcement agency employment, (ii) administrative investigations relating to allegations of wrongdoing by employees of a law-enforcement agency, and (iii) other administra-

tive investigations conducted by law-enforcement agencies that are made confidential by law;

j. The identity of any victim, witness, or undercover officer, or investigative techniques or procedures. However, the identity of any victim or witness shall be withheld if disclosure is prohibited or restricted under § 19.2-11.2; and

k. Records of the Sex Offender and Crimes Against Minors Registry maintained by the Department of State Police pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, including information obtained from state, local, and regional officials, except to the extent that information is required to be posted on the Internet pursuant to § 9.1-913; and

3. Prohibited releases. The identity of any individual providing information about a crime or criminal activity under a promise of anonymity shall not be disclosed.

B. Noncriminal records. Records (i) required to be maintained by law-enforcement agencies pursuant to § 15.2-1722 or (ii) maintained by other public bodies engaged in criminal law-enforcement activities shall be subject to the provisions of this chapter except that those portions of noncriminal incident or other noncriminal investigative reports or materials that contain identifying information of a personal, medical, or financial nature may be withheld where the release of such information would jeopardize the safety or privacy of any person. Access to personnel records of persons employed by a law-enforcement agency shall be governed by the provisions of subdivision A 2 i of this section and subdivision 1 of § 2.2-3705.1, as applicable.

C. Records of any call for service or other communication to an emergency 911 system or communicated with any other equivalent reporting system shall be subject to the provisions of this chapter.

D. Conflict resolution. In the event of conflict between this section as it relates to requests made under this section and other provisions of law, this section shall control.

§ 2.2-3707 Meetings to be public; notice of meetings; recordings; minutes

A. All meetings of public bodies shall be open, except as provided in §§ 2.2-3707.01 and 2.2-3711.

B. No meeting shall be conducted through telephonic, video, electronic or other communication means where the members are not physically assembled to discuss or transact public business, except as provided in § 2.2-3708, 2.2-3708.1 or as may be specifically provided in Title 54.1 for the summary suspension of professional licenses.

C. Every public body shall give notice of the date, time, and location of its meetings by placing the notice in a prominent public location at which notices are regularly posted and in the office of the clerk of the public body, or in the case of a public body that has no clerk, in the office of the chief administrator. All state public bodies subject to the provisions of this chapter shall also post notice of their meetings on their websites and on the electronic calendar maintained by the Virginia Information Technologies Agency commonly known as the Commonwealth Calendar. Publication of meeting notices by electronic means by other public bodies shall be encouraged. The notice shall be posted at least three working days prior to the meeting. Notices for meetings of state public bodies on which there is at least one member appointed by the Governor shall state whether or not public comment will be received at the meeting and, if so, the approximate point during the meeting when public comment will be received.

D. Notice, reasonable under the circumstance, of special or emergency meetings shall be given contemporaneously with the notice provided members of the public body conducting the meeting.

E. Any person may annually file a written request for notification with a public body. The request shall include the requester›s name, address, zip code, daytime telephone number, electronic mail address, if available, and organization, if any. The public body receiving such request shall provide notice of all meetings directly to each such person. Without objection by the person, the public body may provide electronic notice of all meetings in response to such requests.

F. At least one copy of all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body.

G. Nothing in this chapter shall be construed to prohibit the gathering or attendance of two or more members of a public body (i) at any place or function where no part of the purpose of such gathering or attendance is the discussion or transaction of any public business, and such gathering or attendance was not called or prearranged with any purpose of discussing or transacting any business of the public body or (ii) at a public forum, candidate appearance, or debate, the

purpose of which is to inform the electorate and not to transact public business or to hold discussions relating to the transaction of public business, even though the performance of the members individually or collectively in the conduct of public business may be a topic of discussion or debate at such public meeting. The notice provisions of this chapter shall not apply to informal meetings or gatherings of the members of the General Assembly.

H. Any person may photograph, film, record or otherwise reproduce any portion of a meeting required to be open. The public body conducting the meeting may adopt rules governing the placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting to prevent interference with the proceedings, but shall not prohibit or otherwise prevent any person from photographing, filming, recording, or otherwise reproducing any portion of a meeting required to be open. No public body shall conduct a meeting required to be open in any building or facility where such recording devices are prohibited.

I. Minutes shall be recorded at all open meetings. However, minutes shall not be required to be taken at deliberations of (i) standing and other committees of the General Assembly; (ii) legislative interim study commissions and committees, including the Virginia Code Commission; (iii) study committees or commissions appointed by the Governor; or (iv) study commissions or study committees, or any other committees or subcommittees appointed by the governing bodies or school boards of counties, cities and towns, except where the membership of any such commission, committee or subcommittee includes a majority of the governing body of the county, city or town or school board.

Minutes, including draft minutes, and all other records of open meetings, including audio or audio/visual records shall be deemed public records and subject to the provisions of this chapter.

Minutes shall be in writing and shall include (i) the date, time, and location of the meeting; (ii) the members of the public body recorded as present and absent; and (iii) a summary of the discussion on matters proposed, deliberated or decided, and a record of any votes taken. In addition, for electronic communication meetings conducted in accordance with § 2.2-3708, minutes of state public bodies shall include (a) the identity of the members of the public body at each remote location identified in the notice who participated in the meeting through electronic communications means, (b) the identity of the members of the public body who were physically assembled at the primary or central meeting location, and (c) the identity of the members of the public body who were not present at the locations identified in clauses (a) and (b), but who monitored such meeting through electronic communications means.

§ 2.2-3707.01 Meetings of the General Assembly

A. Except as provided in subsection B, public access to any meeting of the General Assembly or a portion thereof shall be governed by rules established by the Joint Rules Committee and approved by a majority vote of each house at the next regular session of the General Assembly. At least 60 days before the adoption of such rules, the Joint Rules Committee shall (i) hold regional public hearings on such proposed rules and (ii) provide a copy of such proposed rules to the Virginia Freedom of Information Advisory Council.

B. Floor sessions of either house of the General Assembly; meetings, including work sessions, of any standing or interim study committee of the General Assembly; meetings, including work sessions, of any subcommittee of such standing or interim study committee; and joint committees of conference of the General Assembly; or a quorum of any such committees or subcommittees, shall be open and governed by this chapter.

C. Meetings of the respective political party caucuses of either house of the General Assembly, including meetings conducted by telephonic or other electronic communication means, without regard to (i) whether the General Assembly is in or out of regular or special session or (ii) whether such caucuses invite staff or guests to participate in their deliberations, shall not be deemed meetings for the purposes of this chapter.

D. No regular, special, or reconvened session of the General Assembly held pursuant to Article IV, Section 6 of the Constitution of Virginia shall be conducted using electronic communication means pursuant § 2.2-3708.

§ 2.2-3707.1 Posting of minutes for state boards and commissions.

All boards, commissions, councils, and other public bodies created in the executive branch of state government and subject to the provisions of this chapter shall post minutes of their meetings on such body's website, if any, and on the electronic calendar maintained by the Virginia Information Technologies Agency commonly known as the Commonwealth Calendar. Draft minutes of meetings shall be posted as soon as possible but no later than ten working days after the conclusion

of the meeting. Final approved meeting minutes shall be posted within three working days of final approval of the minutes.

§ 2.2-3708 Electronic communication meetings; applicability; physical quorum required; exceptions; notice; report

A. Except as expressly provided in subsection G of this section or § 2.2-3708.1, no local governing body, school board, or any authority, board, bureau, commission, district or agency of local government, any committee thereof, or any entity created by a local governing body, school board, or any local authority, board, or commission shall conduct a meeting wherein the public business is discussed or transacted through telephonic, video, electronic or other communication means where the members are not physically assembled. Nothing in this section shall be construed to prohibit the use of interactive audio or video means to expand public participation.

B. Except as provided in subsection G or H of this section or subsection D of § 2.2-3707.01, state public bodies may conduct any meeting wherein the public business is discussed or transacted through electronic communication means, provided (i) a quorum of the public body is physically assembled at one primary or central meeting location, (ii) notice of the meeting has been given in accordance with subsection C, and (iii) the remote locations, from which additional members of the public body participate through electronic communication means, are open to the public. All persons attending the meeting at any of the meeting locations shall be afforded the same opportunity to address the public body as persons attending the primary or central location.

If an authorized public body holds an electronic meeting pursuant to this section, it shall also hold at least one meeting annually where members in attendance at the meeting are physically assembled at one location and where no members participate by electronic communication means.

C. Notice of any meetings held pursuant to this section shall be provided at least three working days in advance of the date scheduled for the meeting. The notice shall include the date, time, place, and purpose for the meeting; shall identify the locations for the meeting; and shall include a telephone number that may be used at remote locations to notify the primary or central meeting location of any interruption in the telephonic or video broadcast of the meeting to the remote locations. Any interruption in the telephonic or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access restored.

D. Agenda packets and, unless exempt, all materials that will be distributed to members of the public body and that have been made available to the staff of the public body in sufficient time for duplication and forwarding to all locations where public access will be provided shall be made available to the public at the time of the meeting. Minutes of all meetings held by electronic communication means shall be recorded as required by § 2.2-3707. Votes taken during any meeting conducted through electronic communication means shall be recorded by name in roll-call fashion and included in the minutes.

E. Three working days' notice shall not be required for meetings authorized under this section held in accordance with subsection G or that are continued to address an emergency or to conclude the agenda of the meeting for which proper notice has been given, when the date, time, place, and purpose of the continued meeting are set during the meeting prior to adjournment. Public bodies conducting emergency meetings through electronic communication means shall comply with the provisions of subsection D requiring minutes of the meeting. The nature of the emergency shall be stated in the minutes.

F. Any authorized public body that meets by electronic communication means shall make a written report of the following to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science by December 15 of each year:

1. The total number of electronic communication meetings held that year;
2. The dates and purposes of the meetings;
3. A copy of the agenda for the meeting;
4. The number of sites for each meeting;
5. The types of electronic communication means by which the meetings were held;
6. The number of participants, including members of the public, at each meeting location;
7. The identity of the members of the public body recorded as absent and those recorded as present at each meeting location;
8. A summary of any public comment received about the electronic communication meetings; and
9. A written summary of the public body's experience using electronic communication meetings,

including its logistical and technical experience.

In addition, any authorized public body shall make available to the public at any meeting conducted in accordance with this section a public comment form prepared by the Virginia Freedom of Information Advisory Council in accordance with § 30-179.

G. Any public body may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency. The public body convening a meeting in accordance with this subsection shall (a) give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided members of the public body conducting the meeting; (b) make arrangements for public access to such meeting; and (c) otherwise comply with the provisions of this section. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

H. [Expired].

§ 2.2-3708.1 Participation in meetings in event of emergency or personal matter; certain disabilities; distance from meeting location for certain public bodies

A. A member of a public body may participate in a meeting governed by this chapter through electronic communication means from a remote location that is not open to the public only as follows and subject to the requirements of subsection B:

1. If, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that such member is unable to attend the meeting due to an emergency or personal matter and identifies with specificity the nature of the emergency or personal matter, and the public body holding the meeting records in its minutes the specific nature of the emergency or personal matter and the remote location from which the member participated. If a member›s participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

Such participation by the member shall be limited each calendar year to two meetings or 25 percent of the meetings of the public body, whichever is fewer;

2. If a member of a public body notifies the chair of the public body that such member is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member›s physical attendance and the public body records this fact and the remote location from which the member participated in its minutes; or

3. If, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member›s principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting and the public body holding the meeting records in its minutes the remote location from which the member participated. If a member›s participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection B, such disapproval shall be recorded in the minutes with specificity.

B. Participation by a member of a public body as authorized under subsection A shall be only under the following conditions:

1. The public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section. Once adopted, the policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;

2. A quorum of the public body is physically assembled at the primary or central meeting location; and

3. The public body makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

§ 2.2-3710 Transaction of public business other than by votes at meetings prohibited

A. Unless otherwise specifically provided by law, no vote of any kind of the membership, or any part thereof, of any public body shall be taken to authorize the transaction of any public business, other than a vote taken at a meeting conducted in accordance with the provisions of this chapter. No public body shall vote by secret or written ballot, and unless expressly provided by this chapter, no public body shall vote by telephone or other electronic communication means.

B. Notwithstanding the foregoing, nothing contained herein shall be construed to prohibit (i) separately contacting the membership, or any part thereof, of any public body for the purpose of ascertaining a member›s position with respect to the transaction of public business, whether such contact is done in person, by telephone or by electronic communication, provided the contact is done on a basis that does not constitute a meeting as defined in this chapter or (ii) the House of Delegates or the Senate of Virginia from adopting rules relating to the casting of votes by members of standing committees. Nothing in this subsection shall operate to exclude any public record from the provisions of this chapter.

§ 2.2-3711 Closed meetings authorized for certain limited purposes

A. Public bodies may hold closed meetings only for the following purposes:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board.
2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student of any Virginia public institution of higher education or any state school system. However, any such student, legal counsel and, if the student is a minor, the student›s parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.
3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
4. The protection of the privacy of individuals in personal matters not related to public business.
5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business› or industry›s interest in locating or expanding its facilities in the community.
6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.
7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.
8. In the case of boards of visitors of public institutions of higher education, discussion or consideration of matters relating to gifts, bequests and fund-raising activities, and grants and contracts

for services or work to be performed by such institution. However, the terms and conditions of any such gifts, bequests, grants, and contracts made by a foreign government, a foreign legal entity, or a foreign person and accepted by a public institution of higher education in Virginia shall be subject to public disclosure upon written request to the appropriate board of visitors. For the purpose of this subdivision, (i) "foreign government" means any government other than the United States government or the government of a state or a political subdivision thereof; (ii) "foreign legal entity" means any legal entity created under the laws of the United States or of any state thereof if a majority of the ownership of the stock of such legal entity is owned by foreign governments or foreign persons or if a majority of the membership of any such entity is composed of foreign persons or foreign legal entities, or any legal entity created under the laws of a foreign government; and (iii) "foreign person" means any individual who is not a citizen or national of the United States or a trust territory or protectorate thereof.

9. In the case of the boards of trustees of the Virginia Museum of Fine Arts, the Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, and The Science Museum of Virginia, discussion or consideration of matters relating to specific gifts, bequests, and grants.
10. Discussion or consideration of honorary degrees or special awards.
11. Discussion or consideration of tests, examinations, or other records excluded from this chapter pursuant to subdivision 4 of § 2.2-3705.1.
12. Discussion, consideration, or review by the appropriate House or Senate committees of possible disciplinary action against a member arising out of the possible inadequacy of the disclosure statement filed by the member, provided the member may request in writing that the committee meeting not be conducted in a closed meeting.
13. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing body in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the governing body or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.
14. Discussion by the Governor and any economic advisory board reviewing forecasts of economic activity and estimating general and nongeneral fund revenues.
15. Discussion or consideration of medical and mental health records excluded from this chapter pursuant to subdivision 1 of § 2.2-3705.5.
16. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game information and studies or investigations exempted from disclosure under subdivision 6 of §2.2-3705.3 and subdivision 11 of § 2.2-3705.7.
17. Those portions of meetings by local government crime commissions where the identity of, or information tending to identify, individuals providing information about crimes or criminal activities under a promise of anonymity is discussed or disclosed.
18. Those portions of meetings in which the Board of Corrections discusses or discloses the identity of, or information tending to identify, any prisoner who (i) provides information about crimes or criminal activities, (ii) renders assistance in preventing the escape of another prisoner or in the apprehension of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official renders other extraordinary services, the disclosure of which is likely to jeopardize the prisoner's life or safety.
19. Discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.
20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of any local retirement system, acting pursuant to § 51.1-803, or of the Rector and Visitors of the University of Virginia, acting pursuant to

§ 23-76.1, or by the Board of the Virginia College Savings Plan, acting pursuant to § 23-38.80, regarding the acquisition, holding or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential analyses prepared for the Rector and Visitors of the University of Virginia, prepared by the retirement system or by the Virginia College Savings Plan or provided to the retirement system or the Virginia College Savings Plan under a promise of confidentiality, of the future value of such ownership interest or the future financial performance of the entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held or disposed of by the retirement system, the Rector and Visitors of the University of Virginia, or the Virginia College Savings Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested or the present value of such investment.

21. Those portions of meetings in which individual child death cases are discussed by the State Child Fatality Review team established pursuant to § 32.1-283.1, and those portions of meetings in which individual child death cases are discussed by a regional or local child fatality review team established pursuant to § 32.1-283.2, and those portions of meetings in which individual death cases are discussed by family violence fatality review teams established pursuant to § 32.1-283.3.

22. Those portions of meetings of the University of Virginia Board of Visitors or the Eastern Virginia Medical School Board of Visitors, as the case may be, and those portions of meetings of any persons to whom management responsibilities for the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, have been delegated, in which there is discussed proprietary, business-related information pertaining to the operations of the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, including business development or marketing strategies and activities with existing or future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, has formed, or forms, any arrangement for the delivery of health care, if disclosure of such information would adversely affect the competitive position of the Medical Center or Eastern Virginia Medical School, as the case may be.

23. In the case of the Virginia Commonwealth University Health System Authority, discussion or consideration of any of the following: the acquisition or disposition of real or personal property where disclosure would adversely affect the bargaining position or negotiating strategy of the Authority; operational plans that could affect the value of such property, real or personal, owned or desirable for ownership by the Authority; matters relating to gifts, bequests and fund-raising activities; grants and contracts for services or work to be performed by the Authority; marketing or operational strategies where disclosure of such strategies would adversely affect the competitive position of the Authority; members of its medical and teaching staffs and qualifications for appointments thereto; and qualifications or evaluations of other employees.

24. Those portions of the meetings of the Health Practitioners' Monitoring Program Committee within the Department of Health Professions to the extent such discussions identify any practitioner who may be, or who actually is, impaired pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.

25. Meetings or portions of meetings of the Board of the Virginia College Savings Plan wherein personal information, as defined in § 2.2-3801, which has been provided to the Board or its employees by or on behalf of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or savings trust account agreements pursuant to Chapter 4.9 (§ 23-38.75 et seq.) of Title 23 is discussed.

26. Discussion or consideration, by the Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to § 56-484.15, of trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), submitted by CMRS providers as defined in § 56-484.12, related to the provision of wireless E-911 service.

27. Those portions of disciplinary proceedings by any regulatory board within the Department of Professional and Occupational Regulation, Department of Health Professions, or the Board of Accountancy conducted pursuant to § 2.2-4019 or 2.2-4020 during which the board delib-

erates to reach a decision or meetings of health regulatory boards or conference committees of such boards to consider settlement proposals in pending disciplinary actions or modifications to previously issued board orders as requested by either of the parties.

28. Discussion or consideration of records excluded from this chapter pursuant to subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected local jurisdiction, as those terms are defined in § 56-557, or any independent review panel appointed to review information and advise the responsible public entity concerning such records.

29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

30. Discussion or consideration of grant or loan application records excluded from this chapter pursuant to subdivision 17 of § 2.2-3705.6 by (i) the Commonwealth Health Research Board or (ii) the Innovation and Entrepreneurship Investment Authority or the Research and Technology Investment Advisory Committee appointed to advise the Innovation and Entrepreneurship Investment Authority.

31. Discussion or consideration by the Commitment Review Committee of records excluded from this chapter pursuant to subdivision 9 of § 2.2-3705.2 relating to individuals subject to commitment as sexually violent predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

32. [Expired.]

33. Discussion or consideration of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 18 of § 2.2-3705.6.

34. Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 19 of § 2.2-3705.6.

35. Discussion or consideration by the State Board of Elections or local electoral boards of voting security matters made confidential pursuant to § 24.2-625.1.

36. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of records excluded from this chapter pursuant to subdivision A 2 a of § 2.2-3706.

37. Discussion or consideration by the Brown v. Board of Education Scholarship Program Awards Committee of records or confidential matters excluded from this chapter pursuant to subdivision 3 of § 2.2-3705.4, and meetings of the Committee to deliberate concerning the annual maximum scholarship award, review and consider scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover scholarship awards.

38. Discussion or consideration by the Virginia Port Authority of records excluded from this chapter pursuant to subdivision 1 of § 2.2-3705.6.

39. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by any local retirement system, acting pursuant to § 51.1-803, by the Board of the Virginia College Savings Plan acting pursuant to § 23-38.80, or by the Virginia College Savings Plan's Investment Advisory Committee appointed pursuant to § 23-38.79:1 of records excluded from this chapter pursuant to subdivision 25 of § 2.2-3705.7.

40. Discussion or consideration of records excluded from this chapter pursuant to subdivision 3 of §2.2-3705.6.

41. Discussion or consideration by the Board of Education of records relating to the denial, suspension, or revocation of teacher licenses excluded from this chapter pursuant to subdivision 12 of § 2.2-3705.3.

42. Those portions of meetings of the Virginia Military Advisory Council or any commission created by executive order for the purpose of studying and making recommendations regarding preventing closure or realignment of federal military and national security installations and facilities located in Virginia and relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a local governing body, during which there is discussion of records excluded from this chapter pursuant to subdivision 12 of § 2.2-3705.2.

43. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of records excluded from this chapter pursuant to subdivision 29 of § 2.2-3705.7.

44. Discussion or consideration by the Virginia Tobacco Indemnification and Community Revitalization Commission of records excluded from this chapter pursuant to subdivision 23 of §2.2-3705.6.

45. Discussion or consideration by the board of directors of the Commercial Space Flight Authority of records excluded from this chapter pursuant to subdivision 24 of § 2.2-3705.6.

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the public body, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion that shall have its substance reasonably identified in the open meeting.

C. Public officers improperly selected due to the failure of the public body to comply with the other provisions of this section shall be de facto officers and, as such, their official actions are valid until they obtain notice of the legal defect in their election.

D. Nothing in this section shall be construed to prevent the holding of conferences between two or more public bodies, or their representatives, but these conferences shall be subject to the same procedures for holding closed meetings as are applicable to any other public body.

E. This section shall not be construed to (i) require the disclosure of any contract between the Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant to the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body empowered to issue industrial revenue bonds by general or special law, to identify a business or industry to which subdivision A 5 applies. However, such business or industry shall be identified as a matter of public record at least 30 days prior to the actual date of the board's authorization of the sale or issuance of such bonds.

§ 2.2-3712 Closed meetings procedures; certification of proceedings

A. No closed meeting shall be held unless the public body proposing to convene such meeting has taken an affirmative recorded vote in an open meeting approving a motion that (i) identifies the subject matter, (ii) states the purpose of the meeting and (iii) makes specific reference to the applicable exemption from open meeting requirements provided in § 2.2-3707 or subsection A of §2.2-3711. The matters contained in such motion shall be set forth in detail in the minutes of the open meeting. A general reference to the provisions of this chapter, the authorized exemptions from open meeting requirements, or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.

B. The notice provisions of this chapter shall not apply to closed meetings of any public body held solely for the purpose of interviewing candidates for the position of chief administrative officer. Prior to any such closed meeting for the purpose of interviewing candidates, the public body shall announce in an open meeting that such closed meeting shall be held at a disclosed or undisclosed location within 15 days thereafter.

C. The public body holding a closed meeting shall restrict its discussion during the closed meeting only to those matters specifically exempted from the provisions of this chapter and identified in the motion required by subsection A.

D. At the conclusion of any closed meeting, the public body holding such meeting shall immediately reconvene in an open meeting and shall take a roll call or other recorded vote to be included in the minutes of that body, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Any member of the public body who believes that there was a departure from the requirements of clauses (i) and (ii), shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the minutes of the public body.

E. Failure of the certification required by subsection D to receive the affirmative vote of a majority of the members of the public body present during a meeting shall not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with the provisions of this chapter. The recorded vote and any statement made in connection therewith, shall upon proper authentication, constitute evidence in any proceeding brought to enforce the provisions of this chapter.

F. A public body may permit nonmembers to attend a closed meeting if such persons are deemed necessary or if their presence will reasonably aid the public body in its consideration of a topic that is a subject of the meeting.

G. A member of a public body shall be permitted to attend a closed meeting held by any committee or subcommittee of that public body, or a closed meeting of any entity, however designated, created to perform the delegated functions of or to advise that public body. Such member shall in all cases be permitted to observe the closed meeting of the committee, subcommittee or entity. In addition to the requirements of § 2.2-3707, the minutes of the committee or other entity shall include the identity of the member of the parent public body who attended the closed meeting.

H. Except as specifically authorized by law, in no event may any public body take action on matters discussed in any closed meeting, except at an open meeting for which notice was given as required by § 2.2-3707.

I. Minutes may be taken during closed meetings of a public body, but shall not be required. Such minutes shall not be subject to mandatory public disclosure.

§ 2.2-3713 Proceedings for enforcement of chapter

A. Any person, including the attorney for the Commonwealth acting in his official or individual capacity, denied the rights and privileges conferred by this chapter may proceed to enforce such rights and privileges by filing a petition for mandamus or injunction, supported by an affidavit showing good cause. Such petition may be brought in the name of the person›s attorney in his representative capacity. Venue for the petition shall be addressed as follows:

1. In a case involving a local public body, to the general district court or circuit court of the county or city from which the public body has been elected or appointed to serve and in which such rights and privileges were so denied;
2. In a case involving a regional public body, to the general district or circuit court of the county or city where the principal business office of such body is located; and
3. In a case involving a board, bureau, commission, authority, district, institution, or agency of the state government, including a public institution of higher education, or a standing or other committee of the General Assembly, to the general district court or the circuit court of the residence of the aggrieved party or of the City of Richmond.

B. In any action brought before a general district court, a corporate petitioner may appear through its officer, director or managing agent without the assistance of counsel, notwithstanding any provision of law or Rule of the Supreme Court of Virginia to the contrary.

C. Notwithstanding the provisions of § 8.01-644, the petition for mandamus or injunction shall be heard within seven days of the date when the same is made, provided the party against whom the petition is brought has received a copy of the petition at least three working days prior to filing. The hearing on any petition made outside of the regular terms of the circuit court of a locality that is included in a judicial circuit with another locality or localities shall be given precedence on the docket of such court over all cases that are not otherwise given precedence by law.

D. The petition shall allege with reasonable specificity the circumstances of the denial of the rights and privileges conferred by this chapter. A single instance of denial of the rights and privileges conferred by this chapter shall be sufficient to invoke the remedies granted herein. If the court finds the denial to be in violation of the provisions of this chapter, the petitioner shall be entitled to recover reasonable costs, including costs and reasonable fees for expert witnesses, and attorneys' fees from the public body if the petitioner substantially prevails on the merits of the case, unless special circumstances would make an award unjust. In making this determination, a court may consider, among other things, the reliance of a public body on an opinion of the Attorney General or a decision of a court that substantially supports the public body's position.

E. In any action to enforce the provisions of this chapter, the public body shall bear the burden of proof to establish an exemption by a preponderance of the evidence. Any failure by a public body to follow the procedures established by this chapter shall be presumed to be a violation of this chapter.

F. Failure by any person to request and receive notice of the time and place of meetings as provided in § 2.2-3707 shall not preclude any person from enforcing his rights and privileges conferred by this chapter.

§ 2.2-3714 Violations and penalties

In a proceeding commenced against any officer, employee, or member of a public body under § 2.2-3713 for

a violation of § 2.2-3704, 2.2-3705.1 through 2.2-3705.8, 2.2-3706, 2.2-3707, 2.2-3708,2.2-3708.1, 2.2-3710, 2.2-3711 or 2.2-3712, the court, if it finds that a violation was willfully and knowingly made, shall impose upon such officer, employee, or member in his individual capacity, whether a writ of mandamus or injunctive relief is awarded or not, a civil penalty of not less than $500 nor more than $2,000, which amount shall be paid into the State Literary Fund. For a second or subsequent violation, such civil penalty shall be not less than $2,000 nor more than $5,000.

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Virginia Conflict of Interests Act

Guide for Local Government Officials

Introduction

The Virginia Conflict of Interests Act regulates the financial relationship of council members and mayors with their city or town and with any other governmental agency that is related to the city or town. The act is intended to be the one-stop-shopping law for a council member's financial involvement in dealings with the city or town.

It regulates how involved a council member may be in an item being considered by council if he or she has a financial interest in that item. The act also defines what constitutes bribery and taking unfair advantage of information gained by reason of being on council. It sets penalties for violations and provides a procedural framework for its enforcement.

The Conflict of Interests Act is codified in Title 2.2, Chapter 31 of the Code of Virginia, § 2.2-3100 and following. While this guide describes the general operation of the law, the reader should consult the law's specific language for a better understanding (code references are given throughout the guide). Furthermore, a council member with questions about a contract or transaction should consult the city or town attorney.

The 2014 General Assembly created another resource that can be consulted with questions. The Virginia Conflict of Interest and Ethics Advisory Council (the Council) was formed to encourage and facilitate compliance with several sections of the Virginia Code, including State and Local Government Conflict of Interests Act. The duties and responsibilities of the Council are discussed throughout this report.

The Council is established in Va Code § 30-348. However, the funding for the Council was vetoed from the state budget. If there is a conflict between the budget and any other provision of law, the budget shall prevail. HB5001 & § 4-13.00. However, the Code still creates the Council and gives it responsibilities. The relevant provisions of the Code should be followed but localities should be aware that there may be changes or limitations to the Council. VML expects funding for the operation of the council will be found.

Purpose of the act

The first section of the act, Va. Code § 2.2-3100, sets out the purpose of the law, citing three main goals:

1. To help ensure that the government will fully represent the public in its operation;
2. To give citizens confidence in public officials and the government so they will trust the government, by creating a clear set of rules for government officials; and,
3. To assemble all the laws affecting conflict of interests in a single location in order to create uniform rules. (While COIA largely accomplishes this purpose, additional rules are stated in the Virginia Procurement Act and in various other code sections.)

The act contains three general areas of regulation (listed below). The act also has procedural, enforcement, and penalty provisions that apply to the substantive areas of the law.

What's New

The 2014 General Assembly passed HB 1211, which was meant to be a comprehensive conflicts and ethics reform bill. This reform effort came in the wake of the highly publicized corruption investigation of Governor McDonnell. While issues concerning state officials were the motivating factors for this legislation, it also has significant meaning for localities.

The definition of "personal interest" was updated during this past session. As described in the following sections, there are six definitions of personal interest. Three of these definitions were based on the salary or income from a business having a value of at least $10,000 in order to be counted as a personal interest. Now the financial benefit or liability only needs to meet a threshold of $5,000 to qualify as a personal interest.

Statement of Economic Interest forms are to be filed semiannually, rather than annually. Additionally, these forms are to be filed with the Council. Previously, these forms were handled by the Virginia Secretary of the Commonwealth. More detail about this new process is

found under the disclosures section of this report.

In the semiannual Statement of Economic Interests report, officials and employees will need to disclose any meetings, conferences, or events that they attended if they received any lodging, transportation, money, or anything of value with a combined value of at least $200. Previously, this disclosure was only required if the discloser participated in the meeting, gave a presentation, or published a work at the meeting, conference, or event.

The corruption investigation that inspired the General Assembly to act was centered on impermissible gifts. Therefore, the resulting legislation seeks to clarify what gifts cause a conflict of interest. The reform bill changes the definition of what qualifies as a gift and sets a $250 annual limit on tangible gifts. The changes are explained in the section of this guide on undue influence.

Localities that employ lobbyists should be aware that the annual reporting policy has been amended by HB 1211. Beginning in 2015, lobbyists will be required to submit reports semiannually on December 15 and June 15. Lobbyist disclosures must be made to the Virginia Conflict of Interest and Ethics Advisory Council. § 2.2-426.

Areas of regulation

The act regulates the financial relationship of council members in their localities in three general areas:

1. General provisions covering bribes and other illegal behavior.

2. Regulation of financial interests a council member may have in business dealings with his or her locality and with agencies related to his or her locality. The act calls this a personal interest in a contract.

3. Regulation of the level of involvement a person, in his role as a council member or other public office or job, may have in an item being considered by the member's locality that involves the member's business, property or other personal financial interest. The act calls this a personal interest in a transaction.

I. Generally Prohibited Conduct

Bribes and other illegal behavior

Section 2.2-3103 prohibits public officials from taking or soliciting bribes and from allowing money to influence their actions. This section applies to a person's actions as a government official; the prohibitions are not aimed at private businesses that may offer the bribes.

The act prohibits a council member from soliciting or accepting money or benefits for doing his or her work as a public official. § 2.2-3103(1). An example would be a council member who takes money for voting on a rezoning to help a developer build a large project. Similarly, a council member may not offer or take money in exchange for landing himself or herself or another person a job with a government agency, or in exchange for obtaining a contract or business deal with the government. §§ 2.2-3103(1) & 3103(2).

Undue influence

One step below the outright bribery rule is the prohibition on taking gifts and opportunities while serving as a public official. §§ 2.2-3103(5), (6), (8), (9) & 2.2-3103.1. The act prohibits a council member from accepting money, loans, gift, services, business opportunities, or other benefits if it is reasonable to construe that the benefit was given to influence the council member in his or her duties. An exception is made for political campaign contributions – but only if the contribution is used for a political campaign or constituent service purposes and is reported pursuant to the campaign disclosure laws.

A typical example of this issue for cities and towns is when a large developer gives Christmas gifts of substantial value to the members of council. Whether the gift complies with the act is a judgment call in most cases. Is a Christmas turkey reasonable if the developer is also giving the same gift to his employees, his business associates, and his materials suppliers? The circumstances of the specific case usually indicate whether the gifts are appropriate.

The 2014 amendments to the act clarify that the following items are exempted from the prohibition on gifts: (1) coupons and tickets that are not used; (2) honorary degrees; (3) scholarships or financial aid awards that were awarded in the same manner as they would be to the general public; (4) campaign contributions that are properly received and reported; (5) a gift that relates to the private profession of the officer or a member of the officer's immediate family; and (6) gifts from personal friends, as the act defines "personal friend." § 2.2-3101.

The act limits who can be considered a personal friend for the purposes of the disclosure exemption. The reason for this limitation is to ensure that the term "personal friend" is not applied loosely, allowing anyone to qualify for the gift disclosure exemption. A lobbyist or a lobbyist's principal cannot be considered a personal friend. An advisory agency, person, organization, or business cannot be considered a personal friend

if that entity or person is a party to a contract with the local government or agency for which the officer or employee works. This is true whether the contract has been granted or if the person, organization, or business is just seeking to be a party to the contract.

Some may wonder how a public official would even try to argue that he or she has a personal friendship with an organization or business. In this context, the terms "organization" and "business" include those who are officers, directors, owners, or have a controlling ownership interest in the organization or business. § 2.2-3101.

In the 2014 session, the General Assembly created a new code section, § 2.2-3103.1, that pertains to prohibited gifts. This provision applies to all candidates, officers, and employees of local governments and advisory agencies. These individuals may not accept a tangible gift that is valued at over $250 or a combination of gifts within a year with an aggregate value of over $250 if it is given to him by (1) a lobbyist, (2) a lobbyist's principal, or (3) a person, organization, or business that is seeking to be or already is a party to a contract with the local agency of which he is an officer or employee. However, the limit only applies to individuals that are required to file a disclosure form prescribed in § 2.2-3117. Therefore, it does not seem to apply to officials of localities with a population under 3,500.

A council member is also prohibited from taking benefits if he or she knows it is being offered to influence him or her. § 2.2-3103(6). Therefore, even if the gift is not unreasonable, the council member may not accept it if the circumstances or statements of the person giving it make it clear that the money is being given to influence the council member.

A further prohibition is aimed at gifts given by a private party looking for a specific action by the government. § 2.2-3103(8). It prohibits a council member from accepting a gift from a private party whose interests can be affected by the council member's actions, where the timing of the gift would lead a reasonable person to question whether the gift is being given to influence the council member. For example, if the day before an important council vote on a rezoning, the applicant for that rezoning gives the council member $2,000 and calls it a campaign contribution, it would be reasonable to think the money was given to influence the vote. Also, if a council member accepts gifts so often that it creates the appearance that he or she accepts gifts for doing his or her job, that behavior constitutes a violation. § 2.2-3103(9). Violations of these two prohibitions may not be the basis for a criminal charge.

Local governments may adopt an ordinance to limit the dollar value of gifts to the officials and employees of the locality. § 2.2-3104.2. A $50 limit is often used. While this amount is arbitrary, it does make it simpler for all involved to know what behavior is permissible. Whether or not the locality adopts an ordinance limiting gift amounts, if an award is made to a local government employee for meritorious service by an entity that is a 501(c)(3) charitable organization, there is no conflict and no limit on the gift.

Insider information

It is a violation of the act for a public official to use information not available to the public for his or her own or another person's economic benefit. § 2.2-3103(4). For council members, this prohibition is sometimes unfairly alleged. For example, a local businessman on council who pays attention to public plans submitted to the locality and buys land around the project is not violating the provision. Envious business folks, however, may allege a violation of insider information due to the appearance of the situation. When their actions are based on publicly available information, council members have nothing to fear from such claims.

II. Regulation of council member's actions as citizen

Personal interest in a contract

The act sets forth what financial interests a council member may have in business dealings with his or her locality and with agencies related to his or her locality. § 2.2-3107. The act calls this a personal interest in a contract. While this guide's discussion is limited to the restrictions on council members, the act also sets forth different restrictions for school board members (§ 2.2-3108) and for local government employees (§ 2.2-3109). Council members need to keep in mind the restrictions on the employees of a city or town as they carry out their duties and watch over the affairs of the locality.

According to § 2.2-3107(A), "no person elected or appointed as a member of the governing body of a county, city or town" shall have "a personal interest in a contract" with his or her city or town or with certain other government agencies. (The definition of a personal interest in a contract is described below.)

The council member may not have a personal interest in a contract with any agency of his or her locality, including the departments of the city or town. In addition, he or she may not have a personal interest in a contract with any government agency that is under the

council's ultimate control. For example, if the council appoints a library board, then council members would have ultimate control over the library. Therefore, a council member could not be involved in a contract with the library board.

This section of the act also prohibits involvement in a contract with any agency if the council appoints a majority of the members of that agency's governing body. For example, if the locality is a member of a regional jail and its council appoints four of the jail board's seven members, then a council member would be prohibited from being involved in a contract with the jail board.

Definition of personal interest and personal interest in a contract

The act only prohibits a council member's participation if he or she has a personal interest in the contract with one of the agencies described. The definition of "personal interest in a contract" has two parts: "a personal interest" and a "personal interest in a contract." § 2.2-3101.

Personal interest. The definition of a personal interest is the key building block of the act. The term is used throughout. A personal interest exists if any one of the following tests is met:

1. The council member owns at least 3 percent of the equity of a business.
2. The council member has annual income that is or reasonably could be in excess of $5,000 from owning real or personal property or from owning a business.
3. The council member has a salary from the business involved in a contract that exceeds or reasonably could exceed $5,000 annually.
4. The council member's ownership interest in property exceeds $5,000.
5. The council member's liability for a business exceeds 3 percent of the equity of the business.
6. The council member has an option on property and, upon exercise of the option, his or her ownership will meet the levels in either test 1 or 4, above.

Immediate Family. In addition to the council member, if any person in the council member's immediate family has one of the six types of a personal interest, the personal interest exists for the council member. The term immediate family always includes the person's spouse. The term also includes any child living in the home who is the council member's dependent. The term "child" refers to anyone that is less than 18 years old. Therefore, the definition applies to all minor dependents regardless of their relationship to the council member but it does not apply to adult children of the member, even if they are still claimed as a dependent. § 1-207. If the child, however, is not a dependent of the council member, the child would not be included. § 3101.

As this definition demonstrates, if a council member's wife has a personal interest in a business that would like to contract with the city, the contract is prohibited even though the husband/council member has no involvement.

Personal interest in a contract. If the council member's involvement meets any one of the six definitions of a personal interest, the next step is determining whether the council member has a personal interest in the contract in question. According to the act's definition, a council member has a personal interest in a contract with a government agency if that contract is with the council member or with a business in which he or she has a personal interest. § 2.2-3101.

In looking at a particular contract, it is important to ask: Is a council member or his or her business or property involved in the contract? Does that council member have a personal interest as defined by the act? The answers to these questions will help determine if the contract is prohibited under the act.

Situations where conflicts do not exist

Some situations are not conflicts under the act, even though they may appear to be natural conflicts. If a council member earns a total salary of $4,900 per year from a business, that business could contract with the locality, because the council member would not have a personal interest for purposes of the act. As the third test of the definition – salary - shows, the salary must exceed $5,000 per year to create a personal interest.

If a council member serves on the board of a charitable entity, the fact that the council member has divided loyalties between the charity and the locality does not create a conflict, so long as the council member serves on the charity's board for less than $5,000 compensation per year and doesn't own as much as three percent of the equity of the charity. § 2.2-3110.

Exceptions to conflicts in contracts

The act sets out a series of exceptions to the prohibitions on having a personal interest in a contract.

Exceptions that apply only to council mem-

bers. Several exceptions are specific to council members. § 2.2-3107(B).

1. A council member may be an employee of the locality as long as the employment predates his appointment or election to council. § 2.2-3107(B)(1). This section of the law also allows employment and service on council if the person was an employee prior to July 1, 1983, whether or not he or she was elected to council after that date. Even though the law allows employees to serve on council, some localities have banned the practice by charter or by local regulation. If an employee serves on council, he or she will regularly run into potential conflicts when matters come before council that affect his or her employment, such as salary and discipline decisions. (This issue is explored below, in the section on personal interests in a transaction).
2. A council member may buy goods or services from his or her locality as long as they are made available to the public at uniform prices. § 2.2-3107(B)(2).
3. A council member may sell goods to his or her locality if the following conditions are met, pursuant to § 2.2-3107(B)(3):

   a. The purchase must be made by competitive sealed bidding. Therefore, if the contract is being solicited by a request for proposals, the exception doesn't apply.

   b. The contract must be for goods, not services, and the need for the goods must have been established prior to the person's coming on council. An example is if the city needs a tractor, if a council member has a tractor dealership, and if the city had bought tractors prior to the council member's election.

   c. The council member who wants to sell to the locality must play no role in preparing the specifications for the purchase.

   d. The remaining members of council must pass a resolution in writing that the council member's bidding on the contract is in the public interest.

   Note: this exception does not apply to providing services, rather only goods. For example, a council member who is an accountant could not provide auditing services to his or her town or city.

Exceptions that apply to all local government officials and employees. The following eight exceptions to the prohibition on having a personal interest in a contract apply not only to council members, but to all other local government officials and employees as well. § 2.2-3110(A).

1. Any sale, lease, or exchange of real property between a council member and his or her locality is allowed as long as the council member doesn't participate in the deal on behalf of council, and the fact that the member wasn't involved is recorded in the public record of the government involved in the transaction. The reason for this exception is that each parcel of real estate is deemed to be unique. If a city needs a certain lot or parcel, the fact that a council member owns it should not prohibit the purchase by the city. § 2.2-3110(A)(1).
2. The prohibition does not apply to contracts for the publication of official notices, presumably so that the local newspaper may be used for ads required by state law even when a council member is an owner or employee of that paper. This is a balancing of needs: the state code requires many notices to be run in the local paper. Without this exception, those requirements could not be met. § 2.2-3110(A)(2).
3. For towns and cities with a population under 10,000, contracts between a council member and his or her locality are allowed, despite the general prohibition, if the total of those contracts does not exceed $10,000 per year. Further, contracts up to $25,000 are allowed if the contract is let by competitive sealed bidding. This higher level only applies if the public official has filed a statement of economic interests form. Every council member must file that form, so the requirement does not create an added obligation, unless the locality has a population of less than 3,500. § 2.2-3110(A)(3).
4. If the sole personal interest the council member has in the contract is his or her employment by the contracting business and has an annual salary exceeding $10,000, the business may contract with the locality. For this exception to apply, the council member and members of his or her immediate family must have no authority to participate in the deal, and much not participate in the deal. Further, the council member must not participate in the deal on behalf of the locality. A typical example is a contract with a large engineering firm that is the council member's employer. § 2.2-3110(A)(4).
5. If the council member is employed by a public service corporation, a bank, a savings and loan association, or a public utility, and if he or she

disqualifies himself from participating on behalf of the city or town and does not participate for his or her locality, then the utility, bank, etc., may contract with the locality. § 2.2-3110(A)(6).

6. The prohibition does not apply to contracts for goods or services below $500. But if a locality normally purchased paper on an annual contract, for example, could it split up a year's worth of paper contracts so that each is less than $500? While the section is silent on splitting up a larger contract to meet this exception, the consensus is that this circumvention would violate the law. § 2.2-3110(A)(7).
7. Program grants made to a council member are allowed if the rates or amounts paid to all qualified applicants are uniform and are established solely by the agency administering the grants. § 2.2-3110(A)(8).
8. If the spouse of a council member is employed by the locality, the personal interest prohibition does not apply if the spouse was employed by the agency more than five years prior to marrying the council member. § 2.2-3110(A)(9). If one spouse is the supervisor of the spouse, the conflict does not exist if the subordinate spouse earns less than $35,000 per year. § 2.2-3110(B).

III. Council member's participation as public official

Personal interest in a transaction

The rule concerning a personal interest in a transaction sets out the level of involvement a council member may have in an item being considered by his or her council (the transaction) that involves his or her business, property, or other personal financial interest. § 2.2-3112.

As with a personal interest in a contract, the first step is to determine whether the council member has a personal interest in the transaction. The same definition of a personal interest is used in the transactions provisions as in the contracts provisions, but the definition of personal interest in a transaction goes beyond the definition of a personal interest in a contract.

Definition of transaction & personal interest in a transaction

Transaction. In the context of a city or town council, a transaction is defined as any matter considered by the council, a council committee or subcommittee, or any department, agency, or board of the locality, if any official action is taken or is being contemplated. § 2.2-3101.

Personal interest in a transaction. This term is broadly defined as a personal interest of a council member "in any matter considered by his [locality]". § 2.2-3101. Specifically, a personal interest in a transaction exists if a council member or immediate family member has a personal interest (as defined in Part II) in property, business, or governmental agency – or represents/provides services to any individual or business property – and the property, business, or represented/served individual or business either (1) is the subject of the transaction, or (2) may realize a reasonably foreseeable benefit or detriment as the result of the transaction.

A typical example of representing or servicing and individual or business is where the council member is an accountant and his or her accounting firm handles the books of the business that is the subject of the transaction. Another common example is where the council member or spouse is a principal in an engineering firm that represents an applicant for a land-use permit before council. In these cases, the council member may well have a personal interest in the transaction unless he or she is not directly involved in the representation. An example of a reasonably foreseeable benefit is a council member who loaned $100,000 to a developer, and the developer needs a rezoning to repay the loan.

In practice, if a matter comes before council or a council committee or involves any department of the locality, and a council member has a personal interest in the subject matter or represents the business involved, the council member must then follow the act's requirements for his or her participation in § 2.2-3112 (discussed below in "Levels of transactions" section).

Exceptions and limitation on conflicts

A personal interest in a transaction does not exist if the council member serves on a not-for-profit board without pay and neither the council member not his immediate family has a personal interest in the not-for-profit organization.

No conflict exists if an employee or council member of a locality is appointed by his locality to an ex-officio role in a governmental agency and the conflict exists solely due to the employment with the locality or the employment by the locality is of his or her spouse. See the definition of "personal interest in a transaction" in § 2.2-3101.

The act provides in § 2.2-3112(B) that if a council member is disqualified from participating in the trans-

action, he or she may still represent his private interests before council as long as he or she isn't paid for the representation and discloses the nature of his or her interest.

Other employees

Section 2.2-3109 sets out the rules for other government employees having a personal interest in a transaction. The section also contains a list of exceptions that apply to the employees of the government agencies in the locality. Those rules and exceptions do not apply to council members. For example, an employee's spouse may contract with the locality to provide services (for example, accounting) if certain conditions are met. In contrast, a council member's spouse could not provide services to the locality.

Levels of transactions

The fact that a council member has a personal interest in a transaction before council does not automatically require that the member disqualify himself or herself. The act's requirements for participation, if a personal interest in the transaction does exist, set out three levels of transactions. § 2.2-3112(A).

1. If the transaction deals solely with property, a business, or a government agency in which the council member has a personal interest, then the council member must disqualify himself or herself. The provision further states that disqualification is required if the transaction applies solely to a business that is a parent-subsidiary (hold more than a 50% controlling interest) or considered an affiliated business (where the same owner or manager controls both businesses) the business that in which that council member has a personal interest.
2. If the transaction affects a business, profession, occupation or group of three or more members that the council member belongs to, the council member may participate in the transaction only if he or she completes a disclosure form, described in the "Disclosures" section, below. § 2.2-3112(A)(2). For example, if a council votes on the tax rate for professionals, and if the council member is an attorney, that puts him in the subject group affected by the professional license tax. If a town only has two attorneys, then the council member/attorney must disqualify himself or herself from participating.
3. If the transaction affects the public generally, the council member may participate. A council member may obviously vote on raising taxes, even though it affects him or her, because it affects the public generally. In comparing items 2 and 3, many transactions are considered to affect the public generally, even though not every member of the public is affected. For example, the real estate tax applies only to property owners, but it is considered to affect the general public.

Additional exception

If the council member is in a firm that represents the subject of the transaction, but the council member does not personally represent the subject in the transaction, he or she may participate in the council discussion if a disclosure form, described below, is completed. § 2.2-3112(A)(3).

Effects of disqualification

If a council member is disqualified from participating in a transaction, the act requires several steps. § 2.2-3112:

1. The council member must disclose the interest that causes the disqualification by identifying the interest, including the name and address of the business or property. § 2.2-3115(E). The disclosure is required whether the law requires the disqualification or the council member voluntarily disqualifies himself out of an abundance of caution.
2. The disclosure must be kept for five years in the records of the council.
3. The council member may not vote on or participate in discussion on the transaction.
4. The council member may not attend the portion of a closed meeting at which the transaction is discussed.
5. The council member may not discuss the matter with anyone in the government who is involved in the transaction.

Savings clause for certain votes

The act contains a savings clause to allow the remainder of council to vote when disqualifications rob the council of a quorum. § 2.2-3112(C). The council may act by a vote of the majority of the members who are not disqualified. Even if the law requires a unanimous vote, it only has to be by a unanimous vote of the remaining members. This provision would seem to have the odd result of having only one member of a

seven-member council being able to vote and fulfill a unanimous vote requirement if the other six members are disqualified. One caution - the Virginia Supreme Court has ruled that when there are disqualifications, and a vote is taken using this savings clause, the disqualified members of council must remain present to maintain a quorum. If the disqualified members leave the meeting, such that fewer members are present than required for a quorum – a quorum does not exist and the meeting cannot continue. See *Jakabcin v. Front Royal*, 271 Va. 660, 628 S.E.2d 319 (2006).

In order for a council to sell or lease land, state law requires a three-fourths vote of all people elected to council. § 15.2-2100. Section 2.2-3112(C) of the act allows a council member to participate in a discussion and vote on a proposed sale, lease, or similar conveyance of land if the council member's only personal interest in that sale is that he or she is employed by the business that is subject to the contract for the deal.

IV. Disclosures

If a transaction affects a group, business, or profession as set forth in § 2.2-3112(A)(2), the council member may participate if he or she certifies in good faith that he or she can represent the public fairly in the transaction. The certification requires the following elements to be identified - § 2.2-3115(H):

- The transaction;
- The nature of the personal interest;
- The fact that the council member is a member of a business, profession, occupation, or group that will be affected by the transaction;
- A statement that the council member is able to participate fairly, objectively, and in the public interest.

If the transaction affects a party that the council member's firm represents but the council member is not involved on behalf of the firm, the disclosure requires the following elements to be identified. § 2.2-3115(I):

- The transaction involved;
- The fact that a party to the transaction is a client of the council member's firm;
- A statement that the council member does not personally represent the client;
- A statement that the council member is able to participate fairly, objectively, and in the public interest.

If either of the disclosures is required, the council member must either state it at the meeting or file it in writing with the clerk of the council or the manager. A written disclosure should be filed before the meeting or, if that is impracticable, by the end of the following business day. § 2.2-3115(H), (I). In both cases, the disclosure is public. VML advises that it is better to make the disclosure at the meeting, orally, when the transaction is on the floor. This conveys a clearer message of self-disqualification than simply handing the clerk a written statement. If the disqualification is handed in, instead of being announced, the public will wonder why the council member is not participating.

Semiannual Statement of Economic Interests Form

In addition to transaction-specific disclosures, each council member of every locality with a population of more than 3,500 must file the Statement of Economic Interests form. This form has traditionally been filed annually by December 15 of each year. Effective on July 1, 2015, the Statement of Economic Interests form must be filed semiannually with the first filing deadline of Dec. 15, 2015 for the preceding six-month period complete through the last day of October and then by June 15 for the preceding six-month period complete through the last day of April (§ 2.2-3115(A); the form is found in § 2.2-3117). The filing will continue semiannually on Dec. 15 and June 15 of each year.

The disclosure form is found in Virginia Code § 2.2-3117. Officials and employees are required to disclose various payments and privileges associated with their position. One of these provisions requires an official or employee to disclose a presentation in a single talk, participation in a meeting, or publication of a work if, for that service, he received lodging, transportation, money, or anything of value with a combined value of at least $200. In 2014 the General Assembly expanded the disclosure requirement to include attendance at any meetings, conferences, or events that the individual attended if the event was designed to educate the official on his or her duties or enhance his or her knowledge or skills related to the position and the official received lodging, transportation, money, or anything of value with a combined value of at least $200.

The Virginia Conflict of Interest and Ethics Advisory Council must distribute the forms each year to clerks of council at least 30 days prior to the filing deadline; the clerks, in turn, are to distribute them to council members and any others who must file at least 20 days prior to the filing deadline. § 2.2-3115(A) & (D). These new forms will require the disclosure of holdings in excess of $5,000, which is a change from the previous bar of $10,000. § 2.2-3117.

Council may also adopt an ordinance to require other officials and employees of the locality to file the Statement of Economic Interests form pursuant to § 2.2-3115(A). Typically, this provision is used for the city or town manager, if at all. Many localities do not require the form to be completed by any employees or officials. The council may require boards, commissions and councils it appoints to file a disclosure form. § 2.2-3115(B).

In localities with a population of more than 3,500, members of planning commissions, boards of zoning appeals, real estate assessors, and all county, city and town managers must file an annual disclosure of real estate interests. § 2.2-3115(G).

The section clarifies that no local government officer or employee is required to file any disclosures not specifically mentioned in the article. § 2.2-3115(C).

* Former disclosure forms and additional information are available on the Secretary of the Commonwealth's COIA website: **https://commonwealth.virginia.gov/va-government/conflict-of-interest/**. As of the filing of this report, the website has not been updated to reflect the new legislation. Once the Virginia Conflict of Interest and Ethics Advisory Council has been established, the Council will be the appropriate authority to consult for forms and information.

V. Enforcement & penalties

Criminal penalties

A knowing violation of the Conflict of Interests Act is a Class 1 misdemeanor. § 2.2-3120. According to the act, a violation is knowingly made if the council member acts or refuses to act when he or she knows that the behavior is either prohibited or required by the act. An example of refusing to do a required act is a council member's refusal to file a disclosure form. A Class 1 misdemeanor has maximum penalties of one year in jail and a fine of $2,500.

Three other specific violations have a lower, Class 3 penalty (maximum $500 fine):

1. Failure to disqualify oneself from participating in a transaction.
2. Failure to file the annual statement of economic interests.
3. Failure to file the statement of reasons for a disqualification in a transaction.

Additional consequences for violations

In addition to the criminal consequences, if the council member is found guilty of a knowing violation, he is also guilty of malfeasance in office. In that case, the judge may order the forfeiture of the seat on council. § 2.2-3122.

If a contract is entered into that involves either a council member who violated the general provisions relating to bribes, insider information, undue influence (§ 2.2-3103), or a violation of the "personal interest in a contract" provisions, the council may rescind the contract. In that case, an innocent contractor may not receive the profits he anticipated in the deal. The contractor may only receive a "reasonable value," according to § 2.2-3123.

If a council action involves a violation of "the personal interest in a transaction" requirements, the council may rescind the award of a contract or other decision made. In rescinding the action, the best interests of the locality and any third parties are to be considered. § 2.2-3112(C).

If a council member violates any of the general provisions related to bribes and other illegal behavior, the personal interest in a contract rules, or the personal interest in a transaction rules, any value he or she received from the deal is to be forfeited. If the violation was knowingly made, the judge may impose a civil penalty equal to the value received.

Advisory opinions

Commonwealth's Attorney

The law allows some opportunity to avoid a problem by setting up a process to obtain an opinion on the matter from the commonwealth's attorney. The commonwealth's attorney is required by § 2.2-3126(B) to issue advisory opinions on whether a fact situation constitutes a violation. In addition to issuing opinions, the commonwealth's attorney is charged with prosecuting violations of the act by local officials. If the council member gives the attorney all the relevant facts and the attorney determines that the council member is allowed by law to participate, the council member may not be prosecuted for doing so. § 2.2-3121(B). If the commonwealth's attorney opines that the facts constitute a violation, the council member then may ask the attorney general to review and override the local opinion. The law makes it clear that any written opinions are public records and are therefore available to the public. If the council member obtains a written opinion from the town or city attorney, based on

full disclosure of the facts, the council member may introduce the favorable opinion from the attorney upon challenge. § 2.2-3121(C).

The Virginia Conflict of Interest and Ethics Advisory Council

The Council, once it starts operation, will be another resource that may be used to help localities avoid a conflicts or ethics problem. It has the authority to issue formal advisory opinions and guidelines relating to ethics and conflicts issues. Additionally, the Council may issue informal advice in response to specific questions. Any informal advice issued by the Council is protected by attorney-client privilege. This means that the opinions will not be public, nor are they subject to disclosure under the Virginia Freedom of Information Act. § 30-349(4).

Another role of the Council is to provide trainings on ethics and conflicts issues. These training seminars will be available to lobbyists, state and local government officers and employees, legislators, and other interested persons. The materials for these trainings will also be published by the Council, when it is deemed appropriate. § 30-349(5), (6).

Summary

The Virginia Conflict of Interests Act determines when public officials and employees have personal interests in public contracts or transactions, if those interests conflict with the officials' public duties, and how the officials should behave considering such a conflict. COIA dictates the terms for disclosure of public officials' personal and financial interests and decides when officials must disqualify themselves. The act also defines other types of conduct that public officials are prohibited from engaging in, including involvement in bribery, undue influence, and use of insider information.

Council members should always consult COIA's specific language if a potential conflict may arise. Inquiries about specific contracts or transactions should be directed to the relevant city or town attorney. We hope this guide will help local governments become better informed of their responsibilities if a prospective conflict may occur. Questions or comments for future editions should be sent to the author, VML General Counsel Mark K. Flynn, at (804) 523-8525 or mflynn@vml.org.

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Subtitle I. Organization of State Government
Part E. State Officers and Employees
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Article 1. General Provisions

§ 2.2-3100. Policy; application; construction

The General Assembly, recognizing that our system of representative government is dependent in part upon (i) citizen legislative members representing fully the public in the legislative process and (ii) its citizens maintaining the highest trust in their public officers and employees, finds and declares that the citizens are entitled to be assured that the judgment of public officers and employees will be guided by a law that defines and prohibits inappropriate conflicts and requires disclosure of economic interests. To that end and for the purpose of establishing a single body of law applicable to all state and local government officers and employees on the subject of conflict of interests, the General Assembly enacts this State and Local Government Conflict of Interests Act so that the standards of conduct for such officers and employees may be uniform throughout the Commonwealth.

This chapter shall supersede all general and special acts and charter provisions which purport to deal with matters covered by this chapter except that the provisions of §§ 15.2-852, 15.2-2287, 15.2-2287.1, and 15.2-2289 and ordinances adopted pursuant thereto shall remain in force and effect. The provisions of this chapter shall be supplemented but not superseded by the provisions on ethics in public contracting in Article 6 (§ 2.2-4367 et seq.) of Chapter 43 of this title and ordinances adopted pursuant to § 2.2-3104.2 regulating receipt of gifts.

The provisions of this chapter do not preclude prosecution for any violation of any criminal law of the Commonwealth, including Articles 2 (Bribery and Related Offenses, § 18.2-438 et seq.) and 3 (Bribery of Public Servants and Party Officials, § 18.2-446 et seq.) of Chapter 10 of Title 18.2, and do not constitute a defense to any prosecution for such a violation.

This chapter shall be liberally construed to accomplish its purpose.

§ 2.2-3100.1. Copy of chapter; review by officers and employees

Any person required to file a disclosure statement of personal interests pursuant to subsections A or B of § 2.2-3114, subsections A or B of § 2.2-3115 or § 2.2-3116 shall be furnished by the public body's administrator a copy of this chapter within two weeks following the person's election, reelection, employment, appointment or reappointment.

All officers and employees shall read and familiarize themselves with the provisions of this chapter.

§ 2.2-3101. Definitions

As used in this chapter, unless the context requires a different meaning:

"Advisory agency" means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

"Affiliated business entity relationship" means a relationship, other than a parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that may be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two entities, there are common or commingled funds or assets, the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis, or there is otherwise a close working relationship between the entities.

"Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency that involves the payment of money appropriated by the General Assembly or a political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision thereof. "Contract" includes a subcontract only when the contract of which it is a part is with the officer's or employee's own governmental agency.

"Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in § 30-355.

"Employee" means all persons employed by a governmental or advisory agency, unless otherwise limited by the context of its use.

"Financial institution" means any bank, trust company, savings institution, industrial loan association,

consumer finance company, credit union, broker-dealer as defined in subsection A of § 13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees ; (iii) any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution, or program's financial aid standards and procedures applicable to the general public; (iv) a campaign contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2; (v) any gift related to the private profession or occupation of an officer or employee or of a member of his immediate family; or (vi) gifts from relatives or personal friends. For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse. For the purpose of this definition, "personal friend" does not include any person that the filer knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in § 2.2-419; (c) for an officer or employee of a local governmental or advisory agency, a person, organization, or business who is a party to or is seeking to become a party to a contract with the local agency of which he is an officer or an employee; or (d) for an officer or employee of a state governmental or advisory agency, a person, organization, or business who is a party to or is seeking to become a party to a contract with the Commonwealth. For purposes of this definition, "person, organization, or business" includes individuals who are officers, directors, or owners of or who have a controlling ownership interest in such organization or business.

"Governmental agency" means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are "governmental agencies" for purposes of this chapter.

"Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the officer or employee and who is a dependent of the officer or employee.

"Officer" means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he receives compensation or other emolument of office. Unless the context requires otherwise, "officer" includes members of the judiciary.

"Parent-subsidiary relationship" means a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.

"Personal interest" means a financial benefit or liability accruing to an officer or employee or to a member of his immediate family. Such interest shall exist by reason of (i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may reasonably be anticipated to exceed, $5,000 from ownership in real or personal property or a business; (iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be anticipated to exceed, $5,000 annually; (iv) ownership of real or personal property if the interest exceeds $5,000 in value and excluding ownership in a business, income, or salary, other compensation, fringe benefits or benefits from the use of property; (v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or (vi) an option for ownership of a business or real or personal property if the ownership interest will consist of clause (i) or (iv) above.

"Personal interest in a contract" means a personal interest that an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business that is a party to the contract.

"Personal interest in a transaction" means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee or a member of his im-

mediate family has a personal interest in property or a business or governmental agency, or represents or provides services to any individual or business and such property, business or represented or served individual or business (i) is the subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction. Notwithstanding the above, such personal interest in a transaction shall not be deemed to exist where (a) an elected member of a local governing body serves without remuneration as a member of the board of trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity or (b) an officer, employee, or elected member of a local governing body is appointed by such local governing body to serve on a governmental agency, or an officer, employee, or elected member of a separate local governmental agency formed by a local governing body is appointed to serve on a governmental agency, and the personal interest in the transaction of the governmental agency is the result of the salary, other compensation, fringe benefits, or benefits provided by the local governing body or the separate governmental agency to the officer, employee, elected member, or member of his immediate family.

"State and local government officers and employees" shall not include members of the General Assembly.

"State filer" means those officers and employees required to file a disclosure statement of their personal interests pursuant to subsection A or B of § 2.2-3114.

"Transaction" means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

Article 2. Generally Prohibited and Unlawful Conduct

§ 2.2-3102. Application

This article applies to generally prohibited conduct that shall be unlawful and to state and local government officers and employees.

§ 2.2-3103. Prohibited conduct

No officer or employee of a state or local governmental or advisory agency shall:

1. Solicit or accept money or other thing of value for services performed within the scope of his official duties, except the compensation, expenses or other remuneration paid by the agency of which he is an officer or employee. This prohibition shall not apply to the acceptance of special benefits that may be authorized by law;
2. Offer or accept any money or other thing of value for or in consideration of obtaining employment, appointment, or promotion of any person with any governmental or advisory agency;
3. Offer or accept any money or other thing of value for or in consideration of the use of his public position to obtain a contract for any person or business with any governmental or advisory agency;
4. Use for his own economic benefit or that of another party confidential information that he has acquired by reason of his public position and which is not available to the public;
5. Accept any money, loan, gift, favor, service, or business or professional opportunity that reasonably tends to influence him in the performance of his official duties. This subdivision shall not apply to any political contribution actually used for political campaign or constituent service purposes and reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2;
6. Accept any business or professional opportunity when he knows that there is a reasonable likelihood that the opportunity is being afforded him to influence him in the performance of his official duties;
7. Accept any honoraria for any appearance, speech, or article in which the officer or employee provides expertise or opinions related to the performance of his official duties. The term "honoraria" shall not include any payment for or reimbursement to such person for his actual travel, lodging, or subsistence expenses incurred in connection with such appearance, speech, or article or in the alternative a payment of money or anything of value not in excess of the per diem deduction allowable under § 162 of the Internal Revenue Code, as amended from time to time. The prohibition in this subdivision shall apply only to the Governor, Lieutenant Governor, Attorney General, Governor's Secretaries, and heads of departments of state government;
8. Accept a gift from a person who has interests that may be substantially affected by the performance of the officer's or employee's official duties

under circumstances where the timing and nature of the gift would cause a reasonable person to question the officer's or employee's impartiality in the matter affecting the donor. Violations of this subdivision shall not be subject to criminal law penalties; or

9. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his public office for private gain. Violations of this subdivision shall not be subject to criminal law penalties.

§ 2.2-3103.1. Certain gifts prohibited

A. For purposes of this section:

"Intangible gift" means a thing of temporary value or a thing that upon the happening of a certain event or expiration of a given date loses its value. "Intangible gift" includes entertainment, hospitality, a ticket, admission, or pass, transportation, lodgings, and meals that are reportable on Schedule E of the disclosure form prescribed in § 2.2-3117.

"Tangible gift" means a thing of value that does not lose its value upon the happening of a certain event or expiration of a given date. "Tangible gift" includes currency, negotiable instruments, securities, stock options, or other financial instruments that are reportable on Schedule E of the disclosure form prescribed in § 2.2-3117. "Tangible gift" does not include payments or reimbursements received for any intangible gift.

B. An officer or employee of a local governmental or advisory agency or candidate required to file the disclosure form prescribed in § 2.2-3117 (i) shall not solicit, accept, or receive within any calendar year any single tangible gift with a value in excess of $250 or a combination of tangible gifts with an aggregate value in excess of $250 from any person that he knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (b) a lobbyist's principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the local agency of which he is an officer or an employee; (ii) shall report any tangible gift with a value of $250 or less or any intangible gift received from any person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall report any payments for talks, meetings, and publications on Schedule D of such disclosure form.

C. An officer or employee of a state governmental or advisory agency or candidate required to file the disclosure form prescribed in § 2.2-3117 (i) shall not solicit, accept, or receive within any calendar year any single tangible gift with a value in excess of $250 or a combination of tangible gifts with an aggregate value in excess of $250 from any person that he knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4; (b) a lobbyist's principal as defined in § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the Commonwealth; (ii) shall report any tangible gift with a value of $250 or less or any intangible gift received from any person listed in clause (i) on Schedule E of such disclosure form; and (iii) shall report any payments for talks, meetings, and publications on Schedule D of such disclosure form.

D. During the pendency of a civil action in any state or federal court to which the Commonwealth is a party, the Governor or the Attorney General or any employee of the Governor or the Attorney General who is subject to the provisions of this chapter shall not solicit, accept, or receive any tangible gift from any person that he knows or has reason to know is a person, organization, or business who is a party to such civil action. A person, organization, or business who is a party to such civil action shall not knowingly give any tangible gift to the Governor or the Attorney General or any of their employees who are subject to the provisions of this chapter.

E. The $250 limitation imposed in accordance with this section shall be adjusted by the Council every five years, as of January 1 of that year, in an amount equal to the annual increases for that five-year period in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar.

F. For purposes of this section, "person, organization, or business" includes individuals who are officers, directors, or owners of or who have a controlling ownership interest in such organization or business.

§ 2.2-3104. Prohibited conduct for certain officers and employees of state government - Omitted

§ 2.2-3104.01. Prohibited conduct; bids or proposals under the Virginia Public Procurement Act, Public-Private Transportation Act, and Public-Private Education Facilities and Infrastructure Act - Omitted

§ 2.2-3104.02. Prohibited conduct for constitutional officers

In addition to the prohibitions contained in § 2.2-3103, no constitutional officer shall, during the one year after the termination of his public service, act in a representative capacity on behalf of any person or group, for compensation, on any matter before the agency of which he was an officer.

The provisions of this section shall not apply to any attorney for the Commonwealth.

Any person subject to the provisions of this section may apply to the attorney for the Commonwealth for the jurisdiction where such person was elected as provided in § 2.2-3126, for an advisory opinion as to the application of the restriction imposed by this section on any post-public employment position or opportunity.

§ 2.2-3104.1. Exclusion of certain awards from scope of chapter

The provisions of this chapter shall not be construed to prohibit or apply to the acceptance by (i) any employee of a local government, or (ii) a teacher or other employee of a local school board of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

§ 2.2-3104.2. Ordinance regulating receipt of gifts

The governing body of any county, city, or town may adopt an ordinance setting a monetary limit on the acceptance of any gift by the officers, appointees or employees of the county, city or town and requiring the disclosure by such officers, appointees or employees of the receipt of any gift.

Article 3. Prohibited Conduct Relating to Contracts

§ 2.2-3105. Application

This article proscribes certain conduct relating to contracts by state and local government officers and employees. The provisions of this article shall be supplemented but not superseded by the provisions on ethics in public contracting in Article 6 (§ 2.2-4367 et seq.) of Chapter 43 of this title.

§ 2.2-3107. Prohibited contracts by members of county boards of supervisors, city councils and town councils

A. No person elected or appointed as a member of the governing body of a county, city or town shall have a personal interest in (i) any contract with his governing body, or (ii) any contract with any governmental agency that is a component part of his local government and which is subject to the ultimate control of the governing body of which he is a member, or (iii) any contract other than a contract of employment with any other governmental agency if such person's governing body appoints a majority of the members of the governing body of the second governmental agency.

B. The provisions of this section shall not apply to:

1. A member's personal interest in a contract of employment provided (i) the officer or employee was employed by the governmental agency prior to July 1, 1983, in accordance with the provisions of the former Conflict of Interests Act, Chapter 22 (§ 2.1-347 et seq.) of Title 2.1 as it existed on June 30, 1983, or (ii) the employment first began prior to the member becoming a member of the governing body;
2. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the public; or
3. A contract awarded to a member of a governing body as a result of competitive sealed bidding where the governing body has established a need for the same or substantially similar goods through purchases prior to the election or appointment of the member to serve on the governing body. However, the member shall have no involvement in the preparation of the specifications for such contract, and the remaining members of the governing body, by written resolution, shall state that it is in the public interest for the member to bid on such contract.

§ 2.2-3109. Prohibited contracts by other officers and employees of local governmental agencies

A. No other officer or employee of any governmental agency of local government shall have a personal interest in a contract with the agency of which he is an officer or employee other than his own contract of employment.

B. No officer or employee of any governmental agency of local government shall have a personal inter-

est in a contract with any other governmental agency that is a component of the government of his county, city or town unless such contract is (i) awarded as a result of competitive sealed bidding or competitive negotiation as set forth in § 2.2-4302.1 or 2.2-4302.2 or is awarded as a result of a procedure embodying competitive principles as authorized by subdivisions A 10 or A 11 of § 2.2-4343 or (ii) is awarded after a finding, in writing, by the administrative head of the governmental agency that competitive bidding or negotiation is contrary to the best interest of the public.

C. The provisions of this section shall not apply to:

1. An employee's personal interest in additional contracts for goods or services, or contracts of employment with his own governmental agency that accrue to him because of a member of his immediate family, provided the employee does not exercise any control over (i) the employment or the employment activities of the member of his immediate family and (ii) the employee is not in a position to influence those activities or the award of the contract for goods or services;
2. An officer's or employee's personal interest in a contract of employment with any other governmental agency that is a component part of the government of his county, city or town;
3. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public;
4. Members of local governing bodies who are subject to § 2.2-3107;
5. Members of local school boards who are subject to § 2.2-3108; or
6. Any ownership or financial interest of members of the governing body, administrators, and other personnel serving in a public charter school in renovating, lending, granting, or leasing public charter school facilities, as the case may be, provided such interest has been disclosed in the public charter school application as required by § 22.1-212.8.

§ 2.2-3110. Further exceptions

A. The provisions of Article 3 (§ 2.2-3106 et seq.) of this chapter shall not apply to:

1. The sale, lease or exchange of real property between an officer or employee and a governmental agency, provided the officer or employee does not participate in any way as such officer or employee in such sale, lease or exchange, and this fact is set forth as a matter of public record by the governing body of the governmental agency or by the administrative head thereof;
2. The publication of official notices;
3. Contracts between the government or school board of a town or city with a population of less than 10,000 and an officer or employee of that town or city government or school board when the total of such contracts between the town or city government or school board and the officer or employee of that town or city government or school board or a business controlled by him does not exceed $10,000 per year or such amount exceeds $10,000 and is less than $25,000 but results from contracts arising from awards made on a sealed bid basis, and such officer or employee has made disclosure as provided for in § 2.2-3115;
4. An officer or employee whose sole personal interest in a contract with the governmental agency is by reason of income from the contracting firm or governmental agency in excess of $10,000 per year, provided the officer or employee or a member of his immediate family does not participate and has no authority to participate in the procurement or letting of such contract on behalf of the contracting firm and the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of his governmental agency or he disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract;
5. When the governmental agency is a public institution of higher education, an officer or employee whose personal interest in a contract with the institution is by reason of an ownership in the contracting firm in excess of three percent of the contracting firm's equity or such ownership interest and income from the contracting firm is in excess of $10,000 per year, provided that (i) the officer or employee's ownership interest, or ownership and income interest, and that of any immediate family member in the contracting firm is disclosed in writing to the president of the institution, which writing certifies that the officer or employee has not and will not participate in the contract negotiations on behalf of the contracting firm or the institution, (ii) the president of the institution makes a written finding as a matter of public record that the contract is in the best inter-

ests of the institution, (iii) the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of the institution or disqualifies himself as a matter of public record, and (iv) does not participate on behalf of the institution in negotiating the contract or approving the contract;

6. Except when the governmental agency is the Virginia Retirement System, contracts between an officer's or employee's governmental agency and a public service corporation, financial institution, or company furnishing public utilities in which the officer or employee has a personal interest, provided the officer or employee disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract;

7. Contracts for the purchase of goods or services when the contract does not exceed $500;

8. Grants or other payment under any program wherein uniform rates for, or the amounts paid to, all qualified applicants are established solely by the administering governmental agency; or

9. An officer or employee whose sole personal interest in a contract with his own governmental agency is by reason of his marriage to his spouse who is employed by the same agency, if the spouse was employed by such agency for five or more years prior to marrying such officer or employee.

B. Neither the provisions of this chapter nor, unless expressly provided otherwise, any amendments thereto shall apply to those employment contracts or renewals thereof or to any other contracts entered into prior to August 1, 1987, which were in compliance with either the former Virginia Conflict of Interests Act, Chapter 22 (§ 2.1-347 et seq.) or the former Comprehensive Conflict of Interests Act, Chapter 40 (§ 2.1-599 et seq.) of Title 2.1 at the time of their formation and thereafter. Those contracts shall continue to be governed by the provisions of the appropriate prior Act. Notwithstanding the provisions of subdivision (f) (4) of § 2.1-348 of Title 2.1 in effect prior to July 1, 1983, the employment by the same governmental agency of an officer or employee and spouse or any other relative residing in the same household shall not be deemed to create a material financial interest except when one of such persons is employed in a direct supervisory or administrative position, or both, with respect to such spouse or other relative residing in his household and the annual salary of such subordinate is $35,000 or more.

Article 4. Prohibited Conduct Relating to Transactions

§ 2.2-3111. Application

This article proscribes certain conduct by state and local government officers and employees having a personal interest in a transaction.

§ 2.2-3112. Prohibited conduct concerning personal interest in a transaction; exceptions

A. Each officer and employee of any state or local governmental or advisory agency who has a personal interest in a transaction:

1. Shall disqualify himself from participating in the transaction if (i) the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsidiary or affiliated business entity relationship with the business in which he has a personal interest or (ii) he is unable to participate pursuant to subdivision 2, 3 or 4. Any disqualification under the provisions of this subdivision shall be recorded in the public records of the officer's or employee's governmental or advisory agency. The officer or employee shall disclose his personal interest as required by subsection E of § 2.2-3114 or subsection F of § 2.2-3115 and shall not vote or in any manner act on behalf of his agency in the transaction. The officer or employee shall be prohibited from (i) attending any portion of a closed meeting authorized by the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) when the matter in which he has a personal interest is discussed and (ii) discussing the matter in which he has a personal interest with other governmental officers or employees at any time;

2. May participate in the transaction if he is a member of a business, profession, occupation, or group of three or more persons the members of which are affected by the transaction, and he complies with the declaration requirements of subsection F of § 2.2-3114 or subsection H of § 2.2-3115;

3. May participate in the transaction when a party to the transaction is a client of his firm if he does not personally represent or provide services to such client and he complies with the declaration requirements of subsection G of § 2.2-3114 or subsection I of § 2.2-3115; or

4. May participate in the transaction if it affects the public generally, even though his personal interest, as a member of the public, may also be affected by that transaction.

B. Disqualification under the provisions of this section shall not prevent any employee having a personal interest in a transaction in which his agency is involved from representing himself or a member of his immediate family in such transaction provided he does not receive compensation for such representation and provided he complies with the disqualification and relevant disclosure requirements of this chapter.

C. Notwithstanding any other provision of law, if disqualifications of officers or employees in accordance with this section leave less than the number required by law to act, the remaining member or members shall constitute a quorum for the conduct of business and have authority to act for the agency by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members. Notwithstanding any provisions of this chapter to the contrary, members of a local governing body whose sole interest in any proposed sale, contract of sale, exchange, lease or conveyance is by virtue of their employment by a business involved in a proposed sale, contract of sale, exchange, lease or conveyance, and where such member's or members' vote is essential to a constitutional majority required pursuant to Article VII, Section 9 of the Constitution of Virginia and § 15.2-2100, such member or members of the local governing body may vote and participate in the deliberations of the governing body concerning whether to approve, enter into or execute such sale, contract of sale, exchange, lease or conveyance. Official action taken under circumstances that violate this section may be rescinded by the agency on such terms as the interests of the agency and innocent third parties require.

D. The provisions of subsection A shall not prevent an officer or employee from participating in a transaction merely because such officer or employee is a party in a legal proceeding of a civil nature concerning such transaction.

E. The provisions of subsection A shall not prevent an employee from participating in a transaction regarding textbooks or other educational material for students at state institutions of higher education, when those textbooks or materials have been authored or otherwise created by the employee.

Article 5. Disclosure Statements Required to Be Filed

§ 2.2-3113. Application

This article requires disclosure of certain personal and financial interests by state and local government officers and employees.

§ 2.2-3115. Disclosure by local government officers and employees

<Section effective until July 1, 2015.>

A. The members of every governing body and school board of each county and city and of towns with populations in excess of 3,500 shall file, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement annually on or before January 15.

The members of the governing body of any authority established in any county or city, or part or combination thereof, and having the power to issue bonds or expend funds in excess of $10,000 in any fiscal year, shall file, as a condition to assuming office, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such a statement annually on or before January 15, unless the governing body of the jurisdiction that appoints the members requires that the members file the form set forth in § 2.2-3117.

Persons occupying such positions of trust appointed by governing bodies and persons occupying such positions of employment with governing bodies as may be designated to file by ordinance of the governing body shall file, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement annually on or before January 15.

Persons occupying such positions of trust appointed by school boards and persons occupying such positions of employment with school boards as may be designated to file by an adopted policy of the school board shall file, as a condition to assuming office or employment, a disclosure statement of their personal interests and other information as is specified on the form set forth in § 2.2-3117 and thereafter shall file such a statement annually on or before January 15.

B. Nonsalaried citizen members of local boards, commissions and councils as may be designated by the

governing body shall file, as a condition to assuming office, a disclosure form of their personal interests and such other information as is specified on the form set forth in § 2.2-3118 and thereafter shall file such form annually on or before January 15.

C. No person shall be mandated to file any disclosure not otherwise required by this article.

D. The disclosure forms required by subsections A and B shall be provided by the Secretary of the Commonwealth to the clerks of the governing bodies and school boards not later than November 30 of each year, and the clerks of the governing body and school board shall distribute the forms to designated individuals no later than December 10 of each year. Forms shall be filed and maintained as public records for five years in the office of the clerk of the respective governing body or school board. Forms filed by members of governing bodies of authorities shall be filed and maintained as public records for five years in the office of the clerk of the governing body of the county or city.

E. Candidates for membership in the governing body or school board of any county, city or town with a population of more than 3,500 persons shall file a disclosure statement of their personal interests as required by § 24.2-502.

F. Any officer or employee of local government who has a personal interest in any transaction before the governmental or advisory agency of which he is an officer or employee and who is disqualified from participating in that transaction pursuant to subdivision A 1 of § 2.2-3112 or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate, and his disclosure shall be reflected in the public records of the agency for five years in the office of the administrative head of the officer's or employee's governmental or advisory agency.

G. In addition to any disclosure required by subsections A and B, in each county and city and in towns with populations in excess of 3,500, members of planning commissions, boards of zoning appeals, real estate assessors, and all county, city and town managers or executive officers shall make annual disclosures of all their interests in real estate located in the county, city or town in which they are elected, appointed, or employed. Such disclosure shall include any business in which such persons own an interest, or from which income is received, if the primary purpose of the business is to own, develop or derive compensation through the sale, exchange or development of real estate in the county, city or town. Such disclosure shall be filed as a condition to assuming office or employment, and thereafter shall be filed annually with the clerk of the governing body of such county, city or town on or before January 15. Such disclosures shall be filed and maintained as public records for five years. Forms for the filing of such reports shall be prepared and distributed by the Secretary of the Commonwealth to the clerk of each governing body.

H. An officer or employee of local government who is required to declare his interest pursuant to subdivision A 2 of § 2.2-3112 shall declare his interest by stating (i) the transaction involved, (ii) the nature of the officer's or employee's personal interest affected by the transaction, (iii) that he is a member of a business, profession, occupation, or group the members of which are affected by the transaction, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or employee shall either make his declaration orally to be recorded in written minutes of his agency or file a signed written declaration with the clerk or administrative head of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day. The officer or employee shall also orally disclose the existence of the interest during each meeting of the governmental or advisory agency at which the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

I. An officer or employee of local government who is required to declare his interest pursuant to subdivision A 3 of § 2.2-3112, shall declare his interest by stating (i) the transaction involved, (ii) that a party to the transaction is a client of his firm, (iii) that he does not personally represent or provide services to the client, and (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest. The officer or employee shall either make his declaration orally to be recorded in written minutes for his agency or file a signed written declaration with the clerk or administrative head of his governmental or advisory agency, as appropriate, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with

the provisions of this subsection prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day.

§ 2.2-3116. Disclosure by certain constitutional officers

For the purposes of this chapter, holders of the constitutional offices of treasurer, sheriff, attorney for the Commonwealth, clerk of the circuit court and commissioner of the revenue of each county and city, shall be deemed to be local officers and shall be required to file the Statement of Economic Interests set forth in § 2.2-3117. These officers shall file statements pursuant to § 2.2-3115 and candidates shall file statements as required by § 24.2-502. These officers shall be subject to the prohibition on certain gifts set forth in subsection B of § 2.2-3103.1.

November 18, 2014 Clarke County Board of Supervisors Regular Meeting Packet

§ 2.2-3117. Disclosure form

Effective: July 1, 2014

The disclosure form to be used for filings required by subsections A and D of § 2.2-3114 and subsections A and E of § 2.2-3115 shall be substantially as follows:

STATEMENT OF ECONOMIC INTERESTS.

Name .....

Office or position held or sought .....

Address .....

Names of members of immediate family .....

DEFINITIONS AND EXPLANATORY MATERIAL

"Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

"Close financial association" means an association in which the person filing shares significant financial involvement with an individual and the filer would reasonably be expected to be aware of the individual's business activities and would have access to the necessary records either directly or through the individual. "Close financial association" does not mean an association based on (i) the receipt of retirement benefits or deferred compensation from a business by which the person filing this statement is no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an independent contractor of a business that represents an entity before any state governmental agency when the person filing has had no communications with the state governmental agency.

"Contingent liability" means a liability that is not presently fixed or determined, but may become fixed or determined in the future with the occurrence of some certain event.

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of transportation, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include (i) any offer of a ticket, coupon, or other admission or pass unless the ticket, coupon, admission, or pass is used ; (ii) honorary degrees ; (iii) any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution, or program's financial aid standards and procedures applicable to the general public; (iv) a campaign contribution properly received and reported pursuant to Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2; (v) any gift related to the private profession or occupation of an officer or employee or of a member of his immediate family; or (vi) gifts from relatives or personal friends. "Relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse. "Personal friend" does not include any person that the filer knows or has reason to know is (a) a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; (b) a lobbyist's principal as defined in § 2.2-419; (c) for an officer or employee of a local governmental or advisory agency, a person, organization, or business who is a party to or is seeking to become a party to a contract with the local agency of which he is an officer or an employee; or (d) for an officer or employee of a state governmental or advisory agency, a person, organization, or business who is a party to or is seeking to become a party to a contract with the Commonwealth. "Person, organization, or business" includes individuals who are officers, directors, or

owners of or who have a controlling ownership interest in such organization or business.

"Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the officer or employee and who is a dependent of the officer or employee.

TRUST. If you or your immediate family, separately or together, are the only beneficiaries of a trust, treat the trust's assets as if you own them directly. If you or your immediate family has a proportional interest in a trust, treat that proportion of the trust's assets as if you own them directly. For example, if you and your immediate family have a one-third interest in a trust, complete your Statement as if you own one-third of each of the trust's assets. If you or a member of your immediate family created a trust and can revoke it without the beneficiaries' consent, treat its assets as if you own them directly.

REPORT TO THE BEST OF INFORMATION AND BELIEF. Information required on this Statement must be provided on the basis of the best knowledge, information, and belief of the individual filing the Statement as of the date of this report unless otherwise stated.

COMPLETE ITEMS 1 THROUGH 10. REFER TO SCHEDULES ONLY IF DIRECTED.
You may attach additional explanatory information.

1. Offices and Directorships.

Are you or a member of your immediate family a paid officer or paid director of a business?

EITHER check NO / / OR check YES / / and complete Schedule A.

2. Personal Liabilities.

Do you or a member of your immediate family owe more than $5,000 to any one creditor including contingent liabilities? (Exclude debts to any government and loans secured by recorded liens on property at least equal in value to the loan.)

EITHER check NO / / OR check YES / / and complete Schedule B.

3. Securities.

Do you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of $5,000 invested in one business? Account for mutual funds, limited partnerships and trusts.

EITHER check NO / / OR check YES / / and complete Schedule C.

4. Payments for Talks, Meetings, and Publications.

During the past six months did you receive in your capacity as an officer or employee of your agency lodging, transportation, money, or anything else of value with a combined value exceeding $200 (i) for a single talk, meeting, or published work or (ii) for a meeting, conference, or event where your attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative to your duties as an officer or employee of your agency?

EITHER check NO / / OR check YES / / and complete Schedule D.

5. Gifts.

During the past six months did a business, government, or individual other than a relative or personal friend (i) furnish you or a member of your immediate family with any gift or entertainment at a single event, and the value received exceeded $50 or (ii) furnish you or a member of your immediate family with gifts or entertainment in any combination and the total value received exceeded $100, and for which you or the member of your immediate family neither paid nor rendered services in exchange? Account for entertainment events only if the average value per person attending the event exceeded $50. Account for all business entertainment (except if related to the private profession or occupation of you or the member of your immediate family who received such business entertainment) even if

unrelated to your official duties.

EITHER check NO / / OR check YES / / and complete Schedule E.

6. Salary and Wages.

List each employer that pays you or a member of your immediate family salary or wages in excess of $5,000 annually. (Exclude state or local government or advisory agencies.)

If no reportable salary or wages, check here / /.

7. Business Interests.

Do you or a member of your immediate family, separately or together, operate your own business, or own or control an interest in excess of $5,000 in a business?

EITHER check NO / / OR check YES / / and complete Schedule F.

8. Payments for Representation and Other Services.

8A. Did you represent, excluding activity defined as lobbying in § 2.2-419, any businesses before any state governmental agencies, excluding courts or judges, for which you received total compensation during the past six months in excess of $1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers? (Officers and employees of local governmental and advisory agencies do NOT need to answer this question or complete Schedule G-1.)

EITHER check NO / / OR check YES / / and complete Schedule G-1.

8B. Subject to the same exceptions as in 8A, did persons with whom you have a close financial association (partners, associates or others) represent, excluding activity defined as lobbying in § 2.2-419, any businesses before any state governmental agency for which total compensation was received during the past six months in excess of $1,000? (Officers and employees of local governmental and advisory agencies do NOT need to answer this question or complete Schedule G-2.)

EITHER check NO / / OR check YES / / and complete Schedule G-2.

8C. Did you or persons with whom you have a close financial association furnish services to businesses operating in Virginia pursuant to an agreement between you and such businesses, or between persons with whom you have a close financial association and such businesses for which total compensation in excess of $1,000 was received during the past six months? Services reported under this provision shall not include services involving the representation of businesses that are reported under item 8A or 8B.

EITHER check NO / / OR check YES / / and complete Schedule G-3.

9. Real Estate.

9A. State Officers and Employees.

Do you or a member of your immediate family hold an interest, including a partnership interest, valued at more than $5,000 in real property (other than your principal residence) for which you have not already listed the full address on Schedule F? Account for real estate held in trust.

EITHER check NO / / OR check YES / / and complete Schedule H-1.

9B. Local Officers and Employees.

Do you or a member of your immediate family hold an interest, including a partnership interest, or option, easement, or land contract, valued at more than $5,000 in real property (other than your principal residence) for which you have not already listed the full address on Schedule F? Account for real estate held in trust.

EITHER check NO / / OR check YES / / and complete Schedule H-2.

10. Real Estate Contracts with Governmental Agencies.

Do you or a member of your immediate family hold an interest valued at more than $5,000 in real estate, including a corporate, partnership, or trust interest, option, easement, or land contract, which real estate is the subject of a contract, whether pending or completed within the past six months, with a governmental agency? If the real estate contract provides for the leasing of the property to a governmental agency, do you or a member of your immediate family hold an interest in the real estate valued at more than $1,000? Account for all such contracts whether or not your interest is reported in Schedule F, H-1, or H-2. This requirement to disclose an interest in a lease does not apply to an interest derived through an ownership interest in a business unless the ownership interest exceeds three percent of the total equity of the business.

EITHER check NO / / OR check YES / / and complete Schedule I.

Statements of Economic Interests are open for public inspection.

AFFIRMATION BY ALL FILERS.

I swear or affirm that the foregoing information is full, true and correct to the best of my knowledge.

Signature .....

(Return only if needed to complete Statement.)

SCHEDULES

to

STATEMENT OF ECONOMIC INTERESTS.

NAME .....

SCHEDULE A - OFFICES AND DIRECTORSHIPS.

Identify each business of which you or a member of your immediate family is a paid officer or paid director.

.....

Name of Business	Address of Business	Position Held and by Whom
.....	.....	.....
.....	.....	.....

RETURN TO ITEM 2

SCHEDULE B - PERSONAL LIABILITIES.

Report personal liability by checking each category. Report only debts in excess of $5,000. Do not report debts to any government. Do not report loans secured by recorded liens on property at least equal in value to the loan.

Report contingent liabilities below and indicate which debts are contingent.

1. My personal debts are as follows:

.....

Check one

Check appropriate categories	$5,001 to $50,000	More than $50,000

....

Banks

....

Savings institutions

....

Other loan or finance companies

....

Insurance companies

....

Stock, commodity or other brokerage companies

Other businesses:

....

(State principal business activity for each creditor and its name.)

....

Individual creditors:

....

(State principal business or occupation of each creditor and its name.)

....

.....

2. The personal debts of the members of my immediate family are as follows:

Check appropriate categories	Check one: $5,001 to $50,000	Check one: More than $50,000
Banks	.....	.....
Savings institutions	.....	.....
Other loan or finance companies	.....	.....
Insurance companies	.....	.....
Stock, commodity or other brokerage companies	.....	.....
Other businesses:		
(State principal business activity for each creditor and its name.)	.....	.....
	.....	.....
Individual creditors:		
(State principal business or occupation of each creditor and its name.)	.....	.....

RETURN TO ITEM 3

SCHEDULE C - SECURITIES.

"Securities" INCLUDES stocks, bonds, mutual funds, limited partnerships, and commodity futures contracts.	"Securities" EXCLUDES certificates of deposit, money market funds, annuity contracts, and insurance policies.

Identify each business or Virginia governmental entity in which you or a member of your immediate family, directly or indirectly, separately or together, own securities valued in excess of $5,000. Name each issuer and type of security individually.

Do not list U.S. Bonds or other government securities not issued by the Commonwealth of Virginia or its authorities, agencies, or local governments. Do not list organizations that do not do business in this Commonwealth, but most major businesses conduct business in Virginia. Account for securities held in trust.

If no reportable securities, check here / /.

			Check one	
Name of Issuer	Type of Security (stocks, bonds, mutual funds, etc.)	$5,001 to $50,000	$50,001 to $250,000	More than $250,000

RETURN TO ITEM 4

SCHEDULE D - PAYMENTS FOR TALKS, MEETINGS, AND PUBLICATIONS.

List each source from which you received during the past six months in your capacity as an officer or employee of your agency lodging, transportation, money, or any other thing of value with combined value exceeding $200 (i) for your presentation of a single talk, participation in one meeting, or publication of a work or (ii) for your attendance at a meeting, conference, or event where your attendance at the meeting, conference, or event was designed to (a) educate you on issues relevant to your duties as an officer or employee of your agency or (b) enhance your knowledge and skills relative to your duties as an officer or employee of your agency. Any lodging, transportation, money, or other thing of value received by an officer or employee that does not satisfy the provisions of clause (i), (ii) (a), or (ii) (b) shall be listed as a gift on Schedule E.

List payments or reimbursements by an advisory or governmental agency only for meetings or travel outside the Commonwealth.

List a payment even if you donated it to charity.

Do not list information about a payment if you returned it within 60 days or if you received it from an employer already listed under Item 6 or from a source of income listed on Schedule F.

If no payment must be listed, check here / /.

Payer	Approximate Value	Circumstances	Type of payment (e.g. honoraria, travel reimbursement, etc.)

RETURN TO ITEM 5

SCHEDULE E- GIFTS.

List each business, governmental entity, or individual that, during the past six months, (i) furnished you or a member of your immediate family with any gift or entertainment at a single event, and the value received exceeded $50 or (ii) furnished you or a member of your immediate family with gifts or entertainment in any combination and the total value received exceeded $100, and for which you or the member of your immediate family neither paid nor rendered services in exchange. List each such gift or event. Do not list entertainment events unless the average value per person attending the event exceeded $50. Do not list business entertainment related to the private profession or occupation of you or the member of your immediate family who received such business entertainment. Do not list gifts or other things of value given by a relative or personal friend for reasons clearly unrelated to your public position. Do not list campaign contributions publicly reported as required by Chapter 9.3 (§ 24.2-945 et seq.) of Title 24.2 of the Code of Virginia.

Name of Recipient	Name of Business, Organization, or Individual	City or County and State	Exact Gift or Event	Approximate Value

RETURN TO ITEM 6

SCHEDULE F - BUSINESS INTERESTS.

Complete this Schedule for each self-owned or family-owned business (including rental property, a farm, or consulting work), partnership, or corporation in which you or a member of your immediate family, separately or together, own an interest having a value in excess of $5,000.

If the enterprise is owned or operated under a trade, partnership, or corporate name, list that name; otherwise, merely explain the nature of the enterprise. If rental property is owned or operated under a trade, partnership, or corporate name, list the name only; otherwise, give the address of each property. Account for business interests held in trust.

Name of Business, Corporation, Partnership Farm; Address of Rental Property	City or County and State	Nature of Enterprise (farming, law, rental property, etc.)	Gross Income $50,000 or less	$50,001 to $250,000	More than $250,000

RETURN TO ITEM 8

SCHEDULE G-1 - PAYMENTS FOR REPRESENTATION BY YOU.

List the businesses you represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, for which you received total compensation during the past six months in excess of $1,000, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers filed by you.

Identify each business, the nature of the representation and the amount received by dollar category from each such business. You may state the type, rather than name, of the business if you are required by law not to reveal the name of the business represented by you.

Only STATE officers and employees should complete this Schedule.

.....

				Amount Received				
Name of Business	Type of Business	Purpose of Representation	Name of Agency	$1,001 to $10,000	$10,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	$250,001 and over
.....	.....	.....	.....	.....	.....	.....	.....	.....

.....

If you have received $250,001 or more from a single business within the reporting period, indicate the amount received, rounded to the nearest $10,000.

Amount Received: . .....

SCHEDULE G-2 - PAYMENTS FOR REPRESENTATION BY ASSOCIATES.

List the businesses that have been represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, by persons who are your partners, associates or others with whom you have a close financial association and who received total compensation in excess of $1,000 for such representation during the past six months, excluding representation consisting solely of the filing of mandatory papers and subsequent representation regarding the mandatory papers filed by your partners, associates or others with whom you have a close financial association.

Identify such businesses by type and also name the state governmental agencies before which such person appeared on behalf of such businesses.

Only STATE officers and employees should complete this Schedule.

.....

Type of business Name of state governmental agency

....

.....

SCHEDULE G-3 - PAYMENTS FOR OTHER SERVICES GENERALLY.

Indicate below types of businesses that operate in Virginia to which services were furnished by you or persons with whom you have a close financial association pursuant to an agreement between you and such businesses, or between persons with whom you have a close financial association and such businesses and for which total compensation in excess of $1,000 was received during the past six months. Services reported in this Schedule shall not include services involving the representation of businesses that are reported in Schedule G-1 or G-2.

Identify opposite each category of businesses listed below (i) the type of business, (ii) the type of service rendered and (iii) the value by dollar category of the compensation received for all businesses falling within each category.

.....

			Value of Compensation				
	Check if servuces were rendered	Type of services rendered	$1,001 to $10,000	$10,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	$250,001 and over
Electric utilities							
Gas utilities							
Telephone utilities							
Water utilities							
Cable television companies							
Interstate transportation companies							
Intrastate transportation companies							
Oil or gas retail companies							
Banks							
Savings institutions							
Loan or finance companies							
Manufacturing companies (state type of product, e.g., textile, furniture, etc.)							
Mining companies							
Life insurance companies							
Casualty insurance companies							
Other insurance companies							
Retail companies							

Beer, wine or liquor companies or distributors							
Trade associations							
Professional associations							
Associations of public employees or officials							
Counties, cities or towns							
Labor organizations							
Other							

RETURN TO ITEM 9

SCHEDULE H-1 - REAL ESTATE - STATE OFFICERS AND EMPLOYEE

List real estate other than your principal residence in which you or a member of your immediate family holds an interest, including a partnership interest, option, easement, or land contract, valued at more than $5,000. Each parcel shall be listed individually.

List each location (state, and county or city) where you own real estate.	Describe the type of real estate you own in each location (business, recreational, apartment, commercial, open land, etc.).	If the real estate is owned or recorded in a name other than your own, list that name.

SCHEDULE H-2 - REAL ESTATE - LOCAL OFFICERS AND EMPLOYEES.

List real estate other than your principal residence in which you or a member of your immediate family holds an interest, including a partnership interest or option, easement, or land contract, valued at more than $5,000. Each parcel shall be listed individually. Also list the names of any co-owners of such property, if applicable.

List each location (state, and county or city) where you own real estate.	Describe the type of real estate you own in each location (business, recreational, apartment, commercial, open land, etc.).	If the real estate is owned or recorded in a name other than your own, list that name.	List the names of any co-owners, if applicable.

SCHEDULE I--REAL ESTATE CONTRACTS WITH GOVERNMENTAL AGENCIES.

List all contracts, whether pending or completed within the past six months, with a governmental agency for the sale or exchange of real estate in which you or a member of your immediate family holds an interest, including a corporate, partnership or trust interest, option, easement, or land contract, valued at more than $10,000. List all contracts with a governmental agency for the lease of real estate in which you or a member of your immediate family holds such an interest valued at more than $1,000. This requirement to disclose an interest in a lease does not apply to an interest derived through an ownership interest in a business unless the ownership interest exceeds three percent of the total equity of the business.

State officers and employees report contracts with state agencies.

Local officers and employees report contracts with local agencies.

List your real estate interest and the person or entity, including the type of entity, which is party to the contract. Describe any management role and the percentage ownership interest you or your immediate family member has in the real estate or entity.	List each governmental agency which is a party to the contract and indicate the county or city where the real estate is located.	State the annual income from the contract, and the amount, if any, of income you or any immediate family member derives annually from the contract.

§ 2.2-3118. Disclosure form; certain citizen members

Effective: July 1, 2014

A. The financial disclosure form to be used for filings required pursuant to subsection B of § 2.2-3114 and subsection B of § 2.2-3115 shall be filed in accordance with the provisions of § 30-356. The financial disclosure form shall be substantially as follows:

DEFINITIONS AND EXPLANATORY MATERIAL.

"Business" means a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit.

"Close financial association" means an association in which the person filing shares significant financial involvement with an individual and the filer would reasonably be expected to be aware of the individual's business activities and would have access to the necessary records either directly or through the individual. "Close financial association" does not mean an association based on (i) the receipt of retirement benefits or deferred compensation from a business by which the person filing this statement is no longer employed, or (ii) the receipt of compensation for work performed by the person filing as an independent contractor of a business that represents an entity before any state governmental agency when the person filing has no communications with the state governmental agency.

"Contingent liability" means a liability that is not presently fixed or determined, but may become fixed or determined in the future with the occurrence of some certain event.

"Immediate family" means (i) a spouse and (ii) any child who resides in the same household as the filer and who is a dependent of the filer.

"Personal interest" means, for the purposes of this form only, a personal and financial benefit or liability accruing to a filer or a member of his immediate family. Such interest shall exist by reason of (i) ownership in real or personal property, tangible or intangible; (ii) ownership in a business; (iii) income from a business; or (iv) personal liability on behalf of a business; however, unless the ownership interest in a business exceeds three percent of the total equity of the business, or the liability on behalf of a business exceeds three percent of the total assets of the business, or the annual income, and/or property or use of such property, from the business exceeds $10,000 or may reasonably be anticipated to exceed $10,000, such interest shall not constitute a "personal interest."

Name .....

Office or position held or to be held

.....

Address .....

I. FINANCIAL INTERESTS

My personal interests and those of my immediate family are as follows:

Include all forms of personal interests held at the time of filing: real estate, stocks, bonds, equity interests in proprietorships and partnerships. You may exclude:

1. Deposits and interest bearing accounts in banks, savings institutions and other institutions accepting such deposits or accounts;

2. Interests in any business, other than a news medium, representing less than three percent of the total equity value of the business;

3. Liability on behalf of any business representing less than three percent of the total assets of such business; and

4. Income (other than from salary) less than $10,000 annually from any business. You need not state the value of any interest. You must state the name or principal business activity of each business in which you have a personal interest.

A. My personal interests are:

1. Residence, address, or, if no address, location .....

2. Other real estate, address, or, if no address, location .....

3. Name or principal business activity of each business in which stock, bond or equity interest is held ....

B. The personal interests of my immediate family are:

1. Real estate, address or, if no address, location .....

2. Name or principal business activity of each business in which stock, bond or equity interest is held ....

II. OFFICES, DIRECTORSHIPS AND SALARIED EMPLOYMENTS

The paid offices, paid directorships and salaried employments which I hold or which members of my immediate family hold and the businesses from which I or members of my immediate family receive retirement benefits are as follows:

(You need not state any dollar amounts.)

A. My paid offices, paid directorships and salaried employments are:

.....

Position held Name of business

....

B. The paid offices, paid directorships and salaried employments of members of my immediate family are:

.....

Position held Name of business

....

III. BUSINESSES TO WHICH SERVICES WERE FURNISHED

A. The businesses I have represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, for which I have received total compensation in excess of $1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:

Identify businesses by name and name the state governmental agencies before which you appeared on behalf of such businesses.

.....

Name of business Name of governmental agency

....

B. The businesses that, to my knowledge, have been represented, excluding activity defined as lobbying in § 2.2-419, before any state governmental agency, excluding any court or judge, by persons with whom I have a close financial association and who received total compensation in excess of $1,000 during the preceding year, excluding compensation for other services to such businesses and representation consisting solely of the filing of mandatory papers, are as follows:

Identify businesses by type and name the state governmental agencies before which such person appeared on behalf of such businesses.

.....

Type of business Name of state governmental agency

....

C. All other businesses listed below that operate in Virginia to which services were furnished pursuant to an agreement between you and such businesses and for which total compensation in excess of $1, 000 was received during the preceding year:

Check each category of business to which services were furnished.

.....

Electric utilities .....

Gas utilities .....

Telephone utilities .....

Water utilities .....

Cable television companies .....

Intrastate transportation companies .....

Interstate transportation companies .....

Oil or gas retail companies .....

Banks .....

Savings institutions .....

Loan or finance companies .....

Manufacturing companies (state type of product, e.g., textile, furniture, etc.) .....

Mining companies .....

Life insurance companies .....

Casualty insurance companies .....

Other insurance companies .....

Retail companies .....

Beer, wine or liquor companies or distributors .....

Trade associations .....

Professional associations .....

Associations of public employees or officials .....

Counties, cities or towns .....

Labor organizations .....

.....

IV. COMPENSATION FOR EXPENSES

The persons, associations, or other sources other than my governmental agency from which I or a member of my immediate family received remuneration in excess of $200 during the preceding year, in cash or otherwise, as honorariums or payment of expenses in connection with my attendance at any meeting or other function to which I was invited in my official capacity are as follows:

.....

Name of Source	Description of occasion	Amount of remuneration for each occasion

.....

B. The provisions of Part III A and B of the disclosure form prescribed by this section shall not be applicable to officers and employees of local governmental and local advisory agencies.

C. Except for real estate located within the county, city or town in which the officer or employee serves or a county, city or town contiguous to the county, city or town in which the officer or employee serves, officers and employees of local governmental or advisory agencies shall not be required to disclose under Part I of the form any other interests in real estate.

§ 2.2-3118.1. Special provisions for individuals serving in or seeking multiple positions or offices; reappointees

A. The filing of a single current statement of economic interests by a state officer or employee required to file the form prescribed in § 2.2-3117 shall suffice for the purposes of this chapter as filing for all state positions or offices held or sought by such individual during a single reporting period. The filing of a single current financial disclosure statement by a state officer or employee required to file the form prescribed in § 2.2-3118 shall suffice for the purposes of this chapter as filing for all state positions or offices held or sought by such individual and requiring the filing of the § 2.2-3118 form during a single reporting period.

B. Any individual who has met the requirement for periodically filing a statement provided in § 2.2-3117 or 2.2-3118 shall not be required to file an additional statement upon such individual's reappointment to the same office or position for which he is required to file, provided such reappointment occurs within six months after filing a statement pursuant to § 2.2-3117 and within 12 months after filing a statement pursuant to § 2.2-3118.

Article 6. School Boards and Employees of School Boards

§ 2.2-3119. Additional provisions applicable to school boards and employees of school boards; exceptions

A. Notwithstanding any other provision of this chapter, it shall be unlawful for the school board of any county or city or of any town constituting a separate school division to employ or pay any teacher or other school board employee from the public funds, federal, state or local, or for a division superintendent to recommend to the school board the employment of any teacher or other employee, if the teacher or other employee is the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law of the superintendent, or of any member of the school board.

This section shall apply to any person employed by any school board in the operation of the public free school system, adult education programs or any other program maintained and operated by a local county, city or town school board.

B. This section shall not be construed to prohibit the employment, promotion, or transfer within a school division of any person within a relationship described in subsection A when such person:

1. Has been employed pursuant to a written contract with a school board or employed as a substitute teacher or teacher's aide by a school board prior to the taking of office of any member of such board or division superintendent of schools; or
2. Has been employed pursuant to a written contract with a school board or employed as a substitute teacher or teacher's aide by a school board prior to the inception of such relationship; or
3. Was employed by a school board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school board prior to the taking of office of any member of such school board or division superintendent of schools.

C. A person employed as a substitute teacher may not be employed to any greater extent than he was employed by the school board in the last full school year prior to the taking of office of such board member or division superintendent or to the inception of such relationship. The exceptions in subdivisions B 1, B 2, and B 3 shall apply only if the prior employment has been in the same school divisions where the employee and the superintendent or school board member now seek to serve simultaneously.

D. If any member of the school board or any division superintendent knowingly violates these provisions, he shall be personally liable to refund to the local treasury any amounts paid in violation of this law, and the funds shall be recovered from the individual by action or suit in the name of the Commonwealth on the petition of the attorney for the Commonwealth. Recovered funds shall be paid into the local treasury for the use of the public schools.

E. The provisions of this section shall not apply to employment by a school district located in Planning Districts 3, 11, 12, and 13 of the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of any member of the school board provided (i) the member certifies that he had no involvement with the hiring decision and (ii) the superintendent certifies to the remaining members of the governing body in writing that the employment is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the board had any involvement with the hiring decision.

Article 7. Penalties and Remedies

§ 2.2-3120. Knowing violation of chapter a misdemeanor

Any person who knowingly violates any of the provisions of Articles 2 through 6 (§§ 2.2-3102 through 2.2-3119) of this chapter shall be guilty of a Class 1 misdemeanor, except that any member of a local governing body who knowingly violates subsection A of § 2.2-3112 or subsection D or F of § 2.2-3115 shall be guilty of a Class 3 misdemeanor. A knowing violation under this section is one in which the person engages in conduct, performs an act or refuses to perform an act when he knows that the conduct is prohibited or required by this chapter.

§ 2.2-3121. Advisory opinions

A. A state officer or employee shall not be prosecuted for a knowing violation of this chapter if the alleged violation resulted from his good faith reliance on a written opinion of the Attorney General or the Virginia Conflict of Interest and Ethics Advisory Council made in response to his written request for such opinion and the opinion was made after a full disclosure of the facts.

B. A local officer or employee shall not be prosecuted for a knowing violation of this chapter if the alleged violation resulted from his good faith reliance on a written opinion of the attorney for the Commonwealth or the Council made in response to his written request for such opinion and the opinion was made after a full disclosure of the facts. The written opinion shall be a public record and shall be released upon request.

C. If any officer or employee serving at the local level of government is charged with a knowing violation of this chapter, and the alleged violation resulted from his reliance upon a written opinion of his city, county or town attorney, made after a full disclosure of the facts, that such action was not in violation of this chapter, then the officer or employee shall have the right to introduce a copy of the opinion at his trial as evidence that he did not knowingly violate this chapter.

§ 2.2-3122. Knowing violation of chapter constitutes malfeasance in office or employment

Any person who knowingly violates any of the provisions of this chapter shall be guilty of malfeasance in office or employment. Upon conviction thereof, the judge or jury trying the case, in addition to any other fine or penalty provided by law, may order the forfeiture of such office or employment.

§ 2.2-3123. Invalidation of contract; recision of sales

A. Any contract made in violation of § 2.2-3103 or §§ 2.2-3106 through 2.2-3109 may be declared void and may be rescinded by the governing body of the contracting or selling governmental agency within five years of the date of such contract. In cases in which the contract is invalidated, the contractor shall retain or receive only the reasonable value, with no increment for profit or commission, of the property or services furnished prior to the date of receiving notice that the contract has been voided. In cases of recision of a contract of sale, any refund or restitution shall be made to the contracting or selling governmental agency.

B. Any purchase by an officer or employee made in violation of § 2.2-3103 or §§ 2.2-3106 through 2.2-3109 may be rescinded by the governing body of the contracting or selling governmental agency within five years of the date of such purchase.

2.2-3124. Civil penalty from violation of this chapter

In addition to any other fine or penalty provided by law, an officer or employee who knowingly violates any provision of §§ 2.2-3103 through 2.2-3112 shall be subject to a civil penalty in an amount equal to the amount of money or thing of value received as a result of such violation. If the thing of value received by the officer or employee in violation of §§ 2.2-3103 through 2.2-3112 increases in value between the time of the violation and the time of discovery of the violation, the greater value shall determine the amount of the civil penalty. Further, all money or other things of value received as a result of such violation shall be forfeited in accordance with the provisions of § 19.2-386.33.

§ 2.2-3125. Limitation of actions

The statute of limitations for the criminal prosecution of a person for violation of any provision of this chapter shall be one year from the time the Attorney General, if the violation is by a state officer or employee, or the attorney for the Commonwealth, if the violation is by a local officer or employee, has actual knowledge of the violation or five years from the date of the violation, whichever event occurs first. Any prosecution for malfeasance in office shall be governed by the statute of limitations provided by law.

§ 2.2-3126. Enforcement

A. The provisions of this chapter relating to an officer or employee serving at the state level of government shall be enforced by the Attorney General.

In addition to any other powers and duties prescribed by law, the Attorney General shall have the following powers and duties within the area for which he is responsible under this section:

1. He shall advise the agencies of state government and officers and employees serving at the state level of government on appropriate procedures for complying with the requirements of this chapter. He may review any disclosure statements, without notice to the affected person, for the purpose of determining satisfactory compliance, and shall investigate matters that come to his attention reflecting possible violations of the provisions of this chapter by officers and employees serving at the state level of government;
2. If he determines that there is a reasonable basis to conclude that any officer or employee serving at the state level of government has knowingly violated any provision of this chapter, he shall designate an attorney for the Commonwealth who shall have complete and independent discretion in the prosecution of such officer or employee;
3. He shall render advisory opinions to any state officer or employee who seeks advice as to whether the facts in a particular case would constitute a violation of the provisions of this chapter. He shall determine which opinions or portions thereof are of general interest to the public and may, from time to time, be published.

Irrespective of whether an opinion of the Attorney General has been requested and rendered, any person has the right to seek a declaratory judgment or other judicial relief as provided by law.

B. The provisions of this chapter relating to an officer or employee serving at the local level of government shall be enforced by the attorney for the Commonwealth within the political subdivision for which he is elected.

Each attorney for the Commonwealth shall be responsible for prosecuting violations by an officer or employee serving at the local level of government and, if the Attorney General designates such attorney for the Commonwealth, violations by an officer or employee serving at the state level of government. In the event the violation by an officer or employee serving at the local level of government involves more than one local jurisdiction, the Attorney General shall designate which of the attorneys for the Commonwealth of the involved local jurisdictions shall enforce the provisions of this chapter with regard to such violation.

Each attorney for the Commonwealth shall establish an appropriate written procedure for implementing the disclosure requirements of local officers and employees of his county, city or town, and for other political subdivisions, whose principal offices are located within the jurisdiction served by such attorney for the Commonwealth. The attorney for the Commonwealth shall provide a copy of this act to all local officers and employees in the jurisdiction served by such attorney who are required to file a disclosure statement pursuant to Article 5 (§ 2.2-3113 et seq.) of this chapter. Failure to receive a copy of the act shall not be a defense to such officers and employees if they are prosecuted for violations of the act.

Each attorney for the Commonwealth shall render advisory opinions as to whether the facts in a particular case would constitute a violation of the provisions of this chapter to the governing body and any local officer or employee in his jurisdiction and to political subdivisions other than a county, city or town, including regional political subdivisions whose principal offices are located within the jurisdiction served by such attorney for the Commonwealth. If the advisory opinion is written, then such written opinion shall be a public record and shall be released upon request. In case the opinion given by the attorney for the Commonwealth indicates that the facts would constitute a violation, the officer or employee affected thereby may request that the Attorney General review the opinion. A conflicting opinion by the Attorney General shall act to revoke the opinion of the attorney for the Commonwealth. The Attorney General shall determine which of his reviewing opinions or portions thereof are of general interest to the public and may, from time to time, be published.

Irrespective of whether an opinion of the attorney for the Commonwealth or the Attorney General has been requested and rendered, any person has the right to seek a declaratory judgment or other judicial relief as provided by law.

§ 2.2-3127. Venue

Any prosecution for a violation involving an officer serving at the state level of government shall be brought in the Circuit Court of the City of Richmond. Any prosecution for a violation involving an employee serving at the state level of government shall be within

the jurisdiction in which the employee has his principal place of state employment.

Any proceeding provided in this chapter shall be brought in a court of competent jurisdiction within the county or city in which the violation occurs if the violation involves an officer or employee serving at the local level of government.

Article 8. Orientation for State Filers - Omitted

§ 2.2-3128. Semiannual orientation course

§ 2.2-3129. Records of attendance

§ 2.2-3130. Attendance requirements

§ 2.2-3131. Exemptions

Virginia Public Records Act Requirements:

By Jeffrey S. Gore and Roger C. Wiley
Hefty & Wiley PC

Local government officials generally are not enthusiastic about the Virginia Public Records Act (the "Act"). Many elected officials are only vaguely aware that the Act exists. Managers and agency heads are likely to view it as just another nuisance requirement imposed by the state or even as an example of that most despised species --an unfunded mandate. Other local officials may be puzzled about how to handle the masses of paper that clutter their offices or the electronic messages and documents that fill up their email inboxes and hard drives.

All of those reactions are predictable and sometimes they may seem valid. Certainly the state is not sending localities money to spend on records management. Most of the Act's requirements, however, merely reflect what would be viewed as good business and management practice. No organization can really operate efficiently if it can't determine what it did last month, last year, or 10 years ago.

Dependence on one's own memory of past events can be very risky, and although most organizations have a few long-serving individuals who provide "institutional memory," all of them move on eventually. Keeping records and maintaining them in an accessible manner is vital not only for those who come along later, but for our own daily performance.

Having an effective system for keeping the records that are important and getting rid of those that are no longer needed, to make room for new ones, is just common sense. Still, it is easy to neglect records management. Getting today's work done can always claim priority over organizing and storing records of yesterday's work. Some of us are instinctively good at file maintenance while others need to be prodded.

The more positive way to view the Public Records Act is that, by imposing some legal requirements, it forces us to think about records management and assign it as a specific task to someone in our organization. The Act's legal mandate also gives officials a justification for budgeting and spending the resources necessary to make a records management system function properly.

We hope that this handbook will give local government officials a basic understanding of the Virginia Public Records Act and how to comply with it. In its opening section you will find a discussion of the Act's basic requirements, presented in question and answer format, followed by several appendices that contain additional detailed information, as shown in the Table of Contents.

What is the purpose of the Virginia Public Records Act?

Virginia Public Records Act (the "Act") is found in Chapter 7 of Title 42.1 of the Code of Virginia, the Title dealing with "Libraries." It is located in that part of the Code because the Library of Virginia is the state agency designated to administer the Act and issue regulations to implement it. The Act establishes the basic rules and authorizes the Library to issue more detailed regulations specifying how state and local public agencies, officials and employees handle "public records." This includes determining exactly what constitutes a public record, how and long to maintain that public record, and when and how to eventually dispose of it – all of which the Act describes as the "lifecycle" of the public record.

What is a public record?

As defined in the Act, a public record is any recorded information possessed by a public agency, public official or public employee that documents a transaction or activity by or with any such agency, official or employee. The recorded information is a public record if it is produced, collected, received or retained in connection with the transaction of public business, regardless of its physical form. The medium (paper, film, magnetic or electronic file, etc.) on which the information is recorded has no bearing on whether it is a public record.

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What local agencies officials are covered by the Act's requirements? Does it also apply to elected constitutional officers?

The Act applies to all departments, divisions, boards, commissions and authorities of a locality or in which a locality participates to conduct public business.

Officers and employees of these various local agencies have a responsibility to comply the Act's requirements for the records they create or receive.

Elected city and county constitutional officers and the staffs and records of their offices are specifically included in the definitions of covered officials and agencies.

What about members of a local governing body?

Members of a city or town council, or county board of supervisors, regardless of their terms or compensation, are officers of the locality and are thus subject to the Act's requirement. In the past, many of them have not treated their individual correspondence and other records about public business, kept at home or in their private places of employment, as public records.

Legally, however, the Act does apply to these records. In recent years, as requests for disclosure of members' individual records under the Virginia Freedom of Information Act have become more common, clerks of governing bodies and local government managers and attorneys have begun assisting their governing bodies in establishing better systems to maintain these records and comply with the Act.

What are the primary responsibilities of local governments under the Act?

• Tell governing body members to read the Act

Every person elected, re-elected, appointed, or reappointed to the governing body of any locality or other local public body subject to the Act must be provided a copy of the Act within two weeks of election, re-election, appointment or reappointment. The Act assigns responsibility for doing this to the public body's chief administrator, agency head or legal counsel, but in practice the duty may be delegated to someone else, such as the clerk of the public body. The Act also requires members of the public body to read and become familiar with the Act after they receive it. Following this explanation is a copy of the Act with amendments through July 1, 2014, to be used for this purpose.

• Designate a local public records officer

Every locality is required to designate at least one records officer to serve as a liaison to the Library of Virginia, and to implement and oversee a records management program, and coordinate the disposition, including destruction, of obsolete records. Local records officers can be designated either by the governing body of the locality or agency or by its chief administrative officer. The locality must give the Library contact information for its designated public records officers and update that information as it changes. Larger localities and organizations may decide to designate more than one records officer, with some having responsibility for the records of only a single department, but all public records in the locality must have someone designated to be responsible for them. The Library conducts training programs for local records officers to help them understand and comply with the requirements of the Act.

• Establish a local records management and retention program

The Act requires every locality and local agency to "ensure that its public records are preserved, maintained, and accessible throughout their lifecycle." Appendix A is a model ordinance prepared by the Library of Virginia for localities to use in establishing a records management program and designating a local public records officer. The Library has also published a very good technical manual for the establishment of a records management program, which along with much other useful information, is available on the public records section of the Library's website: **http://www.lva.virginia.gov/agencies/records/**.

What are some duties of a records retention officer?

The primary duties are to be certain that the departments or agencies for which the officer is responsible keep their records for the required length of time, maintain them in an accessible manner, and destroy them when it is time to do so.

What does "accessible throughout their lifecycle" mean?

How many of us have a box or drawer in our office full of five floppy disks or 3.5 inch diskettes, but no longer have a drive on our desktop computer with which to read them? One of the jobs of the records retention officer is to make sure that records aren't made inaccessible in that way. Records must be maintained in a form that can be viewed or read for as long as those records are required to be kept. For paper records that is generally not a problem, except for very old records that must be kept permanently. These may require photographing, copying or scanning to preserve their contents. For records stored in other media, the Act requires that they be converted or migrated to new media as technologies become obsolete, "as often as necessary so that information is not lost due to hardware, software, or media obsolescence or deterioration."

How long do records have to be kept?

The length of time varies depending on the type of record. As authorized by the Act, the Library of Virginia has established retention schedules for various categories of state and local government records. Some types of records must be maintained permanently. For certain types of permanent records that are considered essential, copies must also be made and sent to the Library for storage, so they can be recovered in case the originals are destroyed by fire, flood or other catastrophe. Other types of records must be kept only a few years and then destroyed. Appendix B of this handbook contains more detailed information about the schedules that apply to local government records. All the schedules are also available online: **www.lva.virginia.gov/agencies/records/sched_local/index.htm**.

Are we really obligated to destroy some older records? Why?

Yes, the Act requires destruction of public records "in a timely manner" once their designated retention period has expired. The Library's website has more guidance – www.lva.viginia.gov/agencies/records/timely.asp.

In part, this requirement is intended to make room for new records by getting rid of ones no longer needed. The Act also says that it is state policy for records management to be uniform throughout the Commonwealth. Requiring destruction on a regular schedule ensures that records of the same age and type will be available in all localities at any given time. This is helpful to someone researching information of the same type in more than one locality. Following the schedules for destruction of records will also be helpful in limiting the scope of future requests for disclosure of records under the Virginia Freedom of Information Act.

What conditions must be met before destroying records?

First, the designated retention schedule for the records must have expired. Second, the records must not be the subject of any current Freedom of Information Act disclosure request, litigation or audit, or any proposed change in the retention schedules. Third, the locality or agency's designated public records officer must have certified on a form approved by the Library that the records are appropriate for destruction. After the records are destroyed that form must be sent to the Library. The forms required for the record destruction process are found in Appendix C of this handbook.

Can we give the records away or sell them instead of destroying them?

The Act requires that any records created before 1912 be offered to the Library of Virginia before being destroyed. Selling public records or giving them to anyone else is specifically prohibited by the Act.

What are the consequences if we don't comply with the retention and destruction requirements for our records? Are there fines or penalties?

Unlike the Freedom of Information Act (FOIA), the Public Records does not authorize private citizens to sue public agencies or officials to force them to comply with the Act. The Librarian of Virginia is given limited authority to sue someone who is illegally retaining public records that he is not entitled to keep, such as an officeholder whose term has expired. The Act also gives the Library the power to audit state or local agencies for compliance with the Act and to report non-compliance to the local governing body and the General Assembly. Such audits are not frequent, and the Library has no power to impose monetary or other penalties for non-compliance even when revealed by audit.

Why do we need to comply, then?

The best reason for compliance is that good records management can make your organization more efficient and benefit both current and future local officials.

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Legally, the lack of a specific penalty does not change your legal obligation to comply with the Act, and deliberately ignoring it could be cited as poor job performance, or even as malfeasance in an extreme case.

The Freedom of Information Act may provide another reason to comply with the Public Records Act in some cases. When a citizen requests access to a record under FOIA, the local agency or official has an obligation to produce that record, unless it is covered by a specific statutory exemption.

If the record has been discarded or destroyed before the end of the retention period established by the State Library, the failure to comply with the Public Records Act may be revealed, which is embarrassing at the very least. We are not aware that any court has ruled that failure to produce the record due to its premature destruction also constitutes a violation of FOIA, but we believe such an argument could be made. FOIA violations, of course, can result in civil penalties and payment of the requester's attorney fees.

TITLE 42.1. LIBRARIES
Chapter 7. Virginia Public Records Act

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§ 42.1-76 Legislative intent; title of chapter

The General Assembly intends by this chapter to establish a single body of law applicable to all public officers and employees on the subject of public records management and preservation and to ensure that the procedures used to manage and preserve public records will be uniform throughout the Commonwealth.

This chapter may be cited as the Virginia Public Records Act.

§ 42.1-76.1 Notice of Chapter

Any person elected, reelected, appointed, or reappointed to the governing body of any agency subject to this chapter shall (i) be furnished by the agency or public body›s administrator or legal counsel with a copy of this chapter within two weeks following election, reelection, appointment, or reappointment and (ii) read and become familiar with the provisions of this chapter.

§ 42.1-77 Definitions

As used in this chapter:

"Agency" means all boards, commissions, departments, divisions, institutions, authorities, or parts thereof, of the Commonwealth or its political subdivisions and includes the offices of constitutional officers.

"Archival quality" means a quality of reproduction consistent with established standards specified by state and national agencies and organizations responsible for establishing such standards, such as the Association for Information and Image Management, the American National Standards Institute, and the National Institute of Standards and Technology.

"Archival record" means a public record of continuing and enduring value useful to the citizens of the Commonwealth and necessary to the administrative functions of public agencies in the conduct of services and activities mandated by law that is identified on a Library of Virginia approved records retention and disposition schedule as having sufficient informational value to be permanently maintained by the Commonwealth.

"Archives" means the program administered by The Library of Virginia for the preservation of archival records.

"Board" means the State Library Board.

"Conversion" means the act of moving electronic records to a different format, especially data from an obsolete format to a current format.

"Custodian" means the public official in charge of an office having public records.

"Disaster plan" means the information maintained by an agency that outlines recovery techniques and methods to be followed in case of an emergency that impacts the agency›s records.

*"Electronic record"*means a public record whose creation, storage, and access require the use of an automated system or device. Ownership of the hardware, software, or media used to create, store, or access the electronic record has no bearing on a determination of whether such record is a public record.

"Essential public record" means records that are required for recovery and reconstruction of any agency to enable it to resume its core operations and functions and to protect the rights and interests of persons.

"Librarian of Virginia means the State Librarian of Virginia or his designated representative.

"Lifecycle" means the creation, use, maintenance, and disposition of a public record.

"Metadata" means data describing the context, content, and structure of records and their management through time.

"Migration" means the act of moving electronic records from one information system or medium to another to ensure continued access to the records while maintaining the records› authenticity, integrity, reliability, and usability.

"Original record" means the first generation of the information and is the preferred version of a record. Archival records should to the maximum extent possible be original records.

"Preservation" means the processes and operations involved in ensuring the technical and intellectual survival of authentic records through time.

"Private record" means a record that does not relate to or affect the carrying out of the constitutional, statutory, or other official ceremonial duties of a public official, including the correspondence, diaries, journals, or notes that are not prepared for, utilized for, circulated, or communicated in the course of transacting public business.

"Public official" means all persons holding any office created by the Constitution of Virginia or by any act of the General Assembly, the Governor and all other officers of the executive branch of the state government, and all other officers, heads, presidents or chairmen of boards, commissions, departments, and agencies of the state government or its political subdivisions.

"Public record" or *"record"* means recorded information that documents a transaction or activity by or with any public officer, agency or employee of an agency.

Regardless of physical form or characteristic, the recorded information is a public record if it is produced, collected, received or retained in pursuance of law or in connection with the transaction of public business. The medium upon which such information is recorded has no bearing on the determination of whether the recording is a public record.

For purposes of this chapter, *"public record"* shall not include nonrecord materials, meaning materials made or acquired and preserved solely for reference use or exhibition purposes, extra copies of documents preserved only for convenience or reference, and stocks of publications.

"Records retention and disposition schedule" means a Library of Virginia-approved timetable stating the required retention period and disposition action of a records series. The administrative, fiscal, historical, and legal value of a public record shall be considered in appraising its appropriate retention schedule. The terms "administrative," "fiscal," "historical," and "legal" value shall be defined as:

1. *"Administrative value"*: Records shall be deemed of administrative value if they have continuing utility in the operation of an agency.
2. *"Fiscal value"*: Records shall be deemed of fiscal value if they are needed to document and verify financial authorizations, obligations, and transactions.
3. *"Historical value"*: Records shall be deemed of historical value if they contain unique information, regardless of age, that provides understanding of some aspect of the government and promotes the development of an informed and enlightened citizenry.
4. *"Legal value"*: Records shall be deemed of legal value if they document actions taken in the protection and proving of legal or civil rights and obligations of individuals and agencies.

§ 42.1-78 Confidentiality safeguarded

Any records made confidential by law shall be so treated. Records which by law are required to be closed to the public shall not be deemed to be made open to the public under the provisions of this chapter. Records in the custody of The Library of Virginia which are required to be closed to the public shall be open for public access 75 years after the date of creation of the record. No provision of this chapter shall be construed to authorize or require the opening of any records ordered to be sealed by a court. All records deposited in the archives that are not made confidential by law shall be open to public access.

§ 42.1-79 Records management function vested in The Library of Virginia

A. The archival and records management function shall be vested in The Library of Virginia. The Library of Virginia shall be the official custodian and trustee for the Commonwealth of all public records of whatever kind, and regardless of physical form or characteristics, that are transferred to it from any agency. As the Commonwealth›s official repository of public records, The Library of Virginia shall assume ownership and administrative control of such records on behalf of the Commonwealth. The Library of Virginia shall own and operate any equipment necessary to manage and retain control of electronic archival records in its custody, but may, at its discretion, contract with third-party entities to provide any or all services related to managing archival records on equipment owned by the contractor, by other third parties, or by The Library of Virginia.

B. The Librarian of Virginia shall name a State Archivist who shall perform such functions as the Librarian of Virginia assigns.

C. Whenever legislation affecting public records management and preservation is under consideration, The Library of Virginia shall review the proposal and advise the General Assembly on the effects of its proposed implementation.

§ 42.1-82 Duties and powers of Library Board

A. The State Library Board shall:

1. Issue regulations concerning procedures for the disposal, physical destruction or other disposition of public records containing social security numbers. The procedures shall include all reasonable steps to destroy such documents by (i) shredding, (ii) erasing, or (iii) otherwise modifying the social security numbers in those records to make them unreadable or undecipherable by any means.
2. Issue regulations and guidelines designed to facilitate the creation, preservation, storage, filing, reformatting, management, and destruction of public records by agencies. Such regulations shall mandate procedures for records management and include recommendations for the creation, retention, disposal, or other disposition of public records.

B. The State Library Board may establish advisory committees composed of persons with expertise in the

matters under consideration to assist the Library Board in developing regulations and guidelines.

§ 42.1-85 Records Management Program; agencies to cooperate; agencies to designate records officer

A. The Library of Virginia shall administer a records management program for the application of efficient and economical methods for managing the lifecycle of public records consistent with regulations and guidelines promulgated by the State Library Board, including operation of a records center or centers. The Library of Virginia shall establish procedures and techniques for the effective management of public records, make continuing surveys of records and records keeping practices, and recommend improvements in current records management practices, including the use of space, equipment, software, and supplies employed in creating, maintaining, and servicing records.

B. Any agency with public records shall cooperate with The Library of Virginia in conducting surveys. Each agency shall establish and maintain an active, continuing program for the economical and efficient management of the records of such agency. The agency shall be responsible for ensuring that its public records are preserved, maintained, and accessible throughout their lifecycle, including converting and migrating electronic records as often as necessary so that information is not lost due to hardware, software, or media obsolescence or deterioration. Any public official who converts or migrates an electronic record shall ensure that it is an accurate copy of the original record. The converted or migrated record shall have the force of the original.

C. Each state agency and political subdivision of this Commonwealth shall designate as many as appropriate, but at least one, records officer to serve as a liaison to The Library of Virginia for the purposes of implementing and overseeing a records management program, and coordinating legal disposition, including destruction, of obsolete records. Designation of state agency records officers shall be by the respective agency head. Designation of a records officer for political subdivisions shall be by the governing body or chief administrative official of the political subdivision. Each entity responsible for designating a records officer shall provide The Library of Virginia with the name and contact information of the designated records officer, and shall ensure that such information is updated in a timely manner in the event of any changes.

D. The Library of Virginia shall develop and make available training and education opportunities concerning the requirements of and compliance with this chapter for records officers in the Commonwealth.

§ 42.1-86 Essential public records; security recovery copies; disaster plans

A. In cooperation with the head of each agency, The Library of Virginia shall establish and maintain a program for the selection and preservation of essential public records. The program shall provide for preserving, classifying, arranging, and indexing essential public records so that such records are made available to the public. The program shall provide for making recovery copies or designate as recovery copies existing copies of such essential public records.

B. Recovery copies shall meet quality standards established by The Library of Virginia and shall be made by a process that accurately reproduces the record and forms a durable medium. A recovery copy may also be made by creating a paper or electronic copy of an original electronic record. Recovery copies shall have the same force and effect for all purposes as the original record and shall be as admissible in evidence as the original record whether the original record is in existence or not. Recovery copies shall be preserved in the place and manner prescribed by the State Library Board and the Governor.

C. The Library of Virginia shall develop a plan to ensure preservation of public records in the event of disaster or emergency as defined in § 44-146.16. This plan shall be coordinated with the Department of Emergency Management and copies shall be distributed to all agency heads. The plan shall be reviewed and updated at least once every five years. The personnel of the Library shall be responsible for coordinating emergency recovery operations when public records are affected. Each agency shall ensure that a plan for the protection and recovery of public records is included in its comprehensive disaster plan.

§ 42.1-86.1 Disposition of public records

A. No agency shall sell or give away public records. No agency shall destroy or discard a public record unless (i) the record appears on a records retention and disposition schedule approved pursuant to § 42.1-82 and the record's retention period has expired; (ii) a certificate of records destruction, as designated by the Librarian of Virginia, has been properly completed and approved by the agency's designated records officer; and (iii) there is no litigation, audit, investigation, request for records pursuant to the Virginia Freedom of

Information Act (§ 2.2-3700 et seq.), or renegotiation of the relevant records retention and disposition schedule pending at the expiration of the retention period for the applicable records series. After a record is destroyed or discarded, the agency shall forward the original certificate of records destruction to The Library of Virginia.

B. No agency shall destroy any public record created before 1912 without first offering it to The Library of Virginia.

C. Each agency shall ensure that records created after July 1, 2006 and authorized to be destroyed or discarded in accordance with subsection A, are destroyed or discarded in a timely manner in accordance with the provisions of this chapter; provided, however, such records that contain identifying information as defined in clauses (iii) through (ix), or clause (xii) of subsection C of §18.2-186.3, shall be destroyed within six months of the expiration of the records retention period.

§ 42.1-87 Archival public records

A. Custodians of archival public records shall keep them in fire-resistant, environmentally controlled, physically secure rooms designed to ensure proper preservation and in such arrangement as to be easily accessible. Current public records should be kept in the buildings in which they are ordinarily used. It shall be the duty of each agency to consult with The Library of Virginia to determine the best manner in which to store long-term or archival electronic records. In entering into a contract with a third-party storage provider for the storage of public records, an agency shall require the third-party to cooperate with The Library of Virginia in complying with rules and regulations promulgated by the Board.

B. Public records deemed unnecessary for the transaction of the business of any state agency, yet deemed to be of archival value, may be transferred with the consent of the Librarian of Virginia to the custody of the Library of Virginia.

C. Public records deemed unnecessary for the transaction of the business of any county, city, or town, yet deemed to be of archival value, shall be stored either in The Library of Virginia or in the locality, at the decision of the local officials responsible for maintaining public records. Archival public records shall be returned to the locality upon the written request of the local officials responsible for maintaining local public records. Microfilm shall be stored in The Library of Virginia but the use thereof shall be subject to the control of the local officials responsible for maintaining local public records.

D. Record books deemed archival should be copied or repaired, renovated or rebound if worn, mutilated, damaged or difficult to read. Whenever the public records of any public official are in need of repair, restoration or rebinding, a judge of the court of record or the head of such agency or political subdivision of the Commonwealth may authorize that the records in need of repair be removed from the building or office in which such records are ordinarily kept, for the length of time necessary to repair, restore or rebind them, provided such restoration and rebinding preserves the records without loss or damage to them. Before any restoration or repair work is initiated, a treatment proposal from the contractor shall be submitted and reviewed in consultation with The Library of Virginia. Any public official who causes a record book to be copied shall attest it and shall certify an oath that it is an accurate copy of the original book. The copy shall then have the force of the original.

E. Nothing in this chapter shall be construed to divest agency heads of the authority to determine the nature and form of the records required in the administration of their several departments or to compel the removal of records deemed necessary by them in the performance of their statutory duty.

§ 42.1-88 Custodians to deliver all records at expiration of term; penalty for noncompliance

Any custodian of any public records shall, at the expiration of his term of office, appointment or employment, deliver to his successor, or, if there be none, to The Library of Virginia, all books, writings, letters, documents, public records, or other information, recorded on any medium kept or received by him in the transaction of his official business; and any such person who shall refuse or neglect for a period of ten days after a request is made in writing by the successor or Librarian of Virginia to deliver the public records as herein required shall be guilty of a Class 3 misdemeanor.

§ 42.1-89 Petition and court order for return of public records not in authorized possession

The Librarian of Virginia or his designated representative such as the State Archivist or any public official who is the custodian of public records in the possession of a person or agency not authorized by the custodian or by law to possess such public records shall petition the circuit court in the city or county in which the person holding such records resides or in which the materials in issue, or any part thereof, are located for the return of such records. The court shall order

such public records be delivered to the petitioner upon finding that the materials in issue are public records and that such public records are in the possession of a person not authorized by the custodian of the public records or by law to possess such public records. If the order of delivery does not receive compliance, the plaintiff shall request that the court enforce such order through its contempt power and procedures.

§ 42.1-90 Seizure of public records not in authorized possession

A. At any time after the filing of the petition set out in § 42.1-89 or contemporaneous with such filing, the person seeking the return of the public records may by ex parte petition request the judge or the court in which the action was filed to issue an order directed at the sheriff or other proper officer, as the case may be, commanding him to seize the materials which are the subject of the action and deliver the same to the court under the circumstances hereinafter set forth.

B. The judge aforesaid shall issue an order of seizure upon receipt of an affidavit from the petitioner which alleges that the material at issue may be sold, secreted, removed out of this Commonwealth or otherwise disposed of so as not to be forthcoming to answer the final judgment of the court respecting the same; or that such property may be destroyed or materially damaged or injured if permitted to remain out of the petitioner›s possession.

C. The aforementioned order of seizure shall issue without notice to the respondent and without the posting of any bond or other security by the petitioner.

§ 42.1-90.1 Auditing

The Librarian may, in his discretion, conduct an audit of the records management practices of any agency. Any agency subject to the audit shall cooperate and provide the Library with any records or assistance that it requests. The Librarian shall compile a written summary of the findings of the audit and any actions necessary to bring the agency into compliance with this chapter. The summary shall be a public record, and shall be made available to the agency subject to the audit, the Governor, and the chairmen of the House and Senate Committees on General Laws and the House Appropriations and Senate Finance Committees of the General Assembly.

Appendix A

Library of Virginia
Model Ordinance for A Locality Records Management Program

WHEREAS, the Virginia Public Records Act, Code of Virginia, Section 42.1-76 et seq., requires the City/County/Town of _____ to establish and maintain a program for the economical and efficient management of the records of its offices and departments, and

WHEREAS, the Virginia Public Records Act establishes a single body of law applicable to public officers and employees on the subject of public records management and preservation, and to ensure that the procedures used to manage and preserve public records will be uniform throughout the state, and

WHEREAS, the City/County/Town of _____ desires to adopt an ordinance to provide for an orderly and efficient system of records management on compliance with the provisions of the Virginia Public Records Act; NOW THEREFORE:

BE IT ORDAINED BY THE CITY/TOWN COUNCIL (or) BOARD OF SUPERVISORS OF _____

SECTION 1. DEFINITION OF CITY/COUNTY/TOWN RECORDS. All written books, papers, letters, documents, photographs, tapes, microfiche, photostats, sound recordings, maps, other documentary materials or information in any recording medium regardless of physical form or characteristics, including data processing devices and computers, made or received in pursuance of law or in connection with the transaction of public business by office or department of the City/County/Town government.

Nonrecord materials, meaning reference books and exhibit materials made or acquired and preserved solely for reference use or exhibition purposes, extra copies of documents preserved only for convenience or reference, and stocks of publications, shall not be included within the definition of City/County/Town records as used in this ordinance.

SECTION 2. CITY/COUNTY/TOWN RECORDS DECLARED PUBLIC PROPERTY. All City/County/Town records as defined in Section 1 of this ordinance are hereby declared to be the property of the City/County/Town of _____. No City/County/Town officials or employees have, by virtue of their position, any personal or property right to such records.

Any custodian of any public records shall, at the expiration of the term of office, appointment or employment, deliver to a successor, or if there be none, to the City/County/Town Records Manager, all books, writings, letters, documents, public records, or other information, recorded on any medium kept or received in the transaction of official business.

SECTION 3. CUSTODY AND PRESERVATION OF THE RECORDS OF THE GOVERNING BODY. The clerk to the local governing body shall retain the records of such body. The minutes of the meetings of the governing body shall be microfilmed for security purposes and the master microfilm copy shall be stored with the Library of Virginia.

SECTION 4. RECORDS MANAGEMENT PROGRAM ESTABLISHED; DUTY OF THE CITY/TOWN MANAGER, COUNTY ADMINISTRATOR. It is hereby declared to be the duty of the City/Town Manager, County Administrator, of the City/County/Town of _____ to develop a comprehensive records management program establishing procedures for the management of records from their creation to their ultimate disposition, to provide for the efficient and economical creation, distribution, maintenance, use, preservation and disposition of the City/County/Town records.

SECTION 5. POSITION OF RECORDS MANAGER ESTABLISHED; DUTIES OF THE RECORDS MANAGER. The City/Town Manager, County Administrator shall name a staff person to serve as City/County/Town Designated Records Manager. The Records Manager shall be responsible for implementing the records management program of the City/County/Town. The Records Manager shall implement the policies and procedures for a comprehensive records management program as approved by the City/Town Manager, County Administrator.

SECTION 6. RESPONSIBILITIES OF DEPARTMENT HEADS; RECORDS OFFICERS. It shall be the duty of all department heads to cooperate with the City/Town Manager, County Administrator, in implementing the provision of the records management ordinance. Nothing in this ordinance shall be construed to compel the removal of records from the custody of the department head when such records are deemed necessary in the performance of statutory duties.

Appendix B

Locality Retention Schedules

Under Code of Virginia **§ 42.1-85**, the Library of Virginia (LVA) has the authority to issue regulations governing the retention and disposition of state and local public records. In keeping with the Code's mandate, LVA has developed Records Retention & Disposition Schedules outlining the disposition of public records.

Under this policy, the LVA issues two types of schedules. General Schedules apply to the records of common functions performed by or for all localities and state agencies. Specific Schedules apply to records that are unique to an individual state agency. For a copy of your agency Specific Schedule, log into **Infolinx**.

Before a state agency or locality can destroy public records:

- A **records officer** for your organization must be designated in writing by completing and filing a Records Officer Designation and Responsibilities (RM-25 Form) with the Library of Virginia.
- Records to be destroyed must be covered by a Library of Virginia-approved General or Specific Records Retention & Disposition Schedule and the retention period for the records must have expired.
- All investigations, litigation, required audits, and Virginia Freedom of Information Act requests must be completed or fulfilled.
- The organization's designated records officer and an approving official must authorize records destruction by signing each **Certificate of Records Destruction (RM-3 Form)**.

When a new schedule is approved, it supersedes all previously issued versions of the schedule.

Searchable Database for Locality General Schedules

General Administration

GS-19, Administrative Records (Dec 2012)

GS-02, Fiscal Records (June 2014) ***Updated cutoff for Fixed Assets Files***

GS-16, General Services (Nov 2011)

GS-33, Information Technology (Mar 2009)

GS-03, Personnel Records (Aug 2012)

Local Departments

GS-31, Airports (Sep 2003)

GS-05, Assessment Records (Dec 2007)

GS-14, County and Municipal Attorneys (May 2010)

GS-06, Land Use, Land Development and Public Works (Oct 2013) ***Updates to citations and cut-off events***

GS-11, Parks and Recreation (Dec 2013) ***Complete revision; cemetery series combined and other updates***

GS-22, Public Library (April 2013)

GS-21, Public School (Dec 2012)

GS-07, Public Utilities (Nov 2011)

GS-32, Redevelopment and Housing Authority (July 2007)

GS-28, Treasurer (April 2013)

GS-01, Voter Registration and Elections (May 2010)

Human Services

GS-18, Community Services Board (CSB) (April 2013)

GS-15, Social Services (Feb 2012)

Judiciary

GS-12, Circuit Court (Nov 2011)

GS-13, Commonwealth's Attorney (June 2014) ***Complete revision***

GS-27, Court Appointed Special Advocate (CASA) (July 2009)

GS-26, Pretrial Services (Sep 2005)

Public Safety

GS-25, Community Corrections Act Program (Sep 2006)

GS-29, Criminal Justice Training Academy (Dec 2007)

GS-10, Fire and Rescue (Feb 2004)

GS-24, Juvenile Residential Services (Nov 2003)

GS-17, Law Enforcement (Oct 2013) ***Several updates, most notably the addition of 200163, 200164, 200186***

GS-08, Local and Regional Jails (Dec 2013) ***All law enforcement series moved to GS-17***

GS-30, Virginia Alcohol Safety Action Program (VASAP) (Feb 2013)

*** Recent updates are highlighted in bold ***

The links on this Library of Virginia page are at **http://www.lva.virginia.gov/agencies/records/sched_local/index.htm**

Appendix C

LIBRARY OF VIRGINIA
Records Analysis Section
800 E. Broad St., Richmond VA 23219
(804) 692-3600

CERTIFICATE OF RECORDS DESTRUCTION

(Form RM-3 January 2013)

This form documents the destruction of public records in accordance with the *Virginia Public Records Act*, §§ 42.1-76 through 42.1-91 of the *Code of Virginia*.

SUBMIT FILLABLE FORM WITH ORIGINAL SIGNATURES

1. Agency / Locality / Regional Entity	2. Division / Department / Section	3. Person Completing Form

4. Address, City, St, & Zip	5a. Telephone Number & Extension	5b. E-mail Address

6. Records to Be Destroyed

a) Schedule and Records Series Number	b) Records Series Title	c) Date Range (mo/yr)	d) Location	e) Volume	f) Destruction Method

DESTRUCTION APPROVALS

NOTE: Public records may not be destroyed without receiving prior authorization from the agency or locality Approving Official and Designated Records Officer.

We certify that the records listed above have been retained for the scheduled retention period, required audits have been completed, and no pending or ongoing litigation or investigation involving these records is known to exist.

7. Approving Official (Type)	Signature	Date
8. Designated Records Officer (Type)	Signature	Date
9. Records Destruction Affirmed By:	Signature	Date

(No attachments accepted with the original RM-3)

Instructions for Completing the Certificate of Records Destruction (RM-3 Form)

Updated: July 2013

The RM-3 documents that records were destroyed properly and in accordance with the *Virginia Public Records Act*.

Before a state agency, locality, or regional entity (hereafter referred to as "agency") can destroy public records:

- A Records Officer must be designated in writing for your agency or department by completing a *RECORDS OFFICER DESIGNATION AND RESPONSIBILITIES* (RM-25 FORM) and filing it with the Library of Virginia.
- Records to be destroyed must be covered by a Library of Virginia-approved general or agency-specific *RECORDS RETENTION AND DISPOSITION SCHEDULE*, and the retention period for the records must have expired.
- All investigations (including requests under the *Freedom of Information Act*), litigation, and required audits must be completed, as no record can be destroyed if it is subject to one of these actions.
- The organization's designated Records Officer and an Approving Official must authorize the destruction by signing each RM-3 form.

After public records have been destroyed:

- A responsible person must affirm that the records were destroyed by signing and dating line 9 of the form. This may be the agency staff member or representative of the company who destroyed the records or it may be an official of the agency affirming that they have the knowledge that the records have been destroyed. Either way, this is the final signature that certifies the records have **actually been destroyed**. No vendor certificates or other attachments (such as lists of records destroyed) will be accepted with the RM-3.
- A copy of the signed RM-3 form must be retained by the organization pursuant to GS-19 for localities or GS-101 for state agencies.
- The RM-3 form, with all original signatures, must be mailed to the Library of Virginia where it will be retained for fifty (50) years.

  Mail forms to:

  Library of Virginia
  Att: Patrice Morgan
  800 E. Broad Street
  Richmond VA 23219-8000

For additional information on records destruction refer to the *Virginia Public Records Management Manual* (Chap. 8).

Instructions:

1. Type the full name of agency, locality, or regional entity.
2. Type the name of division, department, and/or section.
3. Type the name of individual completing the form (to whom any questions about the form or records may be directed).
4. Type the mailing address of the agency.
5. Type the
   a) Telephone number of the person completing the form including direct extension, if applicable.
   b) E-mail address of the person completing the form.
6. Records to be destroyed:
   a) Type both the retention schedule and series numbers that apply to the records to be destroyed. ENTER ONLY ONE SERIES NUMBER PER LINE.
   b) Type the exact records series title as listed on the approved retention schedule. You may add detail to this title if it is important to identifying the records.
   c) Type the date range of the records to be destroyed, from oldest to most recent. Indicate starting month/year and ending month/year.
   d) Type the location where the records are stored (optional).
   e) Type the total volume for each series of records to be destroyed in cubic feet (cf). Refer to the Volume Equivalency Table to convert boxes, drawers, open shelves, or even "piles" of paper or microform records to their cubic-footage equivalents. If it is electronic records being destroyed, then enter the approximate size of the files in some form of byte (kilo-, mega, - giga-, etc.). If needed, please use two lines to report destruction of electronic and paper records from the same series.
   f) Type the method used to destroy the records, i.e., trash, recycle, shred, burn, pulp, electronically shred, degaussed, etc.
7. Type the name of the individual responsible for the records or the work that the records support; sign and date.
8. Type name; apply signature of Records Officer attesting that the form is accurate and complete, and the date signed.
9. Typed or printed name and signature of individual or company representative who affirms that the records have been destroyed and the date they were destroyed. Do not attach anything to the original sent to the Library of Virginia.

If multiple RM-3 forms are submitted, all three required signatures must be on each page.

Do not modify the RM-3 form or print double-sided.

For an **example** of a completed RM-3, please see the Completed Sample RM-3.

County of Clarke, Virginia
Department of Fire & Emergency Medical Services
101 Chalmers Ct., Suite B, Berryville, Virginia 22611
1-540-955-5113 **Fax: 540-955-5170**

To: Lora Walburn, Deputy Clerk
From: Frank Davis
Date: November 5, 2014

Fee for Service Update

We have received a copy of the City of Winchester/Frederick County contract for Fee for Service with Valley Health. The contract has been reviewed by Mike Legg and Clarke County is able to add on to the existing contract. A meeting with Valley Health is scheduled for November 13, 2014 at 3:00 PM.

MEMORANDUM

TO: Board of Supervisors

FR: Thomas Judge, Director of Joint Administrative Services

DT: 11/18/2014

RE: *November Finance*

1. **FY 15 Supplemental Appropriation Requests.** The Finance Committee recommends the following but requests that they be considered individually:

    a. *FY 14 School Operating Carryover.* The School Board requests that the Board of Supervisors appropriates $357,286 for the purposes attached. It would be necessary to hold a public hearing on the following action: *"Be it resolved that the School Capital Projects Fund budgeted expenditure and appropriations be increased $357,286, and the same appropriated, all for the purpose of funding a variety of capital projects needs including replacing HVAC equipment at Boyce Elementary, Strategic Planning, Food Service Equipment, and School Furniture."*

    b. *School Security Grant.* The School Board has made the following request: *"Be it resolved that budgeted expenditure and appropriation in the School Capital Projects Fund be increased $67,223, and that revenue from the Commonwealth be increased in the same amount, to be matched by a separate appropriation of local carryover in the amount of $16,806 (separately addressed under the School Carryover appropriation), of for the purpose of improving the security of Clarke County Public Schools."*

    c. *Parks Grounds Work.* Please find the attached documentation of a need at Parks and Recreation for servicing of damaged trees. *"Be it resolved that the Buildings and Grounds Maintenance budget for purchased services be increased in the amount of $1,695, the same appropriated, and the Designation for Government Savings reduced in the same amount, all for the purpose of preserving Leland Cypress trees."*

    d. *Clifton Road Fire Bills.* Please find attached two invoices totaling $2,138 resulting from the Clifton Road Fire. *"Be it resolved that that that budgeted expenditure and appropriations of the Fire Services function be increased $2,138, and the designation for government savings reduced in the same amount, all for the purpose of covering certain expenses of the Sheriff's department related to the Clifton Road fire".*

2. **FY 15 Transfers.** The Finance Committee recommends delaying the action "a" and approving action "b":
    a. *"Be it resolved that $70,820 be transferred from Emergency Medical Services to the newly created Fire Services account, representing the salary of the Director of Fire, Emergency Medical Services, and Emergency Management."*

    b. *"Be it resolved that $7,500 be transferred from Emergency Medical Services to Volunteer Fire Department to cover the cost of the ImageTrend Fire &Rescue data management program."*

3. **Travel Policy Revision.** The Joint Administrative Services Board and the Finance Committee recommend approval of the attached amendment to the Travel section of the Procurement Policy: *"Be it resolved that the Board of Supervisors affirms its support for the Travel Policy amendment adopted by the Joint Administrative Services Board."*

4. **Fund Balance Designations.** The Committee recommends the adjustments to the General Fund Balance designations attached.

5. **Bills and Claims.** The Board should consider acceptance of the October Bills and Claims.

6. **Standing Reports.** Capital Projects Status. Reconciliation of Appropriations. Expenditure Summary.

Finance Committee Report

October 15, 2014

FY 14 Carryover- $357,286

Proposed Expenditure	Amount	Notes
HVAC	$150,000	Replace Boyce Chiller and Boiler
Tractors and Trucks	$5,000	Maintenance vehicle replacement
Security Equipment Grant	$16,900	25% local match of equipment grant
Band Uniforms & Instruments	$10,000	Steel drum purchase needed for class taught by Mr. Curry during regular instructional day
Cooley Upper Landscape	$5,000	Re-establish the Cooley Upper garden
School Food Service	$20,000	Equipment replacement as needed
Strategic Planning	$20,000	Development of school division plan
Renovation/Design	$50,000	Berryville Primary planning
Radon Testing/Remediation	$17,450	Required testing/remediation if needed
Painting	$10,000	School painting
STEM equipment	$17,600	Support STEM education
School Signage	$5,000	Replace signs as needed
School Furniture	$30,336	Furniture replacement

Clarke County **tjudge@clarkecounty.gov**

Security Grant

From : Chuck Bishop <bishopc@clarke.k12.va.us> Thu, Sep 25, 2014 03:40 PM

Subject : Security Grant

To : Evan Robb <robbe@clarke.k12.va.us>, Nicole McGowan <mcgowann@clarke.k12.va.us>, Amy Angelo <angeloa@clarke.k12.va.us>

Cc : Randy Trenary <trenaryr@clarke.k12.va.us>, Ed Shewbridge <shewbridgee@clarke.k12.va.us>, Gary Lichliter <lichliterg@clarke.k12.va.us>, tjudge@clarkecounty.gov, Brenda Bennett <bbennett@clarkecounty.gov>

Good afternoon,

In late July, Randy and I submitted a School Security Grant request to the state. The grant allowed school divisions to request up to $100,000 for security equipment upgrades with a local match of 25%. Bricks and mortar improvements were not allowed as part of this request. For Boyce, Cooley Upper and JWMS, we requested a total of $89,000 which would allow us to obtain secure vestibule equipment, two way radios, visitor badge systems and security cameras (JWMS and Cooley Upper only).

I received notification today that our grant request has been approved for $67,223. Although our entire project wasn't approved, this money will allow us to make some improvements in those three buildings. Once we get the breakdown of dollars that were approved for each building, we will be ready to make some decisions about what equipment to buy.

Chuck

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

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MEMORANDUM

TO: Clarke County Finance Committee
FROM: Lisa Cooke
DATE: October 30, 2014
SUBJECT: Leyland Cyprus Trees at CCPR

As many of you are aware, bagworms are infesting the Leyland Cyprus trees at the Park. These trees were planted to provide a buffer between the Tomblin property and North American Breeders. Bobby has found a company that can save some of the trees and hopefully stop the spread of the bagworms for $1,695.

At this time, Bobby does not have the money in his budget to take on this project and I do not have a maintenance line item in my budget to cover such an expense, so I am asking you to look at this proposal and, if you agree it is worthwhile expense, supplement Bobby's park maintenance budget by the amount needed to complete this project. Of course, we will need to get two other bids so there is a possibility that the cost could come in a little less from another company. I am asking for your approval for this project now so that we can go ahead with the bid process and get the fall fertilization process done before winter sets in. Thank you for your consideration.

TRUGREEN COMMERCIAL

John Lynch

16112 Business Pkwy
Hagerstown, MD 21740
USA

(301) 573-6822

Customer Information

Bill To:

CLARKE COUNTY VA

129 RAMSBURG LA
BERRYVILLE, VA 22611

Service Location:

AL SMITH CIRCLE
BERRYVILLE, VA 22611
USA

Detail of Charges

Service Location	Line Item Description	Round #	Round Description*	Total Price
CLARKE COUNTY PARKS AND REC	Tree & Shrub Service	4	Reinforces Disease Suppression and attacks new insects (selective)	$525.00
CLARKE COUNTY PARKS AND REC	Tree & Shrub Service	5	Reinforces Disease Suppression and attacks new insects (selective)	$525.00
CLARKE COUNTY PARKS AND REC	Tree & Shrub Service	6	Root Zone Fertilization	$645.00

* Weather Permitting / As Needed

Subtotal	$1,695.00
Total Sales Tax Amount	$0.00
Grand Total	$1,695.00

@2014 TruGreen L.P. All Rights Reserved

RECEIVED OCT 15 2014

Clarke County Sheriff's Office

Anthony W. Roper, Sheriff
100 North Church Street
Berryville, VA 22611
540-955-5152 (Office)
540-955-1234 (24-hour Non-emergency Line)
540-955-4111 (Facsimile)

TRANSMITTAL

DATE: October 14, 2014

TO: David Ash
Joint Government Center

FROM: Janine Rose, Administrative Assistant

SUBJ: Clifton Road Fire Bills

COMMENTS:

The Sheriff requested I send you the enclosed bills. Please contact him at 540-955-5153 or troper@clarkecounty.gov should you need additional information or have any questions.

Independent Insurance Agent

BLUE RIDGE Insurance & Title AGENCY

CLARKE CO
SHERIFF'S OFF
OCT 20 2014 AM 10:18

October 9, 2014

Clarke County Sheriff's Office
Attn: Sheriff Roper
100 North Church Street
Berryville, VA 22611

Dear Officer Roper,

Enclosed are the invoices back from Broy & Sons and E.R. Neff. I sent them to the adjuster Bill Dooney with Harleysville. He said unfortunately the expense to search for bodies is not a covered expense under the homeowner's policy.

I am sorry we couldn't be any more help. If you have any other questions, please feel free to contact the office or the claim's adjuster directly. Bill Dooney's phone number is 610-353-5008.

Thank you,

Anne B. Smith

Anne B. Smith

110 S. Church St., P. O. Box 630, Berryville, VA 22611
(540) 955-1178 • FAX (540) 955-2345
www.blueridgeinsuranceagency.com

H1-239715

Clarke County Sheriff's Office

Anthony W. Roper, Sheriff
100 North Church Street
Berryville, VA 22611
540-955-5152 (Office)
540-955-1234 (24-hour Non-emergency Line)
540-955-4111 (Facsimile)

TRANSMITTAL

DATE: September 19, 2014

TO: Ann Smith
Blue Ridge Insurance
P.O. Box 630
Berryville, VA 22611

FROM: Janine Rose, Administrative Assistant

SUBJ: Clifton Road Fire

COMMENTS:

The Sheriff requested I send you the enclosed information. Please contact him at 540-955-5153 or troper@clarkecounty.gov should you need additional information or have any questions.

H7-232715

INVOICE

74493

E. R. NEFF EXCAVATING, INC.
P.O. Box 1027
STEPHENS CITY, VIRGINIA 22655

(540) 869-1010

RECEIVED SEP 30 2014

TO Attn: Frank Davis - Berryville Town Offices
101 Chalmers Court
Berryville, VA 22611

BILLING DATE September 30, 2014 JOB NO.

JOB NAME P. Jones, J. Jenkins Body Recovery

JOB LOCATION 723 Clifton Road, Berryville

DATE OF WORK	QUANTITY	DESCRIPTION	PRICE	AMOUNT
09/21/2014	Equipment & Transportation			$ 200 00
	4 1/2 hrs.	JD 135 Backhoe	220.00 hr.	990 00
	4 1/2 hrs.	Labor	35.00 hr.	157 50

RECEIVED BY

TOTAL $ 1,347 50

Thank You

ORIGINAL

H1-232715

RECEIVED OCT - 1 2014

Broy & Son
Pump Service, Inc.

10 South Buckmarsh Street • Berryville, Virginia 22611
Phone: 1-540-955-3928 Fax: 1-540-955-0475
Owners – Warren & Brad Broy
"24 Hour Service"

Job Ticket
No. 13537
Date 9-30-14

OWNER: MR MRS Clarke County Administration
ADDRESS: 101 Chalmers Ct. Suite B
Berryville VA. 22611
PHONE: Home _____ Work _____
FAX# Frank Davis- 955-5113

WELL HISTORY
LOCATION: _____ COUNTY _____
DEPTH: _____ ft. S.W.L. _____ ft. Casing _____ ft.
YIELD _____ gpm-encountered flow at _____
JOB COORDINATOR _____

☐ ESTIMATE ☐ SHOP WORK
☐ NEW INSTALLATION ☐ WARRANTY REPAIR
☐ MATERIAL RECEIVED ☒ SERVICE CALL

FURNISH & INSTALL THE FOLLOWING:
Frank Davis- said to send bill to this address
9-20-14- Assisted with moving debris and looking for bodies in Fire on Clifton Road - Jones Residence

_____ GPM @ _____ T.D.H.		MATERIALS USED		Moving Charge	150.00
PUMP		UF CABLE			
SPLICE		PRESSURE TANK			
TAPE		TANK TEE			
PUMP TEC		PRESS SWITCH			
SCH 80 PVC PIPE		PRESS GAUGE			
200 PSI POLY PIPE		RELIEF VALVE			
TORQUE ARRESTOR		BOILER DRAIN			
CABLE GUARDS		SCH 40 PVC PIPE			
CHECK VALVE		VALVES			
PUMP CABLE		BREAKERS OR FUSED DISCONNECT			
SS CLAMPS		CONTROL BOX			
PITLESS ADAPTER		COPPER PIPE			
WELL SEAL/CAP		FROST-PROOF HYDRANTS			

GENERATOR _____ HILTI DRILL _____
WELDER-ACETYLENE _____ BACK HOE 3 hrs @ 80.00/hr.
AIR COMPRESSOR _____ DUMP TRUCK _____
CRANE SERVICE _____ DOZER/LOADER _____
TRENCHER _____ LABOR _____

MATERIAL	
EQUIPMENT	790.00
LABOR	
TOTAL DUE	790.00

METHOD OF PAYMENT: ☐ CASH ☐ CHECK ☐ VISA ☐ MasterCard ☐ American Express

DATE						
MECHANIC						
MECHANIC						
MECHANIC						

STATE OF JOB AT THIS DATE _____

TERMS: PAYMENT ON COMPLETION, 2% PER MONTH SERVICE CHARGE WILL BE ADDED TO PAST DUE ACCOUNTS (24% PER ANNUM)

NOTICE ANY WORK OR MATERIALS ORDERED IN ADDITION WILL BE CHARGED EXTRA

NOTE ANY ROCK ENCOUNTERED, EXTRA CHARGE (NOT INCLUDED IN THIS PRICE SHEET)

IN THE EVENT OF NON PAYMENT, BUYER AGREES TO PAY ALL SERVICE CHARGES, ATTORNEYS FEES AND COURT COSTS ASSOCIATED WITH COLLECTION CONTRACTOR ALSO RESERVES THE RIGHT TO REMOVE ANY MATERIALS INSTALLED

CONTRACTOR _____ TAX I.D. # _____

OWNER _____ SOC. SEC. # _____

FUNCTION 03 - PUBLIC SAFETY

4031XXX LAW ENFORCEMENT AND TRAFFIC CONTROL - Includes expenditures for police activities within the locality. It includes, but is not limited to the control and investigation of crime, lock-up facilities, uniform policing and patrol, law enforcement training, records retention and identification, crime laboratory, custody of property, and support services such as automotive services, medical services, and administration. Expenditures for radio and communications are included under this activity, unless a material amount of radio and communication is used in another activity. In this case, costs should be allocated in a consistent and reasonable manner.

4031100 Police Department

4031200 SHERIFF - Includes the portion of expenditures in the Sheriff's Office relating to law enforcement. Expenditures in the Sheriff's Office for serving court papers or court security are reported under Courts. Expenditures for the jail are reported under Correction and Detention.

4031300 Traffic Control - Includes officers assigned to traffic control including school crossing guards. Traffic engineering expenditures (e.g., placement, installation and maintenance of traffic signs and lights) are reflected under Maintenance of Highways, Streets, Bridges and Sidewalks.

4031400 911 system – Maintaining a locality-wide emergency telephone system in the police department or by the Sheriff. Expenditures for E-911 Systems maintained in a separate Emergency Services department should be reflected under Other Protection.

4031500 Marine Life Enforcement - Includes the operation of marine patrol and marine life regulation of watercourses.

4031600 Ground Transportation Safety - Includes police traffic services, alcohol countermeasures, and driver improvement.

4031700 Virginia Alcohol Safety Action Program unless administered by the sheriff or the police department.

4031800 to 4031900 [Other - detail as desired]

4032XXX FIRE AND RESCUE SERVICES - Expenditures for fire fighting and fire prevention in the locality. Includes inspection of fire hazards, investigation of fire causes, fire prevention education, arson investigation, installation and maintenance of fire hydrants and fire

training (including maintenance of special training facilities). This activity also includes contributions or payments to other entities which provide fire protection, and expenditures for providing ambulance, rescue, and paramedic services.

4032100 Fire Department
4032200 Volunteer Fire Department
4032300 Ambulance and Rescue Services
4032400 to 4032900 [Other - detail as desired]

4033XXX CORRECTION AND DETENTION - Expenditures related to correction and detention facilities. Expenditures for each element are reported separately.

4033100 SHERIFF - Includes that portion of expenditures of the Sheriff for the maintenance and operation of the jail. (Expenditures of the Sheriff's Office related to serving papers or providing court security are charged to Courts. Law enforcement related expenditures are reflected in Law Enforcement and Traffic Control).

4033200 COUNTY/CITY OPERATED INSTITUTIONS - Includes the following institutions:

1. Jail - when the jail is operated by someone other than the Sheriff (serving in the capacity of a constitutional officer). Lock-up facilities are charged to Law Enforcement and Traffic Control.
2. County and City Jail Farms.
3. Juvenile Detention Homes.
4. Group Homes.
5. Regional Jails.

4033300 PROBATION OFFICE - Includes the Juvenile Court Services Unit which is responsible for the supervision of juveniles placed on probation or parole.

4033400 OTHER CORRECTION & DETENTION - Includes community diversion programs.

4033500 to 4033900 [Other - detail as desired]

4034XXX INSPECTIONS - Expenditures for making protective inspections other than for health or fire.

4034100 Building Structure
4034200 Building Components
- 4034210 Plumbing
- 4034220 Electrical
- 4034230 Heating and Air Conditioning
- 4034240 Elevator

IMAGETREND INC.
20855 Kensington BLVD.
Lakeville, MN 55044
952-469-1589
invoices@imagetrend.com

Invoice

Invoice 30896
Date 09/30/14

Bill To:

Jason Burns
Clarke County
524 Westwood Road
Berryville, VA 22611

Sales Order	P.O. Number	Terms
13614	07898	Net 30 Days

Items:	Description:	Amount
Rescue Bridge: SaaS	*Annual Fee (2500 runs @ $2.00/run) - Year 2 and thereafter*	$5,000.00
Rescue Bridge: CAD Integrations SaaS	*Annual Fee - Year 2 and thereafter*	$2,500.00
	Total:	$7,500.00

Make all checks payable to ImageTrend, Inc.
Please reference Invoice #30896 on your check.

THANK YOU FOR YOUR BUSINESS!

CLARKE COUNTY DEPARTMENT OF JOINT ADMINISTRATIVE SERVICES

PURCHASING DEPARTMENT

PROCUREMENT POLICIES AND PROCEDURES

CLARKE COUNTY PURCHASING DEPARTMENT

129 RAMSBURG LANE

BERRYVILLE, VA 22611

ADOPTED: MARCH 22, 2010
REVISED: ~~MAY 24, 2010~~
REVISED: NOVEMBER 1, 2010

ARTICLE 19: TRAVEL, MEAL, AND MILEAGE REIMBURSEMENTS

SUMMARY

- DEPENDING ON THE EXPECTED COST OF THE TRIP, THE EMPLOYEE MUST HAVE ACCOUNT MANAGER OR EXECUTIVE APPROVAL BEFORE DEPARTING.
- SUMMARY OF TRAVEL EXPENSES THAT ARE ELIGIBLE OR UNELIGIBLE FOR REIMBURSEMENT
- PROCEDURE FOR REQUESTING REIMBURSEMENT FOR MILEAGE, MEALS, AND PUBLIC TRANSPORTATION

19.1. Planning for Travel. The County will reimburse employees traveling on official County business for reasonable and necessary expenses involved. Travel expenses are open to the public and must be able to sustain the test of public review. When planning and paying for travel, economy, discretion, and necessity are of special importance. The use of County funds to accommodate personal comfort, convenience, and taste is not permitted.

Travelers must keep receipts and accurate records of all expenses to ensure correct reporting and submission of travel reimbursements.

The County will not act as a fiscal agent for expenses incurred by family members traveling with employees.

19.2 Travel Requisition. All travel requires the completion of a Travel Requisition Form for pre approval of the expense. ~~.~~ Minor travel is travel clearly totaling $800 or less for all expenses, and which includes ~~no~~ lodging ~~or~~ and fare expense. Major travel is travel likely to cost more than $800, or which includes lodging or fare expense. An Account Manager must approve minor travel and an Executive must approve major travel in advance using a travel requisition form as included in Appendix A. ~~An Executive must approve major travel in advance.~~

The Requisition shall include a reason for the travel, a hard-copy confirmation of any and all hotel and airline expenses. The Requisition shall also include an estimate of meal expenses, air fare, rental car, lodging, conference/seminar registrations, and any other travel costs.

19.2.1 Advance Payments. Advance payments for direct-billed hotel/motel expenses are discouraged. Use of a Company~~unty~~ Credit Card is encouraged to secure room confirmations. Actual advance payments for travel will not be reimbursed prior to the trip.

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19.3. Meal Expenses. ~~Generally, meals that do not involve an overnight stay are not reimbursable. When staying overnight, the employee is permitted to request reimbursement for meals and incidental expenses incurred during the trip.~~ Employees will be compensated at cost for meals consumed during official travel as indicated in Figure A below with proper documentation. Proper documentation includes an itemized receipt and approved travel requisition form included in APPENDIX A. An employee will be reimbursed for actual costs associated with meals, tips, and incidental expenses not to exceed the per diem rates as set below divided into two tier levels. Travel areas not covered in the table below are at the discretion of the Account Manager or will be assumed as Tier I if not documented otherwise. If a meal is provided as part of the event being attended, then that portion of the meal will be deducted from the total rate amount allowable for the day. For example, if the conference provides

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VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
Fiscal Year: 2015						
EXPENDITURES						
DEFINITION TYPE 0						
100-000-11010-3600	ADVERTISING					
VENDOR:	WINCHESTER STAR					
1	OCTOBER	165118-9/30/14	PUBLIC HEARING OCT 21	6678	10/15/2014	$ 457.60
100-000-11010-5210	POSTAL SERVICES					
VENDOR:	PURCHASE POWER					
1	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 27.96
100-000-11010-5230	TELECOMMUNICATIONS					
VENDOR:	TREASURER OF VIRGINIA					
4	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 2.07
100-000-11010-5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS					
VENDOR:	MATTHEW BENDER & CO., INC.					
1	OCTOBER	63309297	VA ADMIN LAW APPDX	6636	10/15/2014	$ 45.08
1	OCTOBER	63647133	VA CODE 2014	6636	10/15/2014	$ 198.31
	Total for 100-000-11010-5810					$ 243.39
100-000-11010-6001	OFFICE SUPPLIES					
VENDOR:	COMMERCIAL PRESS					
1	OCTOBER	112858	SELF INKING STAMP	6615	10/15/2014	$ 35.55
100-000-12110-5210	POSTAL SERVICES					
VENDOR:	PURCHASE POWER					
2	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 4.64
100-000-12110-5230	TELECOMMUNICATIONS					
VENDOR:	AT&T MOBILITY					
1	OCTOBER	X10012014	GOVT ADMINISTRATOR	80742	10/15/2014	$ 47.29
VENDOR:	TREASURER OF VIRGINIA					
11	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 6.27
VENDOR:	VERIZON					
1	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 9.96
	Total for 100-000-12110-5230					$ 63.52
100-000-12110-6008	VEHICLE AND EQUIPMENT FUEL					
VENDOR:	MANSFIELD OIL COMPANY					
3	OCTOBER	SQLCD/00090916	09/16-09/30	6640	10/15/2014	$ 28.76
3	OCTOBER	SQLCD/00092172	10/01-10/15	6721	10/31/2014	$ 35.59
	Total for 100-000-12110-6008					$ 64.35
100-000-12210-3100	PROFESSIONAL SERVICES					
VENDOR:	HALL, MONAHAN, ENGLE, MAHAN & MITCHELL					
3	OCTOBER	10012014	LEGAL SERVICES SEPT 2014	6626	10/15/2014	$ 746.00
1	OCTOBER	10072014	COMCAST FRANCHISE	6626	10/15/2014	$ 58.00
	Total for 100-000-12210-3100					$ 804.00
100-000-12310-3100	PROFESSIONAL SERVICES					
VENDOR:	CINTAS CORP.					

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
1	OCTOBER	8401215929	SERVICES	6614	10/15/2014	$ 23.59
1	OCTOBER	8401446044	SERVICES	6614	10/15/2014	$ 23.59
	Total for 100-000-12310-3100					$ 47.18
100-000-12310-5210 POSTAL SERVICES						
VENDOR: PURCHASE POWER						
3	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 382.63
100-000-12310-5230 TELECOMMUNICATIONS						
VENDOR: TREASURER OF VIRGINIA						
9	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 6.92
VENDOR: VERIZON						
2	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 6.64
	Total for 100-000-12310-5230					$ 13.56
100-000-12310-5540 TRAVEL CONVENTION & EDUCATION						
VENDOR: PEAKE, DONNA						
1	OCTOBER	PEAKE10132014	MILEAGE ROLES & RESPOND CL	6651	10/15/2014	$ 282.50
2	OCTOBER	PEAKE10132014	MEALS ROLES & RESPOND CLAS	6651	10/15/2014	$ 48.21
3	OCTOBER	PEAKE10132014	HOTEL ROLES & RESPOND CLAS	6651	10/15/2014	$ 240.36
VENDOR: UNIVERSITY OF VIRGINIA						
1	OCTOBER	CERT21396	CERTIFICATION FEE D. PEAKE	80928	10/31/2014	$ 75.00
	Total for 100-000-12310-5540					$ 646.07
100-000-12410-3100 PROFESSIONAL SERVICES						
VENDOR: CINTAS CORP.						
1	OCTOBER	8401531254	SERVICE	6614	10/15/2014	$ 23.59
100-000-12410-3190 DMV STOP FEES						
VENDOR: DMV						
1	OCTOBER	14273413	STOP PAYMENT FEE	80752	10/15/2014	$ 60.00
100-000-12410-5210 POSTAL SERVICES						
VENDOR: BMS DIRECT						
1	OCTOBER	91836P	REAL ESTATE 2ND HALF 2014	6608	10/15/2014	$ 2,793.00
1	OCTOBER	92194	PP SUPPLEMENTAL BILLS 2014	6688	10/31/2014	$ 630.00
VENDOR: M & W PRINTERS, INC-A BMS DIRECT CO						
1	OCTOBER	91838P	PERSONAL PROPERTY 2ND HALF	6637	10/15/2014	$ 3,780.00
VENDOR: PURCHASE POWER						
4	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 236.70
5	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 6.72
	Total for 100-000-12410-5210					$ 7,446.42
100-000-12410-5230 TELECOMMUNICATIONS						
VENDOR: TREASURER OF VIRGINIA						
25	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 3.55
VENDOR: VERIZON						
3	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 3.32
	Total for 100-000-12410-5230					$ 6.87
100-000-12410-5510 TRAVEL MILEAGE						
VENDOR: KEELER, SHARON E.						
2	OCTOBER	KEELER09302014	BANKRUPTCY CLASS VERONA MI	6634	10/15/2014	$ 114.24

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
100-000-12410-5540	TRAVEL CONVENTION & EDUCATION					
VENDOR: KEELER, SHARON E.						
1	OCTOBER	KEELER09302014	BANKRUPTCY CLASS VERONA HO	6634	10/15/2014	$ 366.20
VENDOR: UNIVERSITY OF VIRGINIA						
1	OCTOBER	21395	TAV FALL DISTRIC MEETING S	80928	10/31/2014	$ 70.00
	Total for 100-000-12410-5540					$ 436.20
100-000-12410-6001	OFFICE SUPPLIES					
VENDOR: COMMERCIAL PRESS						
1	OCTOBER	113065	RECEIPTS	6693	10/31/2014	$ 63.50
VENDOR: PITNEY BOWES INC						
1	OCTOBER	5502579808	TAPE STRIPS	80899	10/31/2014	$ 24.27
	Total for 100-000-12410-6001					$ 87.77
100-000-12510-3100	PROFESSIONAL SERVICES					
VENDOR: MATSCH SYSTEMS						
1	OCTOBER	2150	NOVEMBER 2014	6642	10/15/2014	$ 200.00
100-000-12510-3320	MAINTENANCE SERVICE CONTRACT					
VENDOR: AVAYA, INC.						
1	OCTOBER	2733229601	08/20 - 09/19	6602	10/15/2014	$ 1,249.22
1	OCTOBER	2733256829	09/20 - 10/19	6602	10/15/2014	$ 1,249.22
VENDOR: BB&T FINANCIAL, FSB						
5	OCTOBER	3396-10/09/2014	CHRONOEND	80848	10/31/2014	$ 25.00
	Total for 100-000-12510-3320					$ 2,523.44
100-000-12510-5210	POSTAL SERVICES					
VENDOR: BB&T FINANCIAL, FSB						
1	OCTOBER	3396-10/09/2014	UPS	80848	10/31/2014	$ 7.17
100-000-12510-5230	TELECOMMUNICATIONS					
VENDOR: AT&T MOBILITY						
8	OCTOBER	X10012014	GOVERNMENT I.T.	80742	10/15/2014	$ 114.58
VENDOR: COMCAST						
1	OCTOBER	31879714	10/01-10/31	80857	10/31/2014	$ 850.00
VENDOR: TREASURER OF VIRGINIA						
16	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 841.12
VENDOR: VERIZON						
4	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 179.91
1	OCTOBER	9950007176-0914	SEPT 25-OCT 24	80813	10/15/2014	$ 219.99
	Total for 100-000-12510-5230					$ 2,205.60
100-000-12510-6001	OFFICE SUPPLIES					
VENDOR: BB&T FINANCIAL, FSB						
10	OCTOBER	3396-10/09/2014	PROVANTAGE	80848	10/31/2014	$ 152.02
11	OCTOBER	3396-10/09/2014	PRECISION ROLLER	80848	10/31/2014	$ 164.70
	Total for 100-000-12510-6001					$ 316.72
100-000-12510-8207	EDP EQUIPMENT ADDITIONS					
VENDOR: BB&T FINANCIAL, FSB						
2	OCTOBER	0350-10/09/2014	METROLINE DIRECT	80848	10/31/2014	$ 1,899.90

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
6	OCTOBER	3396-10/09/2014	NEW EGG	80848	10/31/2014	$ 39.99
VENDOR: DALY COMPUTERS, INC.						
1	OCTOBER	PSI0983323	INTERNET COMM	6697	10/31/2014	$ 160.00
VENDOR: NACR						
1	OCTOBER	IE328650	PAGING	80891	10/31/2014	$ 422.10
Total for 100-000-12510-8207						$ 2,521.99
100-000-13100-5210 POSTAL SERVICES						
VENDOR: PURCHASE POWER						
7	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 1,294.48
100-000-13200-5230 TELECOMMUNICATIONS						
VENDOR: AT&T MOBILITY						
10	OCTOBER	X10012014	REGISTRAR	80742	10/15/2014	$ 57.29
VENDOR: TREASURER OF VIRGINIA						
22	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 3.42
VENDOR: VERIZON						
5	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 3.32
Total for 100-000-13200-5230						$ 64.03
100-000-13200-6001 OFFICE SUPPLIES						
VENDOR: COMMERCIAL PRESS						
1	OCTOBER	113007	PLATE DATER	6693	10/31/2014	$ 42.00
100-000-21100-5841 COMPENSATION OF JURORS						
VENDOR: ALGER, JANET						
1	OCTOBER	JURYDUTY100214	JURY DUTY 10/20/14	80823	10/31/2014	$ 30.00
VENDOR: PHILIP R. BUTTERFASS						
1	OCTOBER	JURYDUTY100214	JURY DUTY 10/20/14	80851	10/31/2014	$ 30.00
VENDOR: DUVALL, DONALD						
1	OCTOBER	JURYDUTY100214	JURY DUTY 10/20/14	80863	10/31/2014	$ 30.00
VENDOR: JESSICA R. LOY						
1	OCTOBER	JURYDUTY100214	JURY DUTY 10/20/14	80880	10/31/2014	$ 30.00
VENDOR: MCBRIDE, WILLIAM S.						
1	OCTOBER	JURYDUTY100214	JURY DUTY 10/20/14	80884	10/31/2014	$ 30.00
VENDOR: SOWDER, DONNA E.						
1	OCTOBER	JURYDUTY100214	JURY DUTY 10/20/14	80918	10/31/2014	$ 30.00
Total for 100-000-21100-5841						$ 180.00
100-000-21200-3320 MAINTENANCE SERVICE CONTRACT						
VENDOR: RICOH USA INC						
1	OCTOBER	5032947990	07/16-10/15	80906	10/31/2014	$ 91.38
100-000-21200-5230 TELECOMMUNICATIONS						
VENDOR: TREASURER OF VIRGINIA						
15	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 116.20
VENDOR: VERIZON						
1	OCTOBER	25726015-0914	PHONE 10/01-10/31	80930	10/31/2014	$ 130.48
6	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 42.43
Total for 100-000-21200-5230						$ 289.11

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
100-000-21500-5230	TELECOMMUNICATIONS					
VENDOR: TREASURER OF VIRGINIA						
17	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 8.38
VENDOR: VERIZON						
7	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 41.11
Total for 100-000-21500-5230						$ 49.49
100-000-21600-3320	MAINTENANCE SERVICE CONTRACT					
VENDOR: CANON SOLUTIONS AMERICA, INC.						
1	OCTOBER	4014059866	10/01 - 10/31	80773	10/15/2014	$ 267.30
100-000-21600-3510	MICROFILMING					
VENDOR: LOGAN SYSTEMS, INC						
1	OCTOBER	45977	COMPUTER INDEXING	6720	10/31/2014	$ 435.84
100-000-21600-5210	POSTAL SERVICES					
VENDOR: PURCHASE POWER						
8	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 262.60
100-000-21600-5230	TELECOMMUNICATIONS					
VENDOR: TREASURER OF VIRGINIA						
8	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 6.20
VENDOR: VERIZON						
8	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 70.46
Total for 100-000-21600-5230						$ 76.66
100-000-21600-6001	OFFICE SUPPLIES					
VENDOR: B-K OFFICE SUPPLY, INC.						
1	OCTOBER	82724-3	MACHINE INK	6603	10/15/2014	$ 11.80
VENDOR: MATTHEW BENDER & CO., INC.						
1	OCTOBER	63944251	VA MODEL JURY INST CRIM	6636	10/15/2014	$ 261.10
Total for 100-000-21600-6001						$ 272.90
100-000-21900-5230	TELECOMMUNICATIONS					
VENDOR: TREASURER OF VIRGINIA						
26	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 14.08
VENDOR: VERIZON						
9	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 3.32
Total for 100-000-21900-5230						$ 17.40
100-000-22100-5210	POSTAL SERVICES					
VENDOR: POSTMASTER						
1	OCTOBER	STAMPS10102014	STAMPS POSTAGE	80902	10/31/2014	$ 150.00
100-000-22100-5230	TELECOMMUNICATIONS					
VENDOR: AT&T MOBILITY						
13	OCTOBER	X10012014	COMMONWEALTH'S ATTORNEY	80742	10/15/2014	$ 189.16
VENDOR: TREASURER OF VIRGINIA						
10	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 9.60
VENDOR: VERIZON						
10	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 9.96

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
	Total for 100-000-22100-5230					$ 208.72
100-000-22100-6001	OFFICE SUPPLIES					
VENDOR:	COMMERCIAL PRESS					
1	OCTOBER	113050	LETTERHEAD	6693	10/31/2014	$ 147.20
VENDOR:	SUZANNE MACKALL					
1	OCTOBER	2646	FOAM BOARD	6638	10/15/2014	$ 71.44
	Total for 100-000-22100-6001					$ 218.64
100-000-31200-3100	PROFESSIONAL SERVICES					
VENDOR:	KUSTOM SIGNALS INC					
1	OCTOBER	504795	PRO LASER REPAIR	6719	10/31/2014	$ 370.49
VENDOR:	TREASURER OF VIRGINIA					
1	OCTOBER	241890	CALIBRATION FEES	80926	10/31/2014	$ 32.48
	Total for 100-000-31200-3100					$ 402.97
100-000-31200-3310	REPAIR & MAINTENANCE					
VENDOR:	BB&T FINANCIAL, FSB					
4	OCTOBER	1877-10/09/2014	INTERSTATE TRANSMISSION	80848	10/31/2014	$ 455.00
VENDOR:	BERRYVILLE AUTO PARTS INC					
2	OCTOBER	5370-87865	LABOR	6604	10/15/2014	$ 15.00
2	OCTOBER	5370-87866	LABOR	6604	10/15/2014	$ 120.00
2	OCTOBER	5370-88073	LABOR	6604	10/15/2014	$ 40.00
2	OCTOBER	5370-88201	LABOR	6604	10/15/2014	$ 122.00
2	OCTOBER	5370-88202	LABOR	6604	10/15/2014	$ 20.00
2	OCTOBER	5370-88203	LABOR	6604	10/15/2014	$ 75.00
2	OCTOBER	5370-88205	LABOR	6604	10/15/2014	$ 50.00
2	OCTOBER	5370-88309	LABOR	6685	10/31/2014	$ 20.00
2	OCTOBER	5370-88399	LABOR	6685	10/31/2014	$ 95.00
2	OCTOBER	5370-88401	LABOR	6685	10/31/2014	$ 200.00
2	OCTOBER	5370-88513	LABOR	6685	10/31/2014	$ 260.00
2	OCTOBER	5370-88526	LABOR	6685	10/31/2014	$ 40.00
2	OCTOBER	5370-88527	LABOR	6685	10/31/2014	$ 15.00
2	OCTOBER	5370-88581	LABOR	6685	10/31/2014	$ 15.00
VENDOR:	BODY WORKS OF BERRYVILLE, INC.					
2	OCTOBER	8737	DEPUTY VEHICLE FIX	6689	10/31/2014	$ 1,154.40
VENDOR:	BROY'S CAR WASH					
1	OCTOBER	09292014	CAR WASH	6610	10/15/2014	$ 129.50
VENDOR:	SHERIFF, PETTY CASH					
1	OCTOBER	10012014	CAR WASH	80791	10/15/2014	$ 20.00
	Total for 100-000-31200-3310					$ 2,845.90
100-000-31200-5210	POSTAL SERVICES					
VENDOR:	BB&T FINANCIAL, FSB					
2	OCTOBER	6558-10/09/14	USPS	80848	10/31/2014	$ 7.40
4	OCTOBER	6558-10/09/14	USPS	80848	10/31/2014	$ 10.12
1	OCTOBER	6632-10/09/14	USPS	80848	10/31/2014	$ 9.94
VENDOR:	BERRYVILLE AUTO PARTS INC					
1	OCTOBER	1Z0A87980300092	PACKAGE	6604	10/15/2014	$ 16.68
VENDOR:	SHERIFF, PETTY CASH					
2	OCTOBER	10012014	POSTAL SERVICES	80791	10/15/2014	$ 9.08
	Total for 100-000-31200-5210					$ 53.22
100-000-31200-5230	TELECOMMUNICATIONS					

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
VENDOR:	AT&T MOBILITY					
6	OCTOBER	X10012014	SHERIFF'S OFFICE	80742	10/15/2014 $	1,205.00
VENDOR:	BB&T FINANCIAL, FSB					
5	OCTOBER	3396-10/09CORRE	UNDO - CHANGE TO 231/740	80848	10/31/2014 $	244.80
VENDOR:	TREASURER OF VIRGINIA					
23	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014 $	21.03
VENDOR:	VERIZON					
11	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014 $	127.27
	Total for 100-000-31200-5230				$	1,598.10
100-000-31200-5530	TRAVEL SUBSISTANCE & LODGING					
VENDOR:	BB&T FINANCIAL, FSB					
1	OCTOBER	6608-10/09/14	TEXAS ROADHOUSE RICHMOND V	80848	10/31/2014 $	25.00
2	OCTOBER	6608-10/09/14	MI HACIENDA MEXICAN RICHMO	80848	10/31/2014 $	10.36
3	OCTOBER	6608-10/09/14	FAMOUS DAVE'S RICHMOND VA	80848	10/31/2014 $	20.00
4	OCTOBER	6608-10/09/14	THE OLIVE GARDEN RICHMOND	80848	10/31/2014 $	12.00
5	OCTOBER	6608-10/09/14	HIRO SUSHI RICHMOND VA	80848	10/31/2014 $	40.00
6	OCTOBER	6608-10/09/14	CAPAIN D'S RICHMOND VA	80848	10/31/2014 $	8.19
7	OCTOBER	6608-10/09/14	HARDEES RICHMOND VA	80848	10/31/2014 $	7.36
8	OCTOBER	6608-10/09/14	MRS ROWES FAMILY REST STAU	80848	10/31/2014 $	11.75
9	OCTOBER	6608-10/09/14	DOUBLETREE RICHMOND VA	80848	10/31/2014 $	491.20
10	OCTOBER	6608-10/09/14	WILD DUNES RESORT LODGING	80848	10/31/2014 $	99.00-
7	OCTOBER	6640-10/09/14	WENDY'S FAIRMONT WV	80848	10/31/2014 $	21.79
8	OCTOBER	6640-10/09/14	DOUBLETREE LODGING MEALS R	80848	10/31/2014 $	15.37
9	OCTOBER	6640-10/09/14	DOUBLETREE LODGING RICHMON	80848	10/31/2014 $	230.21
1	OCTOBER	6640-10/09/2014	OUTBACK COLUMBIA SC	80848	10/31/2014 $	20.34
VENDOR:	SHERIFF, PETTY CASH					
3	OCTOBER	10012014	MEALS	80791	10/15/2014 $	54.80
	Total for 100-000-31200-5530				$	869.37
100-000-31200-5800	MISCELLANEOUS CHARGES					
VENDOR:	BB&T FINANCIAL, FSB					
2	OCTOBER	1877-10/09/2014	MERCHANT CREDIT TO BE DEBI	80848	10/31/2014 $	63.97-
3	OCTOBER	1877-10/09/2014	MERCHANT CREDIT TO BE DEBI	80848	10/31/2014 $	63.97-
7	OCTOBER	1877-10/09/2014	DMV	80848	10/31/2014 $	5.00
	Total for 100-000-31200-5800				$	122.94-
100-000-31200-5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS					
VENDOR:	BB&T FINANCIAL, FSB					
8	OCTOBER	3396-10/09/2014	DUO SECURITY	80848	10/31/2014 $	510.00
9	OCTOBER	3396-10/09/2014	DUO SECURITY	80848	10/31/2014 $	360.00
1	OCTOBER	3396-10/09CORRE	UNDO	80848	10/31/2014 $	510.00-
4	OCTOBER	3396-10/09CORRE	UNDO - CHANGE TO 231/740	80848	10/31/2014 $	360.00-
VENDOR:	VIRGINIA SHERIFFS' ASSOC					
1	OCTOBER	01201527	VIRGINIA SHERIFFS' ASSOC.	80934	10/31/2014 $	1,395.00
	Total for 100-000-31200-5810				$	1,395.00
100-000-31200-6001	OFFICE SUPPLIES					
VENDOR:	BB&T FINANCIAL, FSB					
8	OCTOBER	1877-10/09/2014	FAMILY DOLLAR	80848	10/31/2014 $	13.95
9	OCTOBER	1877-10/09/2014	FOOD LION	80848	10/31/2014 $	16.82
10	OCTOBER	1877-10/09/2014	WALMART	80848	10/31/2014 $	31.46
11	OCTOBER	1877-10/09/2014	LOWE'S	80848	10/31/2014 $	19.56
2	OCTOBER	6632-10/09/14	HR DIRECT	80848	10/31/2014 $	350.79
VENDOR:	DEHAVEN BERKELEY SPRINGS WATER CORP.					
1	OCTOBER	RT03-002772	WATER	80750	10/15/2014 $	30.80

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
	Total for 100-000-31200-6001					$ 463.38
100-000-31200-6007	REPAIR AND MAINTENANCE SUPPLIES					
VENDOR:	BB&T FINANCIAL, FSB					
5	OCTOBER	1877-10/09/2014	INTERSTATE TRANSMISSION	80848	10/31/2014	$ 128.75
6	OCTOBER	1877-10/09/2014	INTERSTATE TRANSMISSION	80848	10/31/2014	$ 9.10
VENDOR:	BERRYVILLE AUTO PARTS INC					
1	OCTOBER	5370-87865	OIL/WASHER FLUID/FILTER	6604	10/15/2014	$ 22.12
1	OCTOBER	5370-87866	FILTER/OIL/MERCON LV ATF	6604	10/15/2014	$ 33.60
1	OCTOBER	5370-87989	LAMP	6604	10/15/2014	$ 1.25
1	OCTOBER	5370-88073	OIL/FILTER/WASHER FLUID	6604	10/15/2014	$ 21.77
1	OCTOBER	5370-88201	HUB ASSEMBLY/AIR FILTER/OI	6604	10/15/2014	$ 172.51
1	OCTOBER	5370-88202	BATTERY	6604	10/15/2014	$ 114.18
1	OCTOBER	5370-88203	TT .453	6604	10/15/2014	$ 4.00
1	OCTOBER	5370-88205	SENSOR	6604	10/15/2014	$ 82.00
1	OCTOBER	5370-88309	BATTERY	6685	10/31/2014	$ 108.00
1	OCTOBER	5370-88399	OIL/FILTER/WASHER FLUID/BR	6685	10/31/2014	$ 104.03
1	OCTOBER	5370-88401	FUEL FILTER/CLAMPS/FUEL LI	6685	10/31/2014	$ 186.02
1	OCTOBER	5370-88513	OIL FILTER/WASHER FLUID/FU	6685	10/31/2014	$ 256.73
1	OCTOBER	5370-88526	OIL/FILTER	6685	10/31/2014	$ 24.10
1	OCTOBER	5370-88527	OIL/FILTER	6685	10/31/2014	$ 23.26
1	OCTOBER	5370-88539	WIPER BLADES	6685	10/31/2014	$ 36.88
1	OCTOBER	5370-88581	SUPPLY	6685	10/31/2014	$ 3.00
VENDOR:	BODY WORKS OF BERRYVILLE, INC.					
1	OCTOBER	8737	DEPUTY VEHICLE FIX	6689	10/31/2014	$ 564.57
VENDOR:	SIGNS @ WORK					
1	OCTOBER	2887	DECAL	80916	10/31/2014	$ 350.00
VENDOR:	TIRE WORLD					
1	OCTOBER	3032763	TIRES	80922	10/31/2014	$ 121.73
VENDOR:	TRI-STATE NISSAN					
1	OCTOBER	153585	REPAIR RADIATOR/FLUSHED CO	80804	10/15/2014	$ 2,500.00
	Total for 100-000-31200-6007					$ 4,867.60
100-000-31200-6008	VEHICLE AND EQUIPMENT FUEL					
VENDOR:	MANSFIELD OIL COMPANY					
1	OCTOBER	SQLCD/00090957	09/16-09/30	6640	10/15/2014	$ 3,147.57
VENDOR:	SHERIFF, PETTY CASH					
4	OCTOBER	10012014	GAS	80791	10/15/2014	$ 45.00
	Total for 100-000-31200-6008					$ 3,192.57
100-000-31200-6010	POLICE SUPPLIES					
VENDOR:	ATLANTIC TACTICAL					
1	OCTOBER	SI-80490957	CARBOARD TARGET	6601	10/15/2014	$ 399.00
100-000-31200-6011	UNIFORM AND WEARING APPAREL					
VENDOR:	BB&T FINANCIAL, FSB					
12	OCTOBER	1877-10/09/2014	NORTON EMBROIDERY	80848	10/31/2014	$ 86.00
VENDOR:	BEST UNIFORMS, INC.					
1	OCTOBER	352080	SHIRT/PANTS/TIE POLY CLI	6606	10/15/2014	$ 50.00
1	OCTOBER	352207	PATCH	6687	10/31/2014	$ 298.00
VENDOR:	CHIEF SUPPLY CORP					
1	OCTOBER	131714	SAFETY VEST	80744	10/15/2014	$ 26.59
1	OCTOBER	131715	CUFF CASE/DONIC DEFENDER E	80744	10/15/2014	$ 22.48
1	OCTOBER	132682	CUFF CASE	80744	10/15/2014	$ 32.18
VENDOR:	SHERIFF, PETTY CASH					
5	OCTOBER	10012014	DRY CLEANING	80791	10/15/2014	$ 27.80

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
		Total for 100-000-31200-6011				$ 543.05
100-000-31200-6017	SUPPLIES - AMMUNITION					
VENDOR: ATLANTIC TACTICAL						
1	OCTOBER	SI-80489595	FLAT NOSE CASE	6601	10/15/2014	$ 120.35
100-000-32100-5230	TELECOMMUNICATIONS					
VENDOR: TREASURER OF VIRGINIA						
12	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 3.23
VENDOR: VERIZON						
12	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 40.23
		Total for 100-000-32100-5230				$ 43.46
100-000-32100-6001	OFFICE SUPPLIES					
VENDOR: COMMERCIAL PRESS						
1	OCTOBER	112844	BUSINESS CARDS	6615	10/15/2014	$ 36.50
100-000-32100-6008	VEHICLE AND EQUIPMENT FUEL					
VENDOR: MANSFIELD OIL COMPANY						
5	OCTOBER	SQLCD/00090916	09/16-09/30	6640	10/15/2014	$ 38.32
5	OCTOBER	SQLCD/00092172	10/01-10/15	6721	10/31/2014	$ 31.39
		Total for 100-000-32100-6008				$ 69.71
100-000-32201-5699	CIVIC CONTRIBUTIONS					
VENDOR: BLUE RIDGE VOLUNTEER FIRE & RESCUE CO						
1	OCTOBER	10012014FY15	FY15 ALLOCATION	6607	10/15/2014	$ 12,500.00
100-000-32203-5699	CIVIC CONTRIBUTIONS					
VENDOR: JOHN H. ENDERS FIRE COMPANY & RESCUE SQ						
1	OCTOBER	ENDERS10132014	QUARTERLY BUDGET DISBURSEM	80875	10/31/2014	$ 18,750.00
100-000-33200-3840	PURCHASED SERVICES - DETENTION CENTE					
VENDOR: CITY OF WINCHESTER						
1	OCTOBER	10073	1ST QTR OPERATIONS	80853	10/31/2014	$ 9,769.25
100-000-33300-5230	TELECOMMUNICATIONS					
VENDOR: TREASURER OF VIRGINIA						
21	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 4.86
VENDOR: VERIZON						
13	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 3.32
		Total for 100-000-33300-5230				$ 8.18
100-000-34100-5210	POSTAL SERVICES					
VENDOR: PURCHASE POWER						
14	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 3.99
100-000-34100-5230	TELECOMMUNICATIONS					
VENDOR: AT&T MOBILITY						
4	OCTOBER	X10012014	BUILDING DEPARTMENT	80742	10/15/2014	$ 66.15
VENDOR: TREASURER OF VIRGINIA						
5	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 14.55
VENDOR: VERIZON						
14	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 6.64

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
	Total for 100-000-34100-5230					$ 87.34
100-000-34100-5800	MISCELLANEOUS					
VENDOR:	DEHAVEN, HOLLY					
1	OCTOBER	DEHAVEN10162014	PAYMENT	6698	10/31/2014	$ 3,630.46
100-000-34100-6008	VEHICLE AND EQUIPMENT FUEL					
VENDOR:	MANSFIELD OIL COMPANY					
2	OCTOBER	SQLCD/00090916	09/16-09/30	6640	10/15/2014	$ 99.07
2	OCTOBER	SQLCD/00092172	10/01-10/15	6721	10/31/2014	$ 51.15
	Total for 100-000-34100-6008					$ 150.22
100-000-34100-6012	SUPPLIES - BOOKS AND SUBSCRIPTIONS					
VENDOR:	BB&T FINANCIAL, FSB					
2	OCTOBER	3396-10/09/2014	INT'L CODE COUNCIL INC	80848	10/31/2014	$ 208.00
3	OCTOBER	3396-10/09/2014	AMAZON	80848	10/31/2014	$ 7.54
4	OCTOBER	3396-10/09/2014	AMAZON	80848	10/31/2014	$ 35.02
7	OCTOBER	3396-10/09/2014	INT'L CODE COUNCIL	80848	10/31/2014	$ 203.50
12	OCTOBER	3396-10/09/2014	ITL CODE COUNCIL	80848	10/31/2014	$ 168.00
	Total for 100-000-34100-6012					$ 622.06
100-000-35100-3100	PROFESSIONAL SERVICES					
VENDOR:	ANIMAL MEDICAL CTR. OF FREDERICK CTY, PC					
1	OCTOBER	207325	PROFESSIONAL SERVICE	80739	10/15/2014	$ 190.90
1	OCTOBER	207818	PROFESSIONAL SERVICES	80827	10/31/2014	$ 571.30
VENDOR:	ROSEVILLE VET HOSP/PLAZA PET CLINIC					
1	OCTOBER	117945	PROFESSIONAL SERVICES	80908	10/31/2014	$ 16.25
1	OCTOBER	118096	PROFESSIONAL SERVICES	80908	10/31/2014	$ 32.50
1	OCTOBER	118366	PROFESSIONAL SERVICES	80908	10/31/2014	$ 32.50
1	OCTOBER	118461	PROFESSIONAL SERVICE	80785	10/15/2014	$ 82.52
1	OCTOBER	118505	PROFESSIONAL SERVICE	80785	10/15/2014	$ 16.25
1	OCTOBER	118624	PROFESSIONAL SERVICES	80908	10/31/2014	$ 32.50
1	OCTOBER	118659	PROFESSIONAL SERVICE	80785	10/15/2014	$ 162.05
1	OCTOBER	118886	PROFESSIONAL SERVICE	80785	10/15/2014	$ 47.65
1	OCTOBER	118891	PROFESSIONAL SERVICE	80785	10/15/2014	$ 16.25
	Total for 100-000-35100-3100					$ 1,200.67
100-000-35100-3320	MAINTENANCE SERVICE CONTRACT					
VENDOR:	RICOH USA INC					
3	OCTOBER	5032603252	06/30 - 09/29	80783	10/15/2014	$ 18.54
100-000-35100-5230	TELECOMMUNICATIONS					
VENDOR:	AT&T MOBILITY					
2	OCTOBER	X10012014	ANIMAL CONTROL	80742	10/15/2014	$ 12.58
VENDOR:	TREASURER OF VIRGINIA					
2	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 5.93
VENDOR:	VERIZON					
15	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 31.47
	Total for 100-000-35100-5230					$ 49.98
100-000-35100-6004	MEDICAL AND LABORATORY SUPPLIES					
VENDOR:	KV VET SUPPLY CO					
1	OCTOBER	5363513	SUPPLIES	80877	10/31/2014	$ 90.63
100-000-35100-6008	VEHICLE AND EQUIPMENT FUEL					

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
VENDOR:	MANSFIELD OIL COMPANY					
1	OCTOBER	SQLCD/00090916	09/16-09/30	6640	10/15/2014	$ 53.32
1	OCTOBER	SQLCD/00092172	10/01-10/15	6721	10/31/2014	$ 55.80
	Total for 100-000-35100-6008					$ 109.12
100-000-35100-6014	OTHER OPERATING SUPPLIES					
VENDOR:	BERRYVILLE FARM SUPPLY					
1	OCTOBER	1078721	SUPPLIES	80849	10/31/2014	$ 43.88
VENDOR:	RICOH USA INC					
1	OCTOBER	5032603252	06/30 - 09/29	80783	10/15/2014	$ 18.54
2	OCTOBER	5032603252	06/30 - 09/29	80783	10/15/2014	$ 18.54-
	Total for 100-000-35100-6014					$ 43.88
100-000-35300-3100	PROFESSIONAL SERVICES					
VENDOR:	TREASURER OF VIRGINIA					
1	OCTOBER	MEDEXAM01002201	MEDICAL EXAMINER FEES	80925	10/31/2014	$ 40.00
1	OCTOBER	MEDEXAM09242014	MEDICAL EXAMINER FEE	80925	10/31/2014	$ 20.00
	Total for 100-000-35300-3100					$ 60.00
100-000-35600-3320	MAINTENANCE SERVICE CONTRACT					
VENDOR:	MOTOROLA SOLUTIONS INC					
1	OCTOBER	78280259	11/01 - 10/31/15	80890	10/31/2014	$ 36,012.36
100-000-35600-5230	TELECOMMUNICATIONS					
VENDOR:	AT& T					
1	OCTOBER	082-6049 0914	LONG DISTANCE CHARGES	80829	10/31/2014	$ 120.42
VENDOR:	AT&T MOBILITY					
5	OCTOBER	X10012014	E-911 DISPATCH CENTER	80742	10/15/2014	$ 94.58
VENDOR:	COMCAST					
1	OCTOBER	754926-092014	10/01 - 10/31	80745	10/15/2014	$ 82.27
VENDOR:	TREASURER OF VIRGINIA					
1	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 684.24
VENDOR:	VERIZON					
1	OCTOBER	12245193-102014	PHONE	80812	10/15/2014	$ 1,299.25
16	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 138.08
1	OCTOBER	800393-10012014	10/01 - 10/31	80930	10/31/2014	$ 36.71
	Total for 100-000-35600-5230					$ 2,455.55
100-000-35600-5420	RENTAL OF BUILDINGS/TOWERS					
VENDOR:	SHEN. VALLEY TELEVISION TOWER					
1	OCTOBER	NOVEMBERRENT14	NOVEMBER RENT	6660	10/15/2014	$ 2,070.00
100-000-42400-3840	PURCHASED SERVICES					
VENDOR:	COUNTY OF FREDERICK, VIRGINIA					
1	OCTOBER	2105-0010 2014	REFUSE	6616	10/15/2014	$ 568.08
1	OCTOBER	80001-0010 2014	REFUSE	6616	10/15/2014	$ 40.56
1	OCTOBER	ACCT 9 10/17/14	REFUSE DISPOSAL FEE	6695	10/31/2014	$ 5,800.38
VENDOR:	COUNTY OF WARREN					
1	OCTOBER	10032014	FIRST QTR REFUSE COLLECTIO	80748	10/15/2014	$ 4,545.54
	Total for 100-000-42400-3840					$ 10,954.56
100-000-42600-3000	PURCHASED SERVICES					
VENDOR:	ALLIED WASTE SERVICES #976					

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
1	OCTOBER	0976-000347953	10/01 - 10/31	6598	10/15/2014	$ 342.00
100-000-42700-3840	PURCHASED SERVICES					
VENDOR:	FREDERICK-WINCHESTER SERVICE AUTHORITY					
1	OCTOBER	161A	SEPT 2014 CHARGE	6706	10/31/2014	$ 2,454.20
100-000-43200-3320	MAINTENANCE SERVICE CONTRACT					
VENDOR:	ALLIED WASTE SERVICES #976					
1	OCTOBER	0976-000346601	SERVICE 10/01 - 10/31	6598	10/15/2014	$ 944.78
VENDOR:	GCA					
3	OCTOBER	620225	CLEANING SERVICES OCTOBER	6624	10/15/2014	$ 3,660.01
11	OCTOBER	620225	CLEANING SERVICES OCTOBER	6624	10/15/2014	$ 3,660.01-
VENDOR:	GREATSCAPES PROPERTY MANAGEMENT GROUP					
1	OCTOBER	8137	MOWING SEPTEMBER	6625	10/15/2014	$ 7,230.00
VENDOR:	RICOH USA INC					
1	OCTOBER	5032562368	06/29 - 09/28	80783	10/15/2014	$ 14.83
VENDOR:	RIDDLEBERGER BROS INC					
1	OCTOBER	84669		6731	10/31/2014	$ 15,402.00
19	OCTOBER	84669		6731	10/31/2014	$ 308.04-
	Total for 100-000-43200-3320					$ 23,283.57
100-000-43200-3340	CUSTODIAL SERVICE CONTRACTS					
VENDOR:	GCA					
12	OCTOBER	620225	CLEANING SERVICES OCTOBER	6624	10/15/2014	$ 3,660.01
100-000-43200-5130	WATER & SEWER SERVICES					
VENDOR:	DEHAVEN BERKELEY SPRINGS WATER CORP.					
1	OCTOBER	265785	WATER	80750	10/15/2014	$ 91.00
1	OCTOBER	601963	WATER	80861	10/31/2014	$ 11.00
	Total for 100-000-43200-5130					$ 102.00
100-000-43200-5230	TELECOMMUNICATIONS					
VENDOR:	AT&T MOBILITY					
3	OCTOBER	X10012014	GOVT MAINTENANCE	80742	10/15/2014	$ 121.83
VENDOR:	TREASURER OF VIRGINIA					
3	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 2.43
18	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 4.86
VENDOR:	VERIZON					
17	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 31.47
	Total for 100-000-43200-5230					$ 160.59
100-000-43200-6005	LAUNDRY, HOUSEKEEPING, & JANITORIAL					
VENDOR:	GENERAL SALES OF VIRGINIA					
1	OCTOBER	214012840	LINER/DISINFECT/GLOVES/TOW	6709	10/31/2014	$ 635.38
1	OCTOBER	214012897	DISINFECTANT	6709	10/31/2014	$ 143.88
1	OCTOBER	214013268	LINERS	6709	10/31/2014	$ 124.74
	Total for 100-000-43200-6005					$ 904.00
100-000-43200-6007	REPAIR AND MAINTENANCE SUPPLIES					
VENDOR:	BERRYVILLE TRUE VALUE HARDWARE					
1	OCTOBER	070144	56171 - ROUNDUP KILLER/PLU	6605	10/15/2014	$ 89.47
1	OCTOBER	070153	56171 - CAMBUCK TIE DOWN	6605	10/15/2014	$ 7.99
1	OCTOBER	070166	56171 - TOURCH BLADE	6605	10/15/2014	$ 18.99
1	OCTOBER	070201	56171 - STRAP/SCREWDRIVER	6605	10/15/2014	$ 14.78

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
1	OCTOBER	070226	56171 - PUTTY KNIFE/HEAT G	6605	10/15/2014	$ 39.97
1	OCTOBER	070290	56171 - BUSH/COVER	6686	10/31/2014	$ 5.78
2	OCTOBER	070290	56171 - TUBING	6686	10/31/2014	$ 1.77
VENDOR: BROY & SON PUMP SERVICE, INC.						
1	OCTOBER	09232014	DRAIN OPENER	6609	10/15/2014	$ 19.60
VENDOR: EBERT REPRODUCTION AND SUPPLY						
1	OCTOBER	633438	SCAN AND CD/POOL/COURTHOUS	80754	10/15/2014	$ 137.92
VENDOR: NORVAC LOCK TECHNOLOGY INC						
1	OCTOBER	121783	KEY	6648	10/15/2014	$ 14.00
VENDOR: SHANNON-BAUM SIGNS INC						
1	OCTOBER	0196547-IN	SIGN	6659	10/15/2014	$ 48.00
Total for 100-000-43200-6007						$ 398.27
100-000-43200-6008 VEHICLE AND EQUIPMENT FUEL						
VENDOR: MANSFIELD OIL COMPANY						
4	OCTOBER	SQLCD/00090916	09/16-09/30	6640	10/15/2014	$ 214.25
4	OCTOBER	SQLCD/00092172	10/01-10/15	6721	10/31/2014	$ 216.54
Total for 100-000-43200-6008						$ 430.79
100-000-43200-6009 VEHICLE AND EQUIPMENT SUPPLIES						
VENDOR: BERRYVILLE AUTO PARTS INC						
1	OCTOBER	5370-88223	OIL/FILTER	6685	10/31/2014	$ 36.28
1	OCTOBER	5370-88354	OIL	6685	10/31/2014	$ 3.21
1	OCTOBER	5370-88746	BATTERY	6685	10/31/2014	$ 167.13
Total for 100-000-43200-6009						$ 206.62
100-000-43202-3310 REPAIR & MAINTENANCE						
VENDOR: ARC WATER TREATMENT OF MARYLAND, INC.						
4	OCTOBER	368142	OCTOBER SERVICE	6682	10/31/2014	$ 68.97
VENDOR: DOLI/BOILER SAFETY						
1	OCTOBER	954086035	BOILER INSPECTION	80753	10/15/2014	$ 37.62
VENDOR: FIDELITY ENGINEERING CORPORATION						
1	OCTOBER	631620	GENERATOR SERVICE	6703	10/31/2014	$ 155.14
Total for 100-000-43202-3310						$ 261.73
100-000-43202-3320 MAINTENANCE SERVICE CONTRACTS						
VENDOR: GCA						
1	OCTOBER	620225	CLEANING SERVICES OCTOBER	6624	10/15/2014	$ 2,332.38
9	OCTOBER	620225	CLEANING SERVICES OCTOBER	6624	10/15/2014	$ 2,332.38-
VENDOR: RIDDLEBERGER BROS INC						
2	OCTOBER	84669		6731	10/31/2014	$ 2,821.50
20	OCTOBER	84669		6731	10/31/2014	$ 56.43-
Total for 100-000-43202-3320						$ 2,765.07
100-000-43202-3340 CUSTODIAL SERVICE CONTRACTS						
VENDOR: GCA						
10	OCTOBER	620225	CLEANING SERVICES OCTOBER	6624	10/15/2014	$ 2,332.38
100-000-43202-5110 ELECTRICAL SERVICES						
VENDOR: RAPPAHANNOCK ELEC COMPANY						
1	OCTOBER	1149385761-1014	101 CHALMERS CT 08/11-09/1	6729	10/31/2014	$ 2,701.78
100-000-43202-5120 HEATING SERVICES						

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
VENDOR: WASHINGTON GAS						
1	OCTOBER	3980059517-1014	09/18-10/08 101 CHALMERS C	80938	10/31/2014	$ 163.92
100-000-43202-5130 WATER & SEWER SERVICES						
VENDOR: TOWN OF BERRYVILLE						
1	OCTOBER	4190099-9/30/14	101 CHALMERS CT 08/25-09/2	80802	10/15/2014	$ 94.05
100-000-43202-6007 REPAIR AND MAINT SUPPLIES						
VENDOR: BB&T FINANCIAL, FSB						
3	OCTOBER	0872-10/09/2014	CAPITOL BUILDING SUPPLY	80848	10/31/2014	$ 96.78
VENDOR: BERRYVILLE TRUE VALUE HARDWARE						
1	OCTOBER	070236	56147 - DRYWALL PATCH	6605	10/15/2014	$ 3.45
VENDOR: MAURICE ELECTRICAL SUPPLY CO						
1	OCTOBER	S102388479.001	DELAY FUSE	6643	10/15/2014	$ 81.98
VENDOR: SUNBELT RENTALS						
1	OCTOBER	48350078-001	MANLIFT W/JIB	80919	10/31/2014	$ 351.12
Total for 100-000-43202-6007						$ 533.33
100-000-43205-5110 ELECTRICAL SERVICES						
VENDOR: RAPPAHANNOCK ELEC COMPANY						
1	OCTOBER	4455288888-1014	08/15-09/15 129 RAMSBURG L	6729	10/31/2014	$ 274.54
100-000-43205-5130 WATER & SEWER SERVICES						
VENDOR: TOWN OF BERRYVILLE						
2	OCTOBER	9001800-9/30/14	MAINT FACILITY 08/26-09/24	80802	10/15/2014	$ 8.50
100-000-43206-5110 ELECTRICAL SERVICES						
VENDOR: RAPPAHANNOCK ELEC COMPANY						
2	OCTOBER	2048188888-1014	104 CHURCH ST 08/12 - 09/1	6729	10/31/2014	$ 782.92
1	OCTOBER	8894188888-1014	08/18-09/18 1531 SPRINGSBE	6729	10/31/2014	$ 159.28
Total for 100-000-43206-5110						$ 942.20
100-000-43206-5120 HEATING SERVICES						
VENDOR: WASHINGTON GAS						
1	OCTOBER	3980048510-1014	09/09-10/08 100 N CHURCH S	80938	10/31/2014	$ 11.96
100-000-43206-5130 WATER & SEWER SERVICES						
VENDOR: DEHAVEN BERKELEY SPRINGS WATER CORP.						
1	OCTOBER	601855	WATER	80861	10/31/2014	$ 9.00
VENDOR: TOWN OF BERRYVILLE						
1	OCTOBER	1004000-9/30/14	100 N CHURCH 08/26-09/24	80802	10/15/2014	$ 175.00
Total for 100-000-43206-5130						$ 184.00
100-000-43206-6007 REPAIR AND MAINT SUPPLIES						
VENDOR: W W GRAINGER, INC						
1	OCTOBER	9568229950	SMOKE ALARM	80870	10/31/2014	$ 156.00
100-000-43207-5110 ELECTRICAL SERVICES						
VENDOR: RAPPAHANNOCK ELEC COMPANY						
1	OCTOBER	2048188888-1014	102 CHURCH ST 08/12 - 09/1	6729	10/31/2014	$ 2,007.22
100-000-43208-3310 REPAIR & MAINTENANCE						
VENDOR: RIDDLEBERGER BROS INC						

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
1	OCTOBER	85750	REPLACE PRESSURE GUAGE ON	6653	10/15/2014	$ 148.65
100-000-43208-5110	ELECTRICAL SERVICES					
VENDOR:	RAPPAHANNOCK ELEC COMPANY					
3	OCTOBER	2048188888-1014	104 CHURCH ST 08/12 - 09/1	6729	10/31/2014	$ 872.85
1	OCTOBER	3750088888-1014	104 N CHURCH LANE	6729	10/31/2014	$ 39.80
	Total for 100-000-43208-5110					$ 912.65
100-000-43208-5130	WATER & SEWER SERVICES					
VENDOR:	TOWN OF BERRYVILLE					
1	OCTOBER	1003900-9/30/14	104 N CHURCH 08/26-09/24	80802	10/15/2014	$ 50.00
100-000-43208-6007	REPAIR AND MAINT SUPPLIES					
VENDOR:	BB&T FINANCIAL, FSB					
5	OCTOBER	0872-10/09/2014	SUPPLY HOUSE	80848	10/31/2014	$ 188.27
7	OCTOBER	0872-10/09/2014	SUPPLY HOUSE	80848	10/31/2014	$ 75.76
	Total for 100-000-43208-6007					$ 264.03
100-000-43209-3310	PROFESSIONAL SERVICES					
VENDOR:	THOMAS PLUMBING & HEATING, INC.					
1	OCTOBER	PS22965	REPAIRED WATERLINE BY W/HT	6668	10/15/2014	$ 228.03
100-000-43209-5110	ELECTRICAL SERVICES					
VENDOR:	RAPPAHANNOCK ELEC COMPANY					
1	OCTOBER	7658188888-1014	08/15-09/15 225 RAMSBURG L	6729	10/31/2014	$ 672.64
100-000-43209-5120	HEATING SERVICES					
VENDOR:	QUARLES ENERGY SERVICES					
1	OCTOBER	25872	LP GAS	80905	10/31/2014	$ 863.72
100-000-43210-3310	REPAIR & MAINTENANCE					
VENDOR:	ANDERSON CONTROL INC					
1	OCTOBER	13057	JAS BUILDING APANEL AND SU	6680	10/31/2014	$ 485.64
100-000-43210-5110	ELECTRICAL SERVICES					
VENDOR:	RAPPAHANNOCK ELEC COMPANY					
1	OCTOBER	0775388888-1014	08/15-09/15 524 WESTWOOD R	6729	10/31/2014	$ 125.34
100-000-43211-3310	REPAIR & MAINTENANCE					
VENDOR:	FIRE SAFETY EQUIPMENT SUPPLY					
1	OCTOBER	5348	SERVICE CALL/FUSABLE LINKS	80756	10/15/2014	$ 139.00
100-000-43211-5110	ELECTRICAL SERVICES					
VENDOR:	RAPPAHANNOCK ELEC COMPANY					
1	OCTOBER	2750088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 2,493.58
100-000-43211-5120	HEATING SERVICES					
VENDOR:	WASHINGTON GAS					
1	OCTOBER	3980001204-1014	09/10-10/10 225 AL SMITH C	80938	10/31/2014	$ 193.53
100-000-43211-5130	WATER & SEWER SERVICES					
VENDOR:	TOWN OF BERRYVILLE					
1	OCTOBER	9001300-9/30/14	RT 7 REC CE 08/26-09/24	80802	10/15/2014	$ 119.00
100-000-43212-3310	REPAIR & MAINTENANCE					
VENDOR:	GREEN'S SEPTIC SERVICE					

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
1	OCTOBER	10012014	RENTAL	6711	10/31/2014	$ 75.00
100-000-43212-5110	ELECTRICAL SERVICES					
VENDOR:	RAPPAHANNOCK ELEC COMPANY					
1	OCTOBER	1650088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 12.33
2	OCTOBER	1650088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 11.33
3	OCTOBER	1650088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 18.77
5	OCTOBER	1650088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 11.00
7	OCTOBER	1650088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 17.10
2	OCTOBER	2750088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 135.31
3	OCTOBER	2750088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 113.12
	Total for 100-000-43212-5110					$ 318.96
100-000-43212-5130	WATER & SEWER SERVICES					
VENDOR:	TOWN OF BERRYVILLE					
1	OCTOBER	9001200-9/30/14	LITTLE LEAGUE 08/26-09/24	80802	10/15/2014	$ 15.00
1	OCTOBER	9001500-9/30/14	RT 7 HOUSE 08/26-09/24	80802	10/15/2014	$ 192.00
	Total for 100-000-43212-5130					$ 207.00
100-000-43213-5110	ELECTRICAL SERVICES					
VENDOR:	RAPPAHANNOCK ELEC COMPANY					
4	OCTOBER	1650088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 134.20
5	OCTOBER	2750088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 501.48
	Total for 100-000-43213-5110					$ 635.68
100-000-43213-5130	WATER & SEWER SERVICES					
VENDOR:	TOWN OF BERRYVILLE					
1	OCTOBER	9001400-9/30/14	ROUTE 7 POOL 08/26-09/24	80802	10/15/2014	$ 225.00
100-000-43213-6007	REPAIR AND MAINT SUPPLIES					
VENDOR:	BERRYVILLE AUTO PARTS INC					
1	OCTOBER	5370-88225	ANTIFREEZE	6604	10/15/2014	$ 13.22
100-000-43214-5110	ELECTRICAL SERVICES					
VENDOR:	RAPPAHANNOCK ELEC COMPANY					
6	OCTOBER	1650088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 109.47
100-000-43214-6007	REPAIR AND MAINT SUPPLIES					
VENDOR:	GORDON BANNERMAN, LTD.					
1	OCTOBER	14937	RUBBER SCRAPPER/ROLLER ASS	80869	10/31/2014	$ 740.00
VENDOR:	VALLEY QUARRIES, INC.					
1	OCTOBER	908671	SAND	80808	10/15/2014	$ 488.59
	Total for 100-000-43214-6007					$ 1,228.59
100-000-43215-5110	ELECTRICAL SERVICES					
VENDOR:	RAPPAHANNOCK ELEC COMPANY					
4	OCTOBER	2750088888-1014	08/18-09/18 225 AL SMITH C	6729	10/31/2014	$ 70.16
100-000-43215-6007	REPAIR AND MAINT SUPPLIES					
VENDOR:	MCCORMICK PAINT WORKS CO					
1	OCTOBER	230002049	5G ATHLETIC FIELD	80768	10/15/2014	$ 1,274.40
100-000-43237-3310	REPAIR & MAINTENANCE					
VENDOR:	RIDDLEBERGER BROS INC					
1	OCTOBER	85728	AHU DRAIN PAN REPLACEMENT	6653	10/15/2014	$ 2,000.00
1	OCTOBER	85743	AHU CONTROL BOARD REPLACEM	6653	10/15/2014	$ 471.79

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
1	OCTOBER	85915	2ND FLOOR NO AC	6731	10/31/2014	$ 348.50
	Total for 100-000-43237-3310					$ 2,820.29
100-000-43237-5110	ELECTRICAL SERVICES					
VENDOR:	RAPPAHANNOCK ELEC COMPANY					
1	OCTOBER	0801388888-1014	08/10-09/10 313 E MAIN ST	6729	10/31/2014	$ 155.37
1	OCTOBER	4980388888-1014	08/10-09/10 311 E MAIN ST	6729	10/31/2014	$ 732.61
	Total for 100-000-43237-5110					$ 887.98
100-000-43237-5130	WATER & SEWER SERVICES					
VENDOR:	TOWN OF BERRYVILLE					
1	OCTOBER	2010600-9/30/14	313 E MAIN ST 08/25-09/23	80802	10/15/2014	$ 25.00
1	OCTOBER	2010700-9/30/14	311 E MAIN ST 08/25-09/23	80802	10/15/2014	$ 75.00
	Total for 100-000-43237-5130					$ 100.00
100-000-51100-5610	CIVIC CONTRIBUTIONS					
VENDOR:	LORD FAIRFAX HEALTH DISTRICT					
1	OCTOBER	1ST QTR FY15	1ST QTR OPERATIONS	80879	10/31/2014	$ 51,250.00
100-000-71100-3320	MAINTENANCE SERVICE CONTRACT					
VENDOR:	DDL BUSINESS SYSTEMS LLC					
1	OCTOBER	59089	08/25 - 09/24	6617	10/15/2014	$ 119.18
100-000-71100-3500	PRINTING AND BINDING					
VENDOR:	PERSONAL CONCEPTS					
1	OCTOBER	P24753	LABOR POSTERS	80897	10/31/2014	$ 25.90
100-000-71100-5210	POSTAL SERVICES					
VENDOR:	PURCHASE POWER					
9	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 276.30
100-000-71100-5230	TELECOMMUNICATIONS					
VENDOR:	TREASURER OF VIRGINIA					
19	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 11.37
VENDOR:	VERIZON					
18	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 51.99
	Total for 100-000-71100-5230					$ 63.36
100-000-71100-5400	LEASES AND RENTALS					
VENDOR:	COMBS WASTEWATER MANAGEMENT LLC					
1	OCTOBER	4482	RENTAL	80855	10/31/2014	$ 520.00
100-000-71100-5540	TRAVEL CONVENTION & EDUCATION					
VENDOR:	BB&T FINANCIAL, FSB					
1	OCTOBER	6723-10/09/2014	OMNI HOMESTEAD RESORT	80848	10/31/2014	$ 143.86
3	OCTOBER	6723-10/09/2014	VIRGINIA RECREATION AND PA	80848	10/31/2014	$ 55.00
5	OCTOBER	6723-10/09/2014	CARE COURSES	80848	10/31/2014	$ 84.00
	Total for 100-000-71100-5540					$ 282.86
100-000-71100-5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS					
VENDOR:	VIRGINIA DEPT OF SOCIAL SVC					
1	OCTOBER	A-15534 10/1/14	BACKGROUND CHECK	80931	10/31/2014	$ 7.00
100-000-71100-6008	VEHICLE AND EQUIPMENT FUEL					

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
VENDOR: MANSFIELD OIL COMPANY						
6	OCTOBER	SQLCD/00090916	09/16-09/30	6640	10/15/2014	$ 13.51
6	OCTOBER	SQLCD/00092172	10/01-10/15	6721	10/31/2014	$ 25.48
	Total for 100-000-71100-6008					$ 38.99
100-000-71100-6011	UNIFORM AND WEARING APPAREL					
VENDOR: ATTIC PROMOTIONS, INC.						
2	OCTOBER	388	SHIRTSERS	6684	10/31/2014	$ 357.70
100-000-71100-6013	SUPPLIES - EDUCATIONAL AND REC					
VENDOR: WALMART COMMUNITY/GECRB						
6	OCTOBER	0731-10/16/2014	PADLOCK/PLUG	80937	10/31/2014	$ 31.09
100-000-71310-6013	SUPPLIES - EDUCATIONAL AND REC					
VENDOR: WALMART COMMUNITY/GECRB						
2	OCTOBER	0731-10/16/2014	FOOD/SNACK/CHOCOLATE	80937	10/31/2014	$ 82.35
100-000-71310-6014	OTHER OPERATING SUPPLIES					
VENDOR: BERRYVILLE TRUE VALUE HARDWARE						
1	OCTOBER	70217	PADLOCK	6605	10/15/2014	$ 35.99
100-000-71310-6015	MERCHANDISE FOR RESALE					
VENDOR: WALMART COMMUNITY/GECRB						
1	OCTOBER	0731-10/16/2014	FOOD/SNACK/CHOCOLATE	80937	10/31/2014	$ 124.61
100-000-71320-6026	POOL CHEMICALS					
VENDOR: BB&T FINANCIAL, FSB						
6	OCTOBER	0872-10/09/2014	POOL CENTER	80848	10/31/2014	$ 84.08
100-000-71350-3100	PROFESSIONAL SERVICES					
VENDOR: AMERICAN RED CROSS						
1	OCTOBER	10324109	LIFEGUARDING REVIEW	6599	10/15/2014	$ 27.00
VENDOR: XTREME FIT STUDIO						
1	OCTOBER	CHATMAN10152014	ZUMBA/YOGA TONE/TOTAL FIT	6691	10/31/2014	$ 910.00
VENDOR: HAGGARD, GABRIELLE DBA FLYING CHANGES PO						
1	OCTOBER	HAGGARD10042014	FYLING CHANGES PONY SCHOOL	80758	10/15/2014	$ 263.50
VENDOR: JOHNSTON, JANE						
1	OCTOBER	JOHNSTO10152014	FITT/FLUID MOTION/TAI CHI	6717	10/31/2014	$ 277.55
VENDOR: MONTGOMERY, CHRISTEL DBA CHEER ERUPTIONS						
1	OCTOBER	MONTGOM10022014	GYMNASTICS CLASSES	6645	10/15/2014	$ 1,389.50
	Total for 100-000-71350-3100					$ 2,867.55
100-000-71350-3600	ADVERTISING					
VENDOR: SIGNET SCREEN PRINTING						
1	OCTOBER	4980	BANNER	80793	10/15/2014	$ 25.00
100-000-71350-5400	LEASES AND RENTALS					
VENDOR: ROBERTS OXYGEN COMPANY, INC						
1	OCTOBER	P62418	RENEWAL/CYLINDERS	80907	10/31/2014	$ 87.50
100-000-71350-5830	REFUNDS					
VENDOR: KAREN BECKETT						
1	OCTOBER	188721	REFUND	80743	10/15/2014	$ 150.00
VENDOR: JO ANNE CULBERT						

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
1	OCTOBER	189019	REFUND	80860	10/31/2014	$ 81.00
VENDOR: PHYLLIS SAVILLE						
1	OCTOBER	188806	REFUND	80787	10/15/2014	$ 40.00
VENDOR: BEN SAWYER						
1	OCTOBER	189080	BASIC MANNERS CANCELLED	80910	10/31/2014	$ 150.00
VENDOR: NICOLE SCHOOLEY						
1	OCTOBER	189019	CANCELLATION	80914	10/31/2014	$ 90.00
Total for 100-000-71350-5830						$ 511.00
100-000-71350-6002 SUPPLIES - FOOD						
VENDOR: SCHENCK FOODS CO., INC.						
1	OCTOBER	5955061	FOOD	80788	10/15/2014	$ 41.07
1	OCTOBER	5958445	FOOD	80912	10/31/2014	$ 97.49
1	OCTOBER	5964150	FOOD	80912	10/31/2014	$ 197.94
Total for 100-000-71350-6002						$ 336.50
100-000-71350-6011 UNIFORM AND WEARING APPAREL						
VENDOR: ATTIC PROMOTIONS, INC.						
1	OCTOBER	388	SHIRTSERS	6684	10/31/2014	$ 201.85
100-000-71350-6013 SUPPLIES - EDUCATIONAL AND REC						
VENDOR: BB&T FINANCIAL, FSB						
2	OCTOBER	6723-10/09/2014	JOANN FABRIC	80848	10/31/2014	$ 9.87
4	OCTOBER	6723-10/09/2014	ORIENTAL TRADING	80848	10/31/2014	$ 13.99
6	OCTOBER	6723-10/09/2014	MICHAELS	80848	10/31/2014	$ 95.79
VENDOR: COSTCO WHOLESALE INC. #239						
1	OCTOBER	023909003045	PENS	80747	10/15/2014	$ 49.47
VENDOR: WALMART COMMUNITY/GECRB						
3	OCTOBER	0731-10/16/2014	SUPPLIES	80937	10/31/2014	$ 31.88
4	OCTOBER	0731-10/16/2014	SOCCER BALL	80937	10/31/2014	$ 51.88
5	OCTOBER	0731-10/16/2014	PADLOCK/PLUG	80937	10/31/2014	$ 2.00
7	OCTOBER	0731-10/16/2014	CUP/SPONGE	80937	10/31/2014	$ 19.26
Total for 100-000-71350-6013						$ 274.14
100-000-71350-6015 MERCHANDISE FOR RESALE						
VENDOR: VRPS						
1	OCTOBER	10102014	KINGS DOMINION TICKETS	80935	10/31/2014	$ 160.00
100-000-73200-5699 CIVIC CONTRIBUTIONS						
VENDOR: HANDLEY REGIONAL LIBRARY						
1	OCTOBER	10012014	OCTOBER NOVEMBER DECEMBER	80871	10/31/2014	$ 46,250.00
100-000-81110-3100 PROFESSIONAL SERVICES						
VENDOR: HALL, MONAHAN, ENGLE, MAHAN & MITCHELL						
2	OCTOBER	10012014	LEGAL SERVICES SEPT 2014	6626	10/15/2014	$ 2,285.00
100-000-81110-3600 ADVERTISING						
VENDOR: VIRGINIA MUNICIPAL LEAGUE						
1	OCTOBER	10242014	JOB AD ON VML WEBSITE	80933	10/31/2014	$ 25.00
VENDOR: WINCHESTER STAR						
2	OCTOBER	1653410-9/30/14	PUB HEARING	6678	10/15/2014	$ 400.40
Total for 100-000-81110-3600						$ 425.40
100-000-81110-5210 POSTAL SERVICES						

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
VENDOR: PURCHASE POWER						
10	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 394.89
100-000-81110-5230 TELECOMMUNICATIONS						
VENDOR: TREASURER OF VIRGINIA						
20	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 4.24
VENDOR: VERIZON						
19	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 16.60
Total for 100-000-81110-5230						$ 20.84
100-000-81110-5510 TRAVEL MILEAGE						
VENDOR: TEETOR, ALISON						
1	OCTOBER	TEETOR09272014	MILEAGE	6667	10/15/2014	$ 41.44
100-000-81400-3600 ADVERTISING						
VENDOR: WINCHESTER STAR						
1	OCTOBER	1653410-9/30/14	PUB HEARING	6678	10/15/2014	$ 300.00
100-000-81520-3160 BOARD MEMBER FEES						
VENDOR: SMART, KATHY						
1	OCTOBER	BADA09252014	BADA MEETING 09/25	6661	10/15/2014	$ 25.00
100-000-81600-3160 BOARD MEMBER FEES						
VENDOR: RANDY BUCKLEY						
1	OCTOBER	PLANCOMM100314	PLANNING COMMISSION MEETIN	6611	10/15/2014	$ 100.00
VENDOR: CALDWELL, ANNE						
1	OCTOBER	PLANCOMM100314	PLANNING COMMISSION MEETIN	6613	10/15/2014	$ 100.00
VENDOR: DOUGLAS KRUHM						
1	OCTOBER	PLANCOMM100314	PLANNING COMMISSION MEETIN	6635	10/15/2014	$ 50.00
VENDOR: NELSON, CLIFFORD M.						
1	OCTOBER	PLANCOMM100314	PLANNING COMMISSION MEETIN	6646	10/15/2014	$ 100.00
VENDOR: OHRSTROM II, GEORGE						
1	OCTOBER	PLANCOMM100314	PLANNING COMMISSION MEETIN	6650	10/15/2014	$ 50.00
VENDOR: TURKEL, JON						
1	OCTOBER	PLANCOMM100314	PLANNING COMMISSION MEETIN	6670	10/15/2014	$ 100.00
Total for 100-000-81600-3160						$ 500.00
100-000-81800-3100 PROFESSIONAL SERVICES						
VENDOR: KALBIAN, MARAL S.						
1	OCTOBER	KALBIAN09292014	JULY-SEPT HOURS	6633	10/15/2014	$ 1,045.00
1	OCTOBER	KALBIAN10022014	SERVICES JULY - SEPT 2014	6633	10/15/2014	$ 2,000.00
Total for 100-000-81800-3100						$ 3,045.00
100-000-81800-3160 BOARD MEMBER FEES						
VENDOR: CALDWELL, ANNE						
1	OCTOBER	HISPRESMEET0914	HIST PRES MEETING 09/24	6613	10/15/2014	$ 25.00
VENDOR: FIELDS, BETSY						
1	OCTOBER	HISPRESMEET0914	HIST PRES MEETING 09/24	6620	10/15/2014	$ 25.00
VENDOR: BOB STEIG						
1	OCTOBER	HISPRESMEET0914	HIST PRES MEETING 09/24	6664	10/15/2014	$ 25.00
VENDOR: ROBIN YORK						

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
1	OCTOBER	HISPRESMEET0914	HIST PRES MEETING 09/24	6679	10/15/2014	$ 25.00
	Total for 100-000-81800-3160					$ 100.00
100-000-81800-5210	POSTAL SERVICES					
VENDOR:	PURCHASE POWER					
12	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 26.40
100-000-82400-5699	CIVIC CONTRIBUTIONS					
VENDOR:	LORD FAIRFAX SOIL & WATER CONSERVATION					
1	OCTOBER	SWCD2014-2015	2014-2015 ALLOCATION	80765	10/15/2014	$ 5,000.00
100-000-82600-5510	TRAVEL MILEAGE					
VENDOR:	LAURA NOWELL SHIFFLETT					
1	OCTOBER	SHIFFLE10082014	SEPTEMBER MILEAGE	6734	10/31/2014	$ 352.24
100-000-83100-5210	POSTAGE					
VENDOR:	PURCHASE POWER					
15	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 88.82
100-000-83100-5230	TELECOMMUNICATIONS					
VENDOR:	TREASURER OF VIRGINIA					
13	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014	$ 8.82
VENDOR:	VERIZON					
20	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014	$ 6.64
	Total for 100-000-83100-5230					$ 15.46
100-000-83100-6014	OTHER OPERATING SUPPLIES					
VENDOR:	SWEET TOOTH BAKERY INC					
1	OCTOBER	EXTOFF CAKE	CELEBRATING 100 YEARS CAKE	80920	10/31/2014	$ 69.94
100-402-31200-6010	POLICE SUPPLIES					
VENDOR:	INTOXIMETERS					
2	OCTOBER	479987	POLICE SUPPLIES	80873	10/31/2014	$ 1,125.00
100-602-31200-6010	POLICE SUPPLIES					
VENDOR:	PROTECTIVE APPAREL CORP OF AMERICA					
1	OCTOBER	IF-1160665	BODY ARMOR	80779	10/15/2014	$ 3,960.00
			TOTAL DEFINITION TYPE 0 :			$ 318,855.78
			TOTAL EXPENDITURES :			$ 318,855.78
			TOTAL for FISCAL YEAR 2015 :			$ 318,855.78
			TOTAL PAYMENTS :			$ 318,855.78

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
Fiscal Year: 2015						
EXPENDITURES						
DEFINITION TYPE 0						
231-000-31200-5530	TRAVEL SUBSISTANCE & LODGING					
VENDOR:	BB&T FINANCIAL, FSB					
1	OCTOBER	1877-10/09/2014	WILD DUNES CREDIT	80848	10/31/2014	$ 139.00-
13	OCTOBER	1877-10/09/2014	BELLA PIZZA VA BEACH	80848	10/31/2014	$ 17.48
14	OCTOBER	1877-10/09/2014	BUFFALO WILD WINGS VA BEAC	80848	10/31/2014	$ 30.00
15	OCTOBER	1877-10/09/2014	JASONS DELI VA BEACH	80848	10/31/2014	$ 11.02
16	OCTOBER	1877-10/09/2014	CAPTAIN GEORGES VA BEACH	80848	10/31/2014	$ 43.96
17	OCTOBER	1877-10/09/2014	PF CHANGS VA BEACH	80848	10/31/2014	$ 22.57
18	OCTOBER	1877-10/09/2014	HARDEES VA BEACH	80848	10/31/2014	$ 6.90
19	OCTOBER	1877-10/09/2014	WYNDHAM VA BEACH	80848	10/31/2014	$ 484.74
1	OCTOBER	6558-10/09/14	CRACKER BARREL LICHLIGHTER	80848	10/31/2014	$ 12.40
1	OCTOBER	6640-10/09/14	SUBWAY AUSTINVILLE VA	80848	10/31/2014	$ 10.38
2	OCTOBER	6640-10/09/14	SUBWAY ROANOKE VA	80848	10/31/2014	$ 10.40
3	OCTOBER	6640-10/09/14	COPPER RIVER OF COLUMBIA S	80848	10/31/2014	$ 50.69
1	OCTOBER	6665-10/09/14	APPLEBEES COLUMBIA SC	80848	10/31/2014	$ 27.13
2	OCTOBER	6665-10/09/14	BONEFISH COLUMBIA SC	80848	10/31/2014	$ 39.38
3	OCTOBER	6665-10/09/14	HAMPTON INN COLUMBIA SC HE	80848	10/31/2014	$ 285.60
4	OCTOBER	6665-10/09/14	HAMPTON INN COLUMBIA SC RO	80848	10/31/2014	$ 285.60
5	OCTOBER	6665-10/09/14	HARDEES SALEM VA	80848	10/31/2014	$ 7.22
6	OCTOBER	6665-10/09/14	ARBYS RUTHER GLEN VA	80848	10/31/2014	$ 8.07
7	OCTOBER	6665-10/09/14	CAPTAIN GEORGES VIRGINIA B	80848	10/31/2014	$ 84.44
8	OCTOBER	6665-10/09/14	SURF CLUB VIRGINIA BEACH V	80848	10/31/2014	$ 16.38
9	OCTOBER	6665-10/09/14	POCAHONTAS PANCAKES VIRGIN	80848	10/31/2014	$ 12.26
10	OCTOBER	6665-10/09/14	WYNDHAM VIRGINIA BEACH VA	80848	10/31/2014	$ 484.74
11	OCTOBER	6665-10/09/14	WYNDHAM VIRGINIA BEACH VA	80848	10/31/2014	$ 484.74
VENDOR:	SHERIFF, PETTY CASH					
6	OCTOBER	10012014	SHERIFF TRAVEL NSA	80791	10/15/2014	$ 13.30
	Total for 231-000-31200-5530					$ 2,310.40
231-000-31200-6010	POLICE SUPPLIES					
VENDOR:	BB&T FINANCIAL, FSB					
1	OCTOBER	0350-10/09/2014	GSA ADVANATAGE/ENDURA	80848	10/31/2014	$ 2,270.88
2	OCTOBER	3396-10/09CORRE	UNDO - CHANGE TO 231/740	80848	10/31/2014	$ 346.80
VENDOR:	DALY COMPUTERS, INC.					
1	OCTOBER	PSI0983326	BATT MODULE PW9170	6697	10/31/2014	$ 6,750.00
VENDOR:	NIGHT VISION GUYS					
1	OCTOBER	NVG13875	2 PAIRS NIGHT VISION GOGGL	80893	10/31/2014	$ 3,500.00
VENDOR:	PROTECTIVE APPAREL CORP OF AMERICA					
2	OCTOBER	IF-1160665	BODY ARMOR	80779	10/15/2014	$ 3,960.00
	Total for 231-000-31200-6010					$ 16,827.68
231-000-31200-6011	UNIFORM AND WEARING APPAREL					
VENDOR:	INTOXIMETERS					
1	OCTOBER	479987	POLICE SUPPLIES	80873	10/31/2014	$ 4,534.00
231-101-22100-5230	TELECOMMUNICATIONS					
VENDOR:	AT&T MOBILITY					
11	OCTOBER	X10012014	COMMONWEALTH'S ATTORNEY	80742	10/15/2014	$ 189.16
12	OCTOBER	X10012014	COMMONWEALTH'S ATTORNEY	80742	10/15/2014	$ 189.16-
	Total for 231-101-22100-5230					$ 0.00
231-128-31200-5800	MISCELLANEOUS					
VENDOR:	BB&T FINANCIAL, FSB					

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
3	OCTOBER	6558-10/09/14	PAPER SUBSCRIPTION	80848	10/31/2014	$ 9.95
231-128-31200-6001	MATERIALS AND SUPPLIES					
VENDOR:	BB&T FINANCIAL, FSB					
12	OCTOBER	6665-10/09/14	FOOD LION	80848	10/31/2014	$ 25.70
13	OCTOBER	6665-10/09/14	SUBWAY SAFETY MEETING	80848	10/31/2014	$ 38.55
14	OCTOBER	6665-10/09/14	DUNKIN DONUTS	80848	10/31/2014	$ 55.31
VENDOR:	SHERIFF, PETTY CASH					
7	OCTOBER	10012014	ADMIN MTG HOB NOB FOR 1&2	80791	10/15/2014	$ 102.06
	Total for 231-128-31200-6001					$ 221.62
231-128-31200-6010	POLICE SUPPLIES					
VENDOR:	ATLANTIC TACTICAL					
1	OCTOBER	SI-80490615	RIFLE	6601	10/15/2014	$ 2,057.46
235-000-82700-3100	PROFESSIONAL SERVICES					
VENDOR:	GLORIA MARCONI					
1	OCTOBER	09102014	PRODUCTION FOR CEA SUMMER	80767	10/15/2014	$ 425.00
VENDOR:	PROGRESSIVE PRINTING					
1	OCTOBER	40586	PLATES	80778	10/15/2014	$ 343.50
VENDOR:	ROBIN COUCH CARDILLO					
1	OCTOBER	CEA 14-128-001	PROFESSIONAL SERVICES	80784	10/15/2014	$ 1,360.00
	Total for 235-000-82700-3100					$ 2,128.50
235-000-82700-5210	POSTAGE					
VENDOR:	PURCHASE POWER					
13	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014	$ 181.63
235-504-82700-8215	PURCHASE OF DEVELOPMENT RIGHTS					
VENDOR:	HALL, MONOHAN, ENGLE REAL ESTATE ACCOUN					
1	OCTOBER	MOORE/DOORSEY	MOORE AND DORSEY 16	6712	10/31/2014	$ 131,185.60
235-505-82700-8215	PURCHASE OF DEVELOPMENT RIGHTS					
VENDOR:	HALL, MONOHAN, ENGLE REAL ESTATE ACCOUN					
2	OCTOBER	MOORE/DOORSEY	MOORE AND DORSEY 16A	6712	10/31/2014	$ 147,503.68
301-610-94300-3000	PURCHASED SERVICES					
VENDOR:	PROGRESSIVE PRINTING					
1	OCTOBER	40626	SPROUT RUN JOURNAL	80778	10/15/2014	$ 370.00
VENDOR:	VESA TREASURER					
1	OCTOBER	DUES2014	MEMBERSHIP DUES	80815	10/15/2014	$ 130.00
	Total for 301-610-94300-3000					$ 500.00
301-800-94263-8112	CONSTRUCTION REPLACEMENT					
VENDOR:	SUITE OFFICE SYSTEMS, LLC					
1	OCTOBER	2326	WOK AT PARKS	6665	10/15/2014	$ 880.00
VENDOR:	VERIZON VIRGINIA, INC.					
1	OCTOBER	4A0AD9X	SEVER CABLE AND SPLICE INT	80814	10/15/2014	$ 3,535.69
	Total for 301-800-94263-8112					$ 4,415.69
301-800-94279-8103	COMMUNICATION EQUIPMENT REPLACEMENT					
VENDOR:	MOTOROLA SOLUTIONS INC					
1	OCTOBER	41200660	COMMUNICATION EQUIOPMENT	80890	10/31/2014	$ 49,607.76

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
301-800-94315-3120	Reassessment					
VENDOR:	WAMPLER-EANES APPRAISAL GROUP LTD.					
1	OCTOBER	001-16	2016 COUNTY PROPERTY REASS	6675	10/15/2014	$ 28,282.50
301-800-94318-8112	CONSTRUCTION REPLACEMENT					
VENDOR:	SUITE OFFICE SYSTEMS, LLC					
1	OCTOBER	2359	CATEGORY 6 DATA CABLE	6737	10/31/2014	$ 600.00
301-800-94323-8112	CONSTRUCTION					
VENDOR:	MIKE COOK PAINTING SERVICE					
1	OCTOBER	10082014	PAINTING 104 N. CHURCH ST	80888	10/31/2014	$ 16,750.00
1	OCTOBER	10082014a	PLASTER REPAIR PAINT GUTTE	80888	10/31/2014	$ 6,041.57
	Total for 301-800-94323-8112					$ 22,791.57
301-800-94338-3000	Purchased Services					
VENDOR:	TYLER TECHNOLOGIES					
1	OCTOBER	045-118470	PROJECT PLANNING SERVICES	6672	10/15/2014	$ 2,000.00
1	OCTOBER	045-118554	TRAINING	6672	10/15/2014	$ 1,057.50
	Total for 301-800-94338-3000					$ 3,057.50
401-800-67170-9100	DEBT SERVICE					
VENDOR:	RURAL DEVELOPMENT					
1	OCTOBER	540270541070553	REMAINING BALANCE	80786	10/15/2014	$ 90,764.59
				TOTAL DEFINITION TYPE 0 :		$ 506,980.13
				TOTAL EXPENDITURES :		$ 506,980.13
				TOTAL for FISCAL YEAR 2015 :		$ 506,980.13
				TOTAL PAYMENTS :		$ 506,980.13

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
Fiscal Year: 2015						
EXPENDITURES						
DEFINITION TYPE 0						
607-000-12510-3320	MAINTENANCE SERVICE CONTRACT					
VENDOR:	RICOH USA INC					
1	OCTOBER	5032602984	06/25 - 09/24	80783	10/15/2014 $	197.54
607-000-12530-4300	CENTRAL PURCHASING/STORE					
VENDOR:	BB&T FINANCIAL, FSB					
9	OCTOBER	0350-10/09/2014	TONER BUZZ	80848	10/31/2014 $	618.00
1	OCTOBER	BBTLATECHARGE	LATE CHARGE TO BE REMOVED	80848	10/31/2014 $	35.00
1	OCTOBER	FRAUDCHARGES14	FRAUD CHARGES TO BE REMOVE	80848	10/31/2014 $	136.34
VENDOR:	INDEPENDENT STATIONERS					
1	OCTOBER	IN-000462220	POSTCARD/LABLE/PENS	6631	10/15/2014 $	125.01
VENDOR:	OFFICE DEPOT					
1	OCTOBER	732866411001	INDEX RING/LABLE	80894	10/31/2014 $	70.34
VENDOR:	QUILL CORPORATION					
1	OCTOBER	6566063	RIBBON/TONER	6652	10/15/2014 $	166.04
	Total for 607-000-12530-4300				$	1,150.73
607-000-12530-5210	POSTAL SERVICES					
VENDOR:	PURCHASE POWER					
6	OCTOBER	35438654-100314	POSTAGE	80782	10/15/2014 $	69.00
607-000-12530-5230	TELECOMMUNICATIONS					
VENDOR:	TREASURER OF VIRGINIA					
14	OCTOBER	T277545	PHONE BILL AUGUST 2014	6618	10/15/2014 $	14.20
VENDOR:	VERIZON					
32	OCTOBER	27268895-1014	09/26-10/25	80812	10/15/2014 $	90.70
	Total for 607-000-12530-5230				$	104.90
607-000-12530-5540	TRAVEL CONVENTION & EDUCATION					
VENDOR:	BB&T FINANCIAL, FSB					
4	OCTOBER	0350-10/09/2014	NIGP M LEGGE	80848	10/31/2014 $	670.00
7	OCTOBER	0350-10/09/2014	NIGP M. LEGGE - CLASS	80848	10/31/2014 $	185.00
	Total for 607-000-12530-5540				$	855.00
607-000-12530-5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS					
VENDOR:	VAGP					
1	OCTOBER	1198161	MEMBERSHIP DUES	80807	10/15/2014 $	35.00
607-000-12530-6001	OFFICE SUPPLIES					
VENDOR:	BB&T FINANCIAL, FSB					
3	OCTOBER	0350-10/09/2014	STAPLES	80848	10/31/2014 $	49.90
711-000-96100-2600	UNEMPLOYMENT INSURANCE					
VENDOR:	VIRGINIA EMPLOYMENT COMMISSION					
1	OCTOBER	1890174-09/30	QUARTER ENDING 06/30	80932	10/31/2014 $	0.30-
2	OCTOBER	1890174-09/30	QUARTER ENDING 09/30	80932	10/31/2014 $	1,520.31
3	OCTOBER	1890174-09/30	QUARTER ENDING 09/30	80932	10/31/2014 $	284.65
4	OCTOBER	1890174-09/30	QUARTER ENDING 09/30	80932	10/31/2014 $	6.13-
5	OCTOBER	1890174-09/30	QUARTER ENDING 06/30	80932	10/31/2014 $	28.55-
6	OCTOBER	1890174-09/30	QTR 4 YEAR 2013	80932	10/31/2014 $	7.84

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
	Total for 711-000-96100-2600					$ 1,777.82
732-000-12530-3000	PURCHASED SERVICES - TRANSACTION FEE					
VENDOR:	WAGE WORKS					
1	OCTOBER	125AI0351538	FLEX PLAN ADMIN FEE	80936	10/31/2014	$ 401.75
				TOTAL DEFINITION TYPE 0 :		$ 4,641.64
				TOTAL EXPENDITURES :		$ 4,641.64
				TOTAL for FISCAL YEAR 2015 :		$ 4,641.64
				TOTAL PAYMENTS :		$ 4,641.64

VOUCH#	Fis Month	Invoice ID	DESCRIPTION	CK/EFT #	CK/EFT Date	Amount
Fiscal Year: 2015						
REVENUES						
DEFINITION TYPE 0						
100-000-189908	SALE OF VEHICLES					
VENDOR:	AUCTIONEER SCOTT S. STROSNIDER					
1	OCTOBER	10212014AUCTION	SERVICES IN OCT 21 AUCTION	80830	10/31/2014	$ 866.58
VENDOR:	TOWN OF BERRYVILLE					
1	OCTOBER	PROFITOCT212014	PROFIT FROM AUCTION HELD O	80923	10/31/2014	$ 7,058.68
	Total for 100-000-189908					$ 7,925.26
502-000-160820	USER FEES - SEWER					
VENDOR:	CRYSTAL FIELDS					
1	OCTOBER	REFUNDSECURITY	REFUND SECURITY DEPOSIT	80864	10/31/2014	$ 300.00
					TOTAL DEFINITION TYPE 0 :	$ 8,225.26
					TOTAL REVENUES :	$ 8,225.26
					TOTAL for FISCAL YEAR 2015 :	$ 8,225.26
					TOTAL PAYMENTS :	$ 8,225.26

lunch and is within the Tier I area, the total for the day allowable is $30.00. Otherwise, employee will be reimbursed up to the full amount based on Tier I or Tier II rates. ~~The rates allowed for meals and incidental expenses are set per the U.S. General Services Administration. To view the rates, log onto www.gsa.gov and click on "per diem rates" and then click on Virginia. Please note that there are lower amounts allotted for first and last day stays.~~

Meal	Tier I	Tier II
Breakfast	$10.00	$10.00
Lunch	$10.00	$15.00
Dinner	$20.00	$25.00
Total	$40.00	$50.00
Areas Covered	Areas that fall under the GSA Standard Rate.	Areas that fall under all other rates as established by GSA.

Figure A

~~19.3. The Executive is authorized to approve exceptions to the GSA per diem rate provided that any exception authorized by the Executive is to be documented in writing setting forth a reasonable explanation for the exception.~~

Daily trips not requiring overnight travel will be reimbursed per meal within tier I/II limits. To be reimbursed for any meal, the employee must have an Account Manager sign a completed ~~Reimbursement~~ Travel Requisition Form~~Voucher~~ and attach a ~~copy of the~~an itemized receipt and other applicable paperwork.

~~One exception when meals may be reimbursed when an overnight stay is not involved is business meals.~~ For the expense of a business meal to be reimbursed, the ~~Reimbursement Voucher~~Requisition Form must be filled out and ~~must~~ include an Account Manager signature, the ~~original~~ itemized receipt, a summary of the business that was discussed, and a list of all the individuals involved in the meal. The County employee initiating and sponsoring the cost of the business meal must have prior authorization from an Executive to spend County funds for a business meal.

19.4 Incidental Travel Expenses. Examples of Incidental Travel Expenses that are eligible for reimbursement and not part of the daily per diem include:

a. Taxes and surcharges paid by the traveler for lodging.
b. Business telephone calls and facsimiles made for official business purposes and paid for by the traveler may be claimed on the travel reimbursement voucher. A full explanation must be stated on the reimbursement voucher accompanied by supporting documentation. Individuals using personally owned cellular telephones may be reimbursed for business calls when shown to be cost beneficial or out of necessity. In this case, an itemized cell phone statement must be included. In the event that free minutes are used for business calls, reimbursement is not permitted.
c. Tolls and parking fees are reimbursable when paid for by the traveler in the course of conducting official County business.

Examples of Incidental Travel Expenses that are not eligible for reimbursement include:

a. Lost or stolen articles
b. Alcoholic beverages

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c. Damage to personal vehicles, clothing, or other items
d. Services to gain entry to a locked vehicle
e. Movies charged to hotel bills
f. All expenses related to the personal negligence of the traveler, such as fines
g. Entertainment expenses
h. Personal vehicle towing charges
i. Valet parking unless no other type of parking is available or with reasonable validation.
~~h.~~j. Movies, refrigerator rentals, and other additional items frequently charged to hotel rooms
~~i.~~k. Expenses for children, spouses, and companions while on travel status.

The above list is not all-inclusive. Travelers should use prudent judgment and remember that all travel expenses are open to the public and must be able to sustain the test of public review.

19.5. County-Owned Vehicles. When an employee is scheduled to travel for official County business, he/she is highly encouraged to contact the ~~Maintenance~~ Transportation Department for schools or the Maintenance Department for County to reserve one of the County-owned vehicles. The employee is expected to provide the Maintenance/Transportation Department with as much advanced notice as possible.

When using a County-owned vehicle, the employee is expected to use the Fuel Card in the glove compartment of the vehicle or as provided by the Maintenance/Transportation Department to fill the vehicle with fuel, as needed. Although rare, if an employee is in area that does not have a location that accepts the fuel card, the employee may use their personal funds for fuel and may request reimbursement fuel upon their return. However, the employee will be required to submit an itemized ~~copy of the~~ receipt, a description of their trip, and the reasoning for not using the County Fuel Card with his/~~her~~ request.

If possible, the employee should fill the County-owned vehicle with fuel before returning it to the Maintenance/Transportation Department.

19.6. Mileage Reimbursement. When traveling for official County business, employees are permitted to use their personally owned automobile when a County-owned vehicle is not available, or when the use of a personally owned vehicle is cost-beneficial to the County. Employees electing to use their personal vehicle may request reimbursement for mileage by completing a ~~Mileage~~ Travel ~~Reimbursement~~ Requisition Form as included in Appendix A. The ~~Mileage~~Travel Reimbursement Form shall include a description of the trip or conference attended and the number of miles traveled for business purposes only with a mapquest.com/googlemaps.com printout as backup documentation. Mileage will be calculated by using the employee's office/School as the starting and ending point. The ~~Mileage Reimbursement Form~~travel requisition form shall be submitted to the Accounts Payable Department within thirty (30) days from the completion of the trip.

Mileage shall be reimbursed at the standard mile rate established by the IRS. ~~Commonwealth of Virginia Department of General Services~~.

19.7. Public Transportation. Public transportation travel includes rental car, plane, train (including subway or metro), bus, taxi/shuttle, or other "for hire transportation." Public transportation rates must not exceed those for tourist or coach class accommodations. Itemized ~~R~~receipts for such expenses must be retained for submission with the ~~travel voucher~~travel requisition form.

19.8.1 Rental Car. Employees are authorized to rent cars only in conjunction with air travel or when cost, convenience and the specific situation require their use. When renting a car, employees should

select a midsize car and only rent a "full" size care when three or more employees are traveling together. Clarke County carries leased vehicle insurance so all additional insurance should be declined.

19.8.2.Air Travel. Only coach or economy seating is reimbursable and a direct flight only at the lowest logical fare. If a connecting flight will not add more than two hours before or after the requested departure time and no more than three hours to the total trip duration then the connecting flight should be accepted.

19.8.3 Baggage fees. Reimbursement of personal baggage charges are based on the trip duration as follows:

- Up to five days = one checked bag
- Six or more days = two checked bags

For taxis, metro rail, subway, shuttle vans, and other forms of "for hire transportation," receipts are required for reimbursement~~only if the reimbursement claim exceeds $10.00~~.

Public transportation from place of lodging to other locations is only eligible for reimbursement if it is for official County business purposes.

19.8 Lodging.County employees should select hotel chains that are well established, reasonable in price and conveniently located in relation to the travelers event. If the employee has a discount rate with the local hotel, the hotel reservation should note that discount and the employee should confirm the lower rate upon arrival.

"No shows" or cancellation fees are not reimbursable if the employee does not comply with the hotel's cancellation policy. Tips for maids and other hotel staff are included in the per diem reimbursable rate (incidentals).

APPENDIX A

Travel Reimbursement form To be created

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Title: General Fund Balance
Source: Clarke County Joint Administrative Services

Prior Titles	*Prior*	*Current*	*Current Titles*
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	26,161,144	Revenue FY 14
General Fund Balance Year End FY 13	15,574,544	13,636,042	General Fund Balance Year End FY 14
Designations			*Designations*
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
Recyling and Convenience Center	(250,000)	(250,000)	Recyling 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	1,090,267	

FY 15 Supplementals to date (not from savings):	-	
FY 15 Supplementals to date (from savings):	97,420	Government Construction Debt Sheriffs
	25,700	Government Savings (SS vehicle)
	2,500	Government Savings (Historic Driving brochure)
	357,286	Included above
	1,695	Parks grounds
	2,138	Clifton Road Fire

Government Capital Projects
October 31, 2014

Code	Description	FY 14 Carryover	FY 15 Original Budget/ Revenue Estimate	FY15 Supplemental Budget	nter-projec Adjusts	Cumulative Budget With Adjusts	Outstanding Encumbrance	Year-to Date Expenditure/ Revenue	Available Balance	Notes
301	*General Government Capital*									
	Expenditure									
800										
94203	Sheriff's Equipment (fingerprinting, etc.)	13,468	4,000		-13,468	4,001		2,670	1,331	
94204	HVAC Systems	18,773				18,773			18,773	
94210	Auto Replacement		30,000			30,000		7,431	22,569	
94209	Communications Equipment/Computers, MDTs, Laptops,	160,188	11,500		13,468	185,156	160,188	24,968	-	
94216	Fencing - Ballfield & Pool	14,456	10,000			24,456			24,456	
94263	Old Park Office Modifications	13,583	90,000			103,583		4,416	99,167	
94271	Additional Parking	10,000				10,000			10,000	
94278	Sheriff's Vehicles	4,943	74,000			78,943		76,405	2,538	
94279	Motorola Portable Radios	50,000				50,000		49,608	392	
94322	Public Safety Voice Logging Data Recorder		66,830			66,830	23,044	27,156	16,630	
94280	Communications	-				-		2,000	(2,000)	
94283	Sheriff's Mobile Radio System/Microwave System		70,000			70,000			70,000	
94284	Park Expansion	10,000				10,000			10,000	
94298	Economic Development	176,434				176,434			176,434	
94299	Technology Improvements	56,018	137,500			193,518	4,705	70,386	118,427	
94300	C-Spout Run Project	73,689				73,689		737	72,952	
610-943	Spout Run Cleanup (EPA Grant pjt)	316,620				316,620		500	316,120	
94315	Real Property Assessment		200,000			200,000	160,268	28,283	11,450	
94317	Ashphalt/Sidewalk		50,000			50,000			50,000	
94318	Sheriff's Building Renovation	152,506	150,000	97,420		399,926	194,698	800	204,428	
94319	Roofing	136,633				136,633			136,633	
94320	Plan Updates	4,552				4,552	4,552		-	
94261	General District Court Repairs	74,681				74,681		1,320	73,361	
94323	General Renovations & Repairs		85,000			85,000		70,121	14,879	85K Painting
94324	Carpeting (Includes Gen Dist Courthouse Seating)	4,933				4,933			4,933	
94325	Landscaping	15,375				15,375			15,375	
94331	Parks Westside Sitework/Parking	87,024				87,024			87,024	
94337	Recreation Center Additions/Wall Crack	56,720				56,720		53,905	2,815	
94338	Systems Integration	357,714				357,714	233,126	36,914	87,674	
94339	Voting Equipment		62,000			62,000			62,000	
	Total Expenditure	**1,808,310**	**1,040,830**	**97,420**	**0**	**2,946,560**	**780,580**	**457,619**	**1,708,361**	
				1,138,250						
	Revenue									
-160606	E-911 PSAP Grant		66,830			66,830			66,830	
-330116	Federal Armor Grant (Bulletproof Vests)		1,500			1,500			1,500	
-330702	National Fish & Wildlife Foundation (C-Spout Run Pjt)	75,769				75,769		58,765	17,004	
-330610	Spout Run Cleanup (EPA Grant)	316,620				316,620			316,620	
-240402	Communications Equipment Grant (Vol. Fire Cos.)	80,094				80,094		80,094	0	
	Total Revenue	**472,483**	**68,330**	-	-	**540,813**		**138,859**	**401,954**	
				68,330						
	Capital Projects Fund Balance									
	Economic Development	177,514				177,514			177,514	
	Total Revenue and Fund Balance	**649,997**	**68,330**	-	-	**718,327**			**579,468**	
	Total Expenditures less Revenue and Fund Balance	**1,158,313**				**2,228,233**			**1,128,893**	

Clarke Co. **Reconciliation of Appropriations** *Year Ending June 30, 2015* 04-Nov-14

Date		Total	General Fund	Soc Svcs Fund	CSA Fund	Sch Oper Fund	Food Serv Fund	GG Cap Fund	School Cap Fund	GG Debt Fund	School Debt Fund	Joint Fund	Conservation Easements	Unemploy. Fund
04/16/14	**Appropriations Resolution: Total**	39,932,445	8,984,882	1,338,165	607,000	21,447,660	782,343	1,040,830	852,179	420,700	3,867,648	551,038	15,000	25,000
	Adjustments:													
06/17/14	Sheriff's Office Renovation							97,420						
06/17/14	Park Benches		1,010											
07/15/14	Moore and Dorsey Easements												273,124	
10/21/14	Historic Driving Brochure HPC		2,500											
10/21/14	Social Services Vehicle			25,700										
11/18/14	School Operating Carryover					*357,286*								
11/18/14	School Security Grant								*67,223*					
11/18/14	Parks Grounds Cypress Trees		*1,695*											
11/18/14	Clifton Road Fire Bills		*2,138*											
	Revised Appropriation	40,760,541	8,992,225	1,363,865	607,000	21,804,946	782,343	1,138,250	919,402	420,700	3,867,648	551,038	288,124	25,000
	Change to Appropriation	828,096	7,343	25,700	0	357,286	0	97,420	67,223	0	0	0	273,124	0
	Original Revenue Estimate	14,680,803	2,731,834	892,247	306,457	9,713,245	761,012	0	154,000		119,008	3,000	0	0
	Adjustments:													
06/17/14	Park Benches (Parks Construction Fund)		1,010											
07/15/14	State and Federal Conservation Easement Grants												273,124	
11/18/14	School Security Grant								*67,223*					
	Revised Revenue Estimate	14,954,937	2,732,844	892,247	306,457	9,713,245	761,012	0	154,000	0	119,008	3,000	273,124	0
	Change to Revenue Estimate	274,134	1,010	0	0	0	0	0	0	0	0	0	273,124	0
	Original Local Tax Funding	25,251,642	6,253,048	445,918	300,543	11,734,415	21,331	1,040,830	698,179	420,700	3,748,640	548,038	15,000	25,000
	Revised Local Tax Funding	25,805,604	6,259,381	471,618	300,543	12,091,701	21,331	1,138,250	765,402	420,700	3,748,640	548,038	15,000	25,000
	Change to Local Tax Funding	553,962	6,333	25,700	0	357,286	0	97,420	67,223	0	0	0	0	0

Italics = Proposed actions

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
FD 100	GENERAL FUND						
PJT 000	NON-CATEGORICAL						
	FUNC 11010 BOARD OF SUPERVISORS						
1300	SALARIES - PART TIME	$ 13,800.00	$ 9,200.00	$ 1,150.00	$ 4,606.35	$ 6.35-	100.05
2100	FICA	$ 1,056.00	$ 590.14	$ 73.76	$ 295.04	$ 170.82	83.82
2300	HOSPITAL/MEDICAL PLANS	$ 11,650.00	$ 7,762.08	$ 970.26	$ 3,881.04	$ 6.88	99.94
3100	PROFESSIONAL SERVICES	$ 9,000.00	$ 0.00	$ 0.00	$ 0.00	$ 9,000.00	0.00
3600	ADVERTISING	$ 5,600.00	$ 0.00	$ 457.60	$ 610.60	$ 4,989.40	10.90
5210	POSTAL SERVICES	$ 300.00	$ 0.00	$ 27.96	$ 27.96	$ 272.04	9.32
5230	TELECOMMUNICATIONS	$ 0.00	$ 0.00	$ 2.07	$ 5.28	$ 5.28-	100.00
5307	PUBLIC OFFICIAL LIABILITY INS.	$ 6,100.00	$ 0.00	$ 0.00	$ 6,070.00	$ 30.00	99.51
5540	TRAVEL CONVENTION & EDUCATION	$ 3,000.00	$ 0.00	$ 0.00	$ 2,601.16	$ 398.84	86.71
5800	MISCELLANEOUS CHARGES	$ 1,600.00	$ 0.00	$ 0.00	$ 444.15	$ 1,155.85	27.76
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 5,200.00	$ 0.00	$ 243.39	$ 4,472.65	$ 727.35	86.01
6001	OFFICE SUPPLIES	$ 500.00	$ 0.00	$ 35.55	$ 35.55	$ 464.45	7.11
11010	BOARD OF SUPERVISORS	$ 57,806.00	$ 17,552.22	$ 2,960.59	$ 23,049.78	$ 17,204.00	70.24
	FUNC 12110 COUNTY ADMINISTRATOR						
1100	SALARIES - REGULAR	$ 215,195.00	$ 143,463.32	$ 17,932.92	$ 71,731.68	$ 0.00	100.00
2100	FICA	$ 15,336.00	$ 10,489.42	$ 1,311.18	$ 5,254.59	$ 408.01-	102.66
2210	VSRS - PLANS 1 AND 2	$ 23,370.00	$ 15,580.10	$ 1,947.52	$ 7,790.08	$ 0.18-	100.00
2300	HEALTH INSURANCE BENEFITS	$ 20,929.00	$ 13,945.04	$ 1,743.13	$ 6,972.52	$ 11.44	99.95
2400	LIFE INSURANCE	$ 2,841.00	$ 1,707.21	$ 213.41	$ 896.66	$ 237.13	91.65
2700	WORKER'S COMPENSATION	$ 175.00	$ 0.00	$ 0.00	$ 208.18	$ 33.18-	118.96
3100	PROFESSIONAL SERVICES	$ 0.00	$ 12,500.00	$ 0.00	$ 7,500.00	$ 20,000.00-	100.00
3320	MAINTENANCE SERVICE CONTRACT	$ 500.00	$ 758.53	$ 0.00	$ 101.47	$ 360.00-	172.00
3500	PRINTING AND BINDING	$ 2,000.00	$ 0.00	$ 0.00	$ 0.00	$ 2,000.00	0.00
5210	POSTAL SERVICES	$ 500.00	$ 0.00	$ 4.64	$ 4.64	$ 495.36	0.93
5230	TELECOMMUNICATIONS	$ 1,000.00	$ 410.83	$ 63.52	$ 287.82	$ 301.35	69.86
5540	TRAVEL CONVENTION & EDUCATION	$ 1,000.00	$ 0.00	$ 0.00	$ 0.00	$ 1,000.00	0.00
5800	MISCELLANEOUS	$ 0.00	$ 0.00	$ 32.38-	$ 0.00	$ 0.00	100.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 1,000.00	$ 0.00	$ 0.00	$ 517.93	$ 482.07	51.79
6001	OFFICE SUPPLIES	$ 1,000.00	$ 0.00	$ 24.08	$ 69.13	$ 930.87	6.91
6008	VEHICLE AND EQUIPMENT FUEL	$ 1,200.00	$ 0.00	$ 64.35	$ 198.07	$ 1,001.93	16.51
6012	SUPPLIES - BOOKS AND SUBSCRIPTIO	$ 1,350.00	$ 0.00	$ 0.00	$ 0.00	$ 1,350.00	0.00
12110	COUNTY ADMINISTRATOR	$ 287,396.00	$ 198,854.45	$ 23,272.37	$ 101,532.77	$ 12,991.22-	104.52
	FUNC 12210 LEGAL SERVICES						
1100	SALARIES - REGULAR	$ 38,844.00	$ 0.00	$ 0.00	$ 0.00	$ 38,844.00	0.00
2100	FICA	$ 2,972.00	$ 0.00	$ 0.00	$ 0.00	$ 2,972.00	0.00
2700	WORKER'S COMPENSATION	$ 30.00	$ 0.00	$ 0.00	$ 0.00	$ 30.00	0.00
3100	PROFESSIONAL SERVICES	$ 30,000.00	$ 0.00	$ 804.00	$ 9,069.00	$ 20,931.00	30.23
6001	SUPPLIES	$ 0.00	$ 0.00	$ 0.00	$ 5.65	$ 5.65-	100.00
12210	LEGAL SERVICES	$ 71,846.00	$ 0.00	$ 804.00	$ 9,074.65	$ 62,771.35	12.63
	FUNC 12310 COMMISSIONER OF REVENUE						
1100	SALARIES - REGULAR	$ 139,602.00	$ 93,176.67	$ 11,647.08	$ 46,737.70	$ 312.37-	100.22
2100	FICA	$ 10,680.00	$ 6,588.24	$ 823.60	$ 3,274.31	$ 817.45	92.35
2210	VSRS - PLANS 1 AND 2	$ 15,161.00	$ 10,118.99	$ 1,264.87	$ 5,058.01	$ 16.00-	100.11
2300	HEALTH INSURANCE BENEFITS	$ 21,456.00	$ 12,352.40	$ 1,544.05	$ 6,663.02	$ 2,440.58	88.63
2400	LIFE INSURANCE	$ 1,843.00	$ 1,108.80	$ 138.59	$ 582.18	$ 152.02	91.75
2700	WORKER'S COMPENSATION	$ 115.00	$ 0.00	$ 0.00	$ 133.02	$ 18.02-	115.67
3100	PROFESSIONAL SERVICES	$ 100.00	$ 0.00	$ 47.18	$ 470.77	$ 370.77-	470.77
3320	MAINTENANCE SERVICE CONTRACTS	$ 500.00	$ 56.39	$ 0.00	$ 63.61	$ 380.00	24.00
3500	PRINTING AND BINDING	$ 500.00	$ 0.00	$ 0.00	$ 0.00	$ 500.00	0.00
3600	ADVERTISING	$ 250.00	$ 0.00	$ 0.00	$ 0.00	$ 250.00	0.00
4100	DATA PROCESSING	$ 1,900.00	$ 0.00	$ 0.00	$ 0.00	$ 1,900.00	0.00
5210	POSTAL SERVICES	$ 2,200.00	$ 0.00	$ 382.63	$ 382.63	$ 1,817.37	17.39
5230	TELECOMMUNICATIONS	$ 600.00	$ 0.00	$ 13.56	$ 34.87	$ 565.13	5.81
5510	TRAVEL MILEAGE	$ 500.00	$ 0.00	$ 0.00	$ 422.80	$ 77.20	84.56

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
5540	TRAVEL CONVENTION & EDUCATION	$ 2,500.00	$ 0.00	$ 646.07	$ 1,842.14	$ 657.86	73.69
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 800.00	$ 0.00	$ 0.00	$ 35.00	$ 765.00	4.38
6001	OFFICE SUPPLIES	$ 1,100.00	$ 0.00	$ 0.00	$ 611.38	$ 488.62	55.58
6012	SUPPLIES - BOOKS AND SUBSCRIPTI	$ 800.00	$ 0.00	$ 0.00	$ 105.00	$ 695.00	13.12
12310	COMMISSIONER OF REVENUE	$ 200,607.00	$ 123,401.49	$ 16,507.63	$ 66,416.44	$ 10,789.07	94.62
	FUNC 12320 ASSESSOR						
3320	MAINTENANCE SERVICE CONTRACT	$ 3,500.00	$ 0.00	$ 0.00	$ 0.00	$ 3,500.00	0.00
	FUNC 12410 TREASURER						
1100	SALARIES - REGULAR	$ 169,404.00	$ 113,054.67	$ 14,131.83	$ 56,690.45	$ 341.12-	100.20
2100	FICA	$ 12,960.00	$ 8,515.21	$ 1,064.39	$ 4,270.05	$ 174.74	98.65
2210	VSRS - PLANS 1 AND 2	$ 18,397.00	$ 12,277.75	$ 1,534.71	$ 6,137.23	$ 17.98-	100.10
2300	HEALTH INSURANCE BENEFITS	$ 17,476.00	$ 11,643.12	$ 1,455.39	$ 5,821.56	$ 11.32	99.94
2400	LIFE INSURANCE	$ 2,236.00	$ 1,345.35	$ 168.16	$ 706.39	$ 184.26	91.76
2700	WORKER'S COMPENSATION	$ 135.00	$ 0.00	$ 0.00	$ 161.41	$ 26.41-	119.56
3100	PROFESSIONAL SERVICES	$ 300.00	$ 0.00	$ 23.59	$ 70.77	$ 229.23	23.59
3180	CREDIT CARD MERCHANT FEES	$ 600.00	$ 0.00	$ 0.00	$ 1,472.42	$ 872.42-	245.40
3190	DMV STOP FEES	$ 0.00	$ 0.00	$ 60.00	$ 120.00	$ 120.00-	100.00
3320	MAINTENANCE SERVICE CONTRACT	$ 200.00	$ 56.39	$ 0.00	$ 63.61	$ 80.00	60.00
3500	PRINTING AND BINDING	$ 9,500.00	$ 0.00	$ 0.00	$ 0.00	$ 9,500.00	0.00
3600	ADVERTISING	$ 2,000.00	$ 0.00	$ 0.00	$ 0.00	$ 2,000.00	0.00
5210	POSTAL SERVICES	$ 20,000.00	$ 0.00	$ 7,446.42	$ 7,446.42	$ 12,553.58	37.23
5230	TELECOMMUNICATIONS	$ 1,600.00	$ 0.00	$ 6.87	$ 18.36	$ 1,581.64	1.15
5510	TRAVEL MILEAGE	$ 150.00	$ 0.00	$ 114.24	$ 114.24	$ 35.76	76.16
5540	TRAVEL CONVENTION & EDUCATION	$ 1,600.00	$ 0.00	$ 436.20	$ 786.20	$ 813.80	49.14
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 800.00	$ 0.00	$ 0.00	$ 725.00	$ 75.00	90.62
6001	OFFICE SUPPLIES	$ 4,100.00	$ 0.00	$ 87.77	$ 975.35	$ 3,124.65	23.79
6022	SUPPLIES - DOG TAGS	$ 750.00	$ 0.00	$ 0.00	$ 0.00	$ 750.00	0.00
12410	TREASURER	$ 262,208.00	$ 146,892.49	$ 26,529.57	$ 85,579.46	$ 29,736.05	88.66
	FUNC 12510 DATA PROCESSING						
1100	SALARIES - REGULAR	$ 122,425.00	$ 81,616.67	$ 10,202.08	$ 40,808.32	$ 0.01	100.00
1300	SALARIES - PART TIME	$ 0.00	$ 0.00	$ 352.50	$ 810.00	$ 810.00-	100.00
2100	FICA	$ 9,366.00	$ 6,182.51	$ 846.46	$ 3,059.84	$ 123.65	98.68
2210	VSRS - PLANS 1 AND 2	$ 13,295.00	$ 8,863.56	$ 1,107.95	$ 4,431.80	$ 0.36-	100.00
2300	HOSPITAL/MEDICAL PLANS	$ 15,103.00	$ 7,762.08	$ 682.52	$ 4,456.52	$ 2,884.40	80.90
2400	LIFE INSURANCE	$ 1,616.00	$ 971.24	$ 121.41	$ 510.12	$ 134.64	91.67
2700	WORKER'S COMPENSATION	$ 110.00	$ 0.00	$ 0.00	$ 119.44	$ 9.44-	108.58
3100	PROFESSIONAL SERVICES	$ 2,000.00	$ 1,450.00	$ 200.00	$ 2,818.43	$ 2,268.43-	213.42
3320	MAINTENANCE SERVICE CONTRACT	$ 40,000.00	$ 22,973.97	$ 2,523.44	$ 29,377.88	$ 12,351.85-	130.88
5210	POSTAL SERVICES	$ 50.00	$ 0.00	$ 7.17	$ 7.17	$ 42.83	14.34
5230	TELECOMMUNICATIONS	$ 30,000.00	$ 8,691.70	$ 2,205.60	$ 7,986.04	$ 13,322.26	55.59
5540	TRAVEL CONVENTION & EDUCATION	$ 500.00	$ 0.00	$ 0.00	$ 122.42	$ 377.58	24.48
6001	OFFICE SUPPLIES	$ 2,000.00	$ 0.00	$ 316.72	$ 773.30	$ 1,226.70	38.66
8207	EDP EQUIPMENT ADDITIONS	$ 20,000.00	$ 0.00	$ 2,521.99	$ 5,657.91	$ 14,342.09	28.29
12510	DATA PROCESSING	$ 256,465.00	$ 138,511.73	$ 21,087.84	$ 100,939.19	$ 17,014.08	93.37
	FUNC 13100 ELECTORAL BOARD AND OFFICIALS						
1300	SALARIES - PART TIME	$ 6,194.00	$ 4,129.28	$ 2,064.64	$ 2,064.64	$ 0.08	100.00
2100	FICA	$ 474.00	$ 315.89	$ 157.93	$ 157.93	$ 0.18	99.96
3000	PURCHASED SERVICES	$ 4,200.00	$ 0.00	$ 0.00	$ 0.00	$ 4,200.00	0.00
3160	BOARD MEMBER FEES	$ 7,975.00	$ 0.00	$ 0.00	$ 0.00	$ 7,975.00	0.00
3320	MAINTENANCE SERVICE CONTRACT	$ 5,000.00	$ 0.00	$ 0.00	$ 0.00	$ 5,000.00	0.00
3500	PRINTING AND BINDING	$ 2,576.00	$ 0.00	$ 0.00	$ 261.75	$ 2,314.25	10.16
3600	ADVERTISING	$ 340.00	$ 0.00	$ 0.00	$ 0.00	$ 340.00	0.00
5210	POSTAL SERVICES	$ 1,500.00	$ 0.00	$ 1,294.48	$ 1,294.48	$ 205.52	86.30
5400	LEASES AND RENTALS	$ 1,050.00	$ 0.00	$ 0.00	$ 0.00	$ 1,050.00	0.00
5510	TRAVEL MILEAGE	$ 350.00	$ 0.00	$ 0.00	$ 0.00	$ 350.00	0.00
5540	TRAVEL CONVENTION & EDUCATION	$ 900.00	$ 0.00	$ 32.00-	$ 921.58	$ 21.58-	102.40
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 150.00	$ 0.00	$ 0.00	$ 0.00	$ 150.00	0.00
6000	MATERIAL AND SUPPLIES	$ 1,670.00	$ 0.00	$ 0.00	$ 584.95	$ 1,085.05	35.03
13100	ELECTORAL BOARD AND OFFICIALS	$ 32,379.00	$ 4,445.17	$ 3,485.05	$ 5,285.33	$ 22,648.50	30.05

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
	FUNC 13200 REGISTRAR						
1100	SALARIES - REGULAR	$ 46,832.00	$ 31,221.32	$ 3,902.67	$ 15,610.68	$ 0.00	100.00
1300	SALARIES - PART TIME	$ 8,840.00	$ 0.00	$ 792.00	$ 2,788.44	$ 6,051.56	31.54
2100	FICA	$ 4,260.00	$ 2,400.02	$ 360.58	$ 1,413.31	$ 446.67	89.51
2210	VSRS - PLANS 1 AND 2	$ 5,086.00	$ 3,390.64	$ 423.83	$ 1,695.32	$ 0.04	100.00
2300	HEALTH INSURANCE BENEFITS	$ 0.00	$ 0.00	$ 0.00	$ 3.14	$ 3.14-	100.00
2400	LIFE INSURANCE	$ 618.00	$ 371.53	$ 46.44	$ 195.12	$ 51.35	91.69
2700	WORKER'S COMPENSATION	$ 40.00	$ 0.00	$ 0.00	$ 52.58	$ 12.58-	131.45
3310	REPAIR & MAINTENANCE	$ 200.00	$ 0.00	$ 0.00	$ 0.00	$ 200.00	0.00
3320	MAINTENANCE & SERVICE CONTRACT	$ 180.00	$ 88.20	$ 0.00	$ 11.80	$ 80.00	55.56
5230	TELECOMMUNICATIONS	$ 1,000.00	$ 509.88	$ 64.03	$ 274.14	$ 215.98	78.40
5510	TRAVEL MILEAGE	$ 250.00	$ 0.00	$ 0.00	$ 0.00	$ 250.00	0.00
5540	TRAVEL CONVENTION & EDUCATION	$ 1,470.00	$ 0.00	$ 0.00	$ 0.00	$ 1,470.00	0.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 150.00	$ 0.00	$ 0.00	$ 0.00	$ 150.00	0.00
6001	OFFICE SUPPLIES	$ 725.00	$ 0.00	$ 103.70	$ 379.10	$ 345.90	52.29
13200	REGISTRAR	$ 69,651.00	$ 37,981.59	$ 5,693.25	$ 22,423.63	$ 9,245.78	86.73
	FUNC 21100 CIRCUIT COURT						
3100	PURCHASED SERVICES	$ 0.00	$ 0.00	$ 0.00	$ 158.00	$ 158.00-	100.00
5841	COMPENSATION OF JURORS	$ 3,000.00	$ 0.00	$ 150.00	$ 300.00	$ 2,700.00	10.00
5842	JURY COMMISSIONERS	$ 180.00	$ 0.00	$ 0.00	$ 0.00	$ 180.00	0.00
7001	SHARED COURT SERVICES	$ 9,500.00	$ 0.00	$ 0.00	$ 0.00	$ 9,500.00	0.00
21100	CIRCUIT COURT	$ 12,680.00	$ 0.00	$ 150.00	$ 458.00	$ 12,222.00	3.61
	FUNC 21200 GENERAL DISTRICT COURT						
3320	MAINTENANCE SERVICE CONTRACT	$ 0.00	$ 208.62	$ 91.38	$ 91.38	$ 300.00-	100.00
5210	POSTAL SERVICES	$ 980.00	$ 1,023.00	$ 0.00	$ 0.00	$ 43.00-	104.39
5230	TELECOMMUNICATIONS	$ 1,900.00	$ 0.00	$ 289.11	$ 911.56	$ 988.44	47.98
6001	OFFICE SUPPLIES	$ 500.00	$ 0.00	$ 0.00	$ 0.00	$ 500.00	0.00
6012	SUPPLIES - BOOKS AND SUBSCRIPTI	$ 600.00	$ 0.00	$ 0.00	$ 138.40	$ 461.60	23.07
21200	GENERAL DISTRICT COURT	$ 3,980.00	$ 1,231.62	$ 380.49	$ 1,141.34	$ 1,607.04	59.62
	FUNC 21300 MAGISTRATE						
5230	TELECOMMUNICATIONS	$ 400.00	$ 0.00	$ 0.00	$ 12.08	$ 387.92	3.02
	FUNC 21500 JUVENILE & DOMESTIC RELATIONS OFFICE						
3310	REPAIR & MAINTENANCE	$ 1,200.00	$ 0.00	$ 0.00	$ 0.00	$ 1,200.00	0.00
3320	MAINTENANCE SERVICE CONTRACT	$ 1,221.00	$ 406.32	$ 0.00	$ 193.68	$ 621.00	49.14
5210	POSTAL SERVICES	$ 550.00	$ 0.00	$ 0.00	$ 93.00	$ 457.00	16.91
5230	TELECOMMUNICATIONS	$ 700.00	$ 0.00	$ 49.49	$ 181.44	$ 518.56	25.92
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 300.00	$ 0.00	$ 0.00	$ 40.00	$ 260.00	13.33
6001	OFFICE SUPPLIES	$ 2,000.00	$ 0.00	$ 0.00	$ 146.65	$ 1,853.35	7.33
21500	JUVENILE & DOMESTIC RELATIONS OF	$ 5,971.00	$ 406.32	$ 49.49	$ 654.77	$ 4,909.91	17.77
	FUNC 21600 CLERK OF THE CIRCUIT COURT						
1100	SALARIES - REGULAR	$ 165,828.00	$ 110,701.95	$ 13,837.74	$ 55,558.13	$ 432.08-	100.26
2100	FICA	$ 12,686.00	$ 8,579.96	$ 1,072.49	$ 4,305.81	$ 199.77-	101.57
2210	VSRS - PLANS 1 AND 2	$ 18,009.00	$ 12,022.23	$ 1,502.78	$ 6,009.07	$ 22.30-	100.12
2300	HEALTH INSURANCE BENEFITS	$ 11,650.00	$ 7,762.08	$ 970.26	$ 3,881.04	$ 6.88	99.94
2400	LIFE INSURANCE	$ 2,189.00	$ 1,317.35	$ 164.67	$ 691.65	$ 180.00	91.78
2700	WORKER'S COMPENSATION	$ 135.00	$ 0.00	$ 0.00	$ 158.00	$ 23.00-	117.04
3100	PROFESSIONAL SERVICES	$ 3,000.00	$ 0.00	$ 0.00	$ 0.00	$ 3,000.00	0.00
3320	MAINTENANCE SERVICE CONTRACT	$ 12,000.00	$ 625.40	$ 267.30	$ 534.60	$ 10,840.00	9.67
3500	PRINTING AND BINDING	$ 1,000.00	$ 0.00	$ 0.00	$ 0.00	$ 1,000.00	0.00
3510	MICROFILMING	$ 7,000.00	$ 0.00	$ 435.84	$ 1,722.44	$ 5,277.56	24.61
5210	POSTAL SERVICES	$ 3,000.00	$ 0.00	$ 262.60	$ 654.60	$ 2,345.40	21.82
5230	TELECOMMUNICATIONS	$ 900.00	$ 0.00	$ 76.66	$ 294.01	$ 605.99	32.67
6001	OFFICE SUPPLIES	$ 6,500.00	$ 0.00	$ 341.90	$ 2,171.43	$ 4,328.57	33.41
21600	CLERK OF THE CIRCUIT COURT	$ 243,897.00	$ 141,008.97	$ 18,932.24	$ 75,980.78	$ 26,907.25	88.97
	FUNC 21900 VICTIM/WITNESS PROGRAM						

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
1300	SALARIES - PART TIME	$ 28,965.00	$ 19,309.98	$ 2,413.76	$ 9,655.04	$ 0.02-	100.00
2100	FICA	$ 2,216.00	$ 1,456.50	$ 182.27	$ 729.08	$ 30.42	98.63
2210	VSRS - PLANS 1 AND 2	$ 3,146.00	$ 2,097.08	$ 262.13	$ 1,048.52	$ 0.40	99.99
2300	Health Insurance	$ 4,520.00	$ 3,881.04	$ 485.13	$ 1,940.52	$ 1,301.56-	128.80
2400	LIFE INSURANCE	$ 382.00	$ 230.03	$ 37.02	$ 155.52	$ 3.55-	100.93
2700	WORKER'S COMPENSATION	$ 35.00	$ 0.00	$ 0.00	$ 35.57	$ 0.57-	101.63
5230	TELECOMMUNICATIONS	$ 0.00	$ 0.00	$ 17.40	$ 38.02	$ 38.02-	100.00
5540	TRAVEL CONVENTION & EDUCATION	$ 600.00	$ 0.00	$ 0.00	$ 0.00	$ 600.00	0.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 75.00	$ 0.00	$ 0.00	$ 0.00	$ 75.00	0.00
6001	OFFICE SUPPLIES	$ 250.00	$ 0.00	$ 0.00	$ 0.00	$ 250.00	0.00
21900	VICTIM/WITNESS PROGRAM	$ 40,189.00	$ 26,974.63	$ 3,397.71	$ 13,602.27	$ 387.90-	100.97
	FUNC 21930 BLUE RIDGE LEGAL SERVICES						
5699	CIVIC CONTRIBUTIONS	$ 1,500.00	$ 0.00	$ 0.00	$ 1,500.00	$ 0.00	100.00
	FUNC 21940 REGIONAL COURT SERVICES						
5699	CIVIC CONTRIBUTIONS	$ 4,494.00	$ 0.00	$ 0.00	$ 4,494.00	$ 0.00	100.00
	FUNC 22100 COMMONWEALTH'S ATTORNEY						
1100	SALARIES - REGULAR	$ 188,735.00	$ 126,692.68	$ 15,836.59	$ 63,606.69	$ 1,564.37-	100.83
1300	SALARIES - PART TIME	$ 12,300.00	$ 0.00	$ 1,144.00	$ 4,528.00	$ 7,772.00	36.81
2100	FICA	$ 15,034.00	$ 11,011.21	$ 1,463.77	$ 5,871.30	$ 1,848.51-	112.30
2210	VSRS - PLANS 1 AND 2	$ 19,092.00	$ 12,818.57	$ 1,602.32	$ 6,406.71	$ 133.28-	100.70
2300	HEALTH INSURANCE BENEFITS	$ 11,457.00	$ 7,762.08	$ 970.26	$ 3,881.04	$ 186.12-	101.62
2400	LIFE INSURANCE	$ 2,321.00	$ 1,404.61	$ 175.58	$ 737.42	$ 178.97	92.29
2700	WORKER'S COMPENSATION	$ 165.00	$ 0.00	$ 0.00	$ 195.78	$ 30.78-	118.65
3320	MAINTENANCE SERVICE CONTRACT	$ 750.00	$ 182.33	$ 0.00	$ 201.07	$ 366.60	51.12
5210	POSTAL SERVICES	$ 1,100.00	$ 0.00	$ 150.00	$ 516.30	$ 583.70	46.94
5230	TELECOMMUNICATIONS	$ 3,000.00	$ 1,897.60	$ 208.72	$ 273.13	$ 829.27	72.36
5540	TRAVEL CONVENTION & EDUCATION	$ 4,650.00	$ 0.00	$ 0.00	$ 2,970.80	$ 1,679.20	63.89
5549	WITNESS TRAVEL EXPENDITURES	$ 2,000.00	$ 0.00	$ 0.00	$ 0.00	$ 2,000.00	0.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 1,000.00	$ 0.00	$ 0.00	$ 1,108.00	$ 108.00-	110.80
6001	OFFICE SUPPLIES	$ 1,800.00	$ 0.00	$ 273.09	$ 689.08	$ 1,110.92	38.28
6012	SUPPLIES - BOOKS AND SUBSCRIPTI	$ 1,000.00	$ 0.00	$ 0.00	$ 43.75	$ 956.25	4.38
22100	COMMONWEALTH'S ATTORNEY	$ 264,404.00	$ 161,769.08	$ 21,824.33	$ 91,029.07	$ 11,605.85	95.61
	FUNC 31200 SHERIFF						
1100	SALARIES - REGULAR	$ 854,550.00	$ 562,538.67	$ 70,317.33	$ 281,257.97	$ 10,753.36	98.74
1300	SALARIES - PART TIME	$ 23,000.00	$ 0.00	$ 3,934.05	$ 9,464.49	$ 13,535.51	41.15
2100	FICA	$ 67,819.00	$ 39,671.99	$ 5,259.93	$ 20,560.73	$ 7,586.28	88.81
2210	VSRS - PLANS 1 AND 2	$ 110,813.00	$ 61,091.74	$ 7,636.45	$ 30,545.80	$ 19,175.46	82.70
2300	HEALTH INSURANCE BENEFITS	$ 139,357.00	$ 76,617.44	$ 9,577.18	$ 38,333.86	$ 24,405.70	82.49
2400	LIFE INSURANCE	$ 13,469.00	$ 6,694.21	$ 836.76	$ 3,515.91	$ 3,258.88	75.80
2700	WORKER'S COMPENSATION	$ 12,000.00	$ 0.00	$ 0.00	$ 14,491.22	$ 2,491.22-	120.76
2860	LINE OF DUTY BENEFITS	$ 7,000.00	$ 0.00	$ 0.00	$ 7,113.56	$ 113.56-	101.62
3100	PROFESSIONAL SERVICES	$ 7,000.00	$ 0.00	$ 402.97	$ 670.45	$ 6,329.55	9.58
3310	REPAIR & MAINTENANCE	$ 5,155.00	$ 7,804.00	$ 2,845.90	$ 4,199.21	$ 6,848.21-	232.85
3320	MAINTENANCE SERVICE CONTRACT	$ 17,500.00	$ 640.00	$ 0.00	$ 12,492.62	$ 4,367.38	75.04
3350	INSURED REPAIRS	$ 500.00	$ 0.00	$ 0.00	$ 0.00	$ 500.00	0.00
5210	POSTAL SERVICES	$ 2,000.00	$ 0.00	$ 53.22	$ 407.09	$ 1,592.91	20.35
5230	TELECOMMUNICATIONS	$ 20,000.00	$ 10,779.39	$ 1,598.10	$ 6,784.35	$ 2,436.26	87.82
5305	MOTOR VEHICLE INSURANCE	$ 13,000.00	$ 0.00	$ 0.00	$ 15,191.00	$ 2,191.00-	116.85
5530	TRAVEL SUBSISTANCE & LODGING	$ 8,500.00	$ 0.00	$ 869.37	$ 934.21	$ 7,565.79	10.99
5540	TRAVEL CONVENTION & EDUCATION	$ 4,500.00	$ 0.00	$ 0.00	$ 1,228.00	$ 3,272.00	27.29
5800	MISCELLANEOUS CHARGES	$ 1,500.00	$ 0.00	$ 122.94-	$ 82.94-	$ 1,582.94	-5.53
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 2,700.00	$ 0.00	$ 1,395.00	$ 1,485.00	$ 1,215.00	55.00
6001	OFFICE SUPPLIES	$ 5,000.00	$ 0.00	$ 544.38	$ 2,672.18	$ 2,327.82	53.44
6007	REPAIR AND MAINTENANCE SUPPLIES	$ 40,915.00	$ 7,425.85	$ 4,867.60	$ 6,377.75	$ 27,111.40	33.74
6008	VEHICLE AND EQUIPMENT FUEL	$ 77,000.00	$ 0.00	$ 3,192.57	$ 17,896.64	$ 59,103.36	23.24
6010	POLICE SUPPLIES	$ 14,500.00	$ 0.00	$ 399.00	$ 1,277.84	$ 13,222.16	8.81
6011	UNIFORM AND WEARING APPAREL	$ 6,000.00	$ 0.00	$ 543.05	$ 1,979.89	$ 4,020.11	33.00
6017	SUPPLIES - AMMUNITION	$ 9,000.00	$ 206.32	$ 120.35	$ 5,993.48	$ 2,800.20	68.89
6024	INSURED REPAIRS	$ 8,930.00	$ 0.00	$ 0.00	$ 0.00	$ 8,930.00	0.00
31200	SHERIFF	$ 1,471,708.00	$ 773,469.61	$ 114,270.27	$ 484,790.31	$ 213,448.08	85.50

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
	FUNC 31210 CRIMINAL JUSTICE TRAINING CENTER						
5699	CIVIC CONTRIBUTIONS	$ 19,185.00	$ 0.00	$ 0.00	$ 18,720.00	$ 465.00	97.58
	FUNC 31220 DRUG TASK FORCE						
5699	CIVIC CONTRIBUTIONS	$ 12,500.00	$ 0.00	$ 0.00	$ 0.00	$ 12,500.00	0.00
	FUNC 32100 EMERGENCY MEDICAL SERVICES						
1100	SALARIES - REGULAR	$ 257,022.00	$ 125,884.40	$ 17,944.42	$ 83,332.54	$ 47,805.06	81.40
1300	SALARIES - PART TIME	$ 102,000.00	$ 0.00	$ 8,979.00	$ 31,316.50	$ 70,683.50	30.70
2100	FICA	$ 28,040.00	$ 8,138.71	$ 1,873.03	$ 8,026.37	$ 11,874.92	57.65
2210	VSRS - PLANS 1 AND 2	$ 20,506.00	$ 13,670.99	$ 1,708.90	$ 6,835.60	$ 0.59-	100.00
2300	HEALTH INSURANCE BENEFITS	$ 35,952.00	$ 23,962.64	$ 2,995.33	$ 11,981.32	$ 8.04	99.98
2400	LIFE INSURANCE	$ 2,492.00	$ 1,498.02	$ 187.24	$ 786.76	$ 207.22	91.68
2700	WORKER'S COMPENSATION	$ 12,500.00	$ 0.00	$ 0.00	$ 13,987.30	$ 1,487.30-	111.90
2860	LINE OF DUTY BENEFITS	$ 2,500.00	$ 0.00	$ 0.00	$ 2,510.58	$ 10.58-	100.42
3000	PROFESSIONAL SERVICES	$ 159,000.00	$ 0.00	$ 0.00	$ 0.00	$ 159,000.00	0.00
5230	TELECOMMUNICATIONS	$ 800.00	$ 0.00	$ 43.46	$ 167.87	$ 632.13	20.98
5540	TRAVEL CONVENTION & EDUCATION	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
6001	OFFICE SUPPLIES	$ 400.00	$ 0.00	$ 45.50	$ 350.97	$ 49.03	87.74
6008	VEHICLE AND EQUIPMENT FUEL	$ 1,500.00	$ 0.00	$ 69.71	$ 252.98	$ 1,247.02	16.87
6011	UNIFORM AND WEARING APPAREL	$ 1,100.00	$ 0.00	$ 0.00	$ 0.00	$ 1,100.00	0.00
8201	MACHINERY & EQUIPMENT	$ 25,000.00	$ 0.00	$ 0.00	$ 0.00	$ 25,000.00	0.00
32100	EMERGENCY MEDICAL SERVICES	$ 648,912.00	$ 173,154.76	$ 33,846.59	$ 159,548.79	$ 316,208.45	51.27
	FUNC 32200 VOLUNTEER FIRE COMPANIES						
1100	SALARIES - REGULAR	$ 0.00	$ 46,666.67	$ 5,833.33	$ 11,666.66	$ 58,333.33-	100.00
2100	FICA	$ 0.00	$ 3,593.68	$ 449.21	$ 898.42	$ 4,492.10-	100.00
2220	VSRS - HYBRID PLAN	$ 0.00	$ 5,068.00	$ 1,208.67	$ 1,267.00	$ 6,335.00-	100.00
2400	LIFE INSURANCE	$ 0.00	$ 555.33	$ 69.42	$ 143.50	$ 698.83-	100.00
2510	VLDP PLAN - HYBRID	$ 0.00	$ 275.33	$ 34.42	$ 68.84	$ 344.17-	100.00
5697	TWO FOR LIFE DISTRIBUTION	$ 15,798.00	$ 0.00	$ 0.00	$ 16,257.28	$ 459.28-	102.91
5698	FIRE PROGRAMS DISTRIBUTION	$ 25,854.00	$ 0.00	$ 0.00	$ 27,811.00	$ 1,957.00-	107.57
5699	CIVIC CONTRIBUTIONS	$ 25,000.00	$ 0.00	$ 0.00	$ 0.00	$ 25,000.00	0.00
32200	VOLUNTEER FIRE COMPANIES	$ 66,652.00	$ 56,159.01	$ 7,595.05	$ 58,112.70	$ 47,619.71-	171.45
	FUNC 32201 BLUE RIDGE VOLUNTEER FIRE COMPANY						
2860	LINE OF DUTY BENEFITS	$ 1,500.00	$ 0.00	$ 0.00	$ 1,675.00	$ 175.00-	111.67
5699	CIVIC CONTRIBUTIONS	$ 50,000.00	$ 0.00	$ 12,500.00	$ 25,000.00	$ 25,000.00	50.00
32201	BLUE RIDGE VOLUNTEER FIRE COMPAN	$ 51,500.00	$ 0.00	$ 12,500.00	$ 26,675.00	$ 24,825.00	51.80
	FUNC 32202 BOYCE VOLUNTEER FIRE COMPANY						
2860	LINE OF DUTY BENEFITS	$ 2,500.00	$ 0.00	$ 0.00	$ 2,176.86	$ 323.14	87.07
5699	CIVIC CONTRIBUTIONS	$ 50,000.00	$ 0.00	$ 0.00	$ 0.00	$ 50,000.00	0.00
32202	BOYCE VOLUNTEER FIRE COMPANY	$ 52,500.00	$ 0.00	$ 0.00	$ 2,176.86	$ 50,323.14	4.15
	FUNC 32203 ENDERS VOLUNTEER FIRE COMPANY						
2860	LINE OF DUTY BENEFITS	$ 3,500.00	$ 0.00	$ 0.00	$ 2,814.00	$ 686.00	80.40
5699	CIVIC CONTRIBUTIONS	$ 75,000.00	$ 0.00	$ 18,750.00	$ 37,500.00	$ 37,500.00	50.00
32203	ENDERS VOLUNTEER FIRE COMPANY	$ 78,500.00	$ 0.00	$ 18,750.00	$ 40,314.00	$ 38,186.00	51.36
	FUNC 32300 LORD FAIRFAX EMERGENCY MEDICAL						
5699	CIVIC CONTRIBUTIONS	$ 5,422.00	$ 0.00	$ 0.00	$ 5,422.00	$ 0.00	100.00
	FUNC 32400 FORESTRY SERVICE						
5699	CIVIC CONTRIBUTIONS	$ 2,712.00	$ 0.00	$ 0.00	$ 2,711.52	$ 0.48	99.98
	FUNC 33100 REGIONAL JAIL						
7000	JOINT OPERATIONS	$ 562,301.00	$ 0.00	$ 0.00	$ 278,692.18	$ 283,608.82	49.56
	FUNC 33200 JUVENILE DETENTION						
3840	PURCHASED SERVICES - DETENTION C	$ 38,854.00	$ 0.00	$ 9,769.25	$ 9,769.25	$ 29,084.75	25.14

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
	FUNC 33300 PROBATION OFFICE						
5210	POSTAL SERVICES	$ 125.00	$ 0.00	$ 0.00	$ 0.00	$ 125.00	0.00
5230	TELECOMMUNICATIONS	$ 500.00	$ 0.00	$ 8.18	$ 23.04	$ 476.96	4.61
6001	OFFICE SUPPLIES	$ 300.00	$ 0.00	$ 0.00	$ 70.52	$ 229.48	23.51
33300	PROBATION OFFICE	$ 925.00	$ 0.00	$ 8.18	$ 93.56	$ 831.44	10.11
	FUNC 34100 BUILDING INSPECTIONS						
1100	SALARIES - REGULAR	$ 98,455.00	$ 56,066.65	$ 7,008.34	$ 28,218.02	$ 14,170.33	85.61
1300	SALARIES - PART TIME	$ 0.00	$ 0.00	$ 0.00	$ 944.72	$ 944.72-	100.00
2100	FICA	$ 7,532.00	$ 3,875.83	$ 484.47	$ 1,992.53	$ 1,663.64	77.91
2210	VSRS - PLANS 1 AND 2	$ 10,692.00	$ 6,088.83	$ 761.11	$ 3,064.49	$ 1,538.68	85.61
2300	HEALTH INSURANCE BENEFITS	$ 12,706.00	$ 10,064.00	$ 1,258.00	$ 5,076.33	$ 2,434.33-	119.16
2400	LIFE INSURANCE	$ 1,300.00	$ 667.19	$ 83.40	$ 352.75	$ 280.06	78.46
2700	WORKER'S COMPENSATION	$ 1,050.00	$ 0.00	$ 0.00	$ 1,389.19	$ 339.19-	132.30
3320	MAINTENANCE SERVICE CONTRACT	$ 1,900.00	$ 364.30	$ 0.00	$ 95.70	$ 1,440.00	24.21
3500	PRINTING AND BINDING	$ 600.00	$ 0.00	$ 0.00	$ 36.50	$ 563.50	6.08
5210	POSTAL SERVICES	$ 150.00	$ 0.00	$ 3.99	$ 3.99	$ 146.01	2.66
5230	TELECOMMUNICATIONS	$ 900.00	$ 491.32	$ 87.34	$ 375.88	$ 32.80	96.36
5540	TRAVEL CONVENTION & EDUCATION	$ 400.00	$ 0.00	$ 0.00	$ 1,440.74	$ 1,040.74-	360.19
5800	MISCELLANEOUS	$ 0.00	$ 0.00	$ 3,630.46	$ 10,891.38	$ 10,891.38-	100.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 400.00	$ 0.00	$ 0.00	$ 0.00	$ 400.00	0.00
6001	OFFICE SUPPLIES	$ 500.00	$ 0.00	$ 34.00	$ 46.90	$ 453.10	9.38
6008	VEHICLE AND EQUIPMENT FUEL	$ 2,500.00	$ 0.00	$ 150.22	$ 493.78	$ 2,006.22	19.75
6012	SUPPLIES - BOOKS AND SUBSCRIPTI	$ 500.00	$ 0.00	$ 622.06	$ 1,158.70	$ 658.70-	231.74
8202	FURNITURE & FIXTURES ADDITIONS	$ 0.00	$ 0.00	$ 0.00	$ 305.48	$ 305.48-	100.00
34100	BUILDING INSPECTIONS	$ 139,585.00	$ 77,618.12	$ 14,123.39	$ 55,887.08	$ 6,079.80	95.64
	FUNC 35100 ANIMAL CONTROL						
1100	SALARIES - REGULAR	$ 35,845.00	$ 23,896.68	$ 2,987.08	$ 11,948.32	$ 0.00	100.00
1300	SALARIES - PART TIME	$ 18,000.00	$ 0.00	$ 1,529.28	$ 5,704.12	$ 12,295.88	31.69
2100	FICA	$ 4,120.00	$ 1,508.49	$ 305.55	$ 1,190.61	$ 1,420.90	65.51
2210	VSRS - PLANS 1 AND 2	$ 3,893.00	$ 2,595.17	$ 324.40	$ 1,297.60	$ 0.23	99.99
2300	HEALTH INSURANCE BENEFITS	$ 6,353.00	$ 4,235.68	$ 529.46	$ 2,117.84	$ 0.52-	100.01
2400	LIFE INSURANCE	$ 473.00	$ 284.37	$ 35.55	$ 149.37	$ 39.26	91.70
2700	WORKER'S COMPENSATION	$ 600.00	$ 0.00	$ 0.00	$ 777.80	$ 177.80-	129.63
3100	PROFESSIONAL SERVICES	$ 12,000.00	$ 0.00	$ 1,200.67	$ 2,649.22	$ 9,350.78	22.08
3320	MAINTENANCE SERVICE CONTRACT	$ 0.00	$ 56.46	$ 18.54	$ 18.54	$ 75.00-	100.00
3500	PRINTING AND BINDING	$ 400.00	$ 0.00	$ 0.00	$ 0.00	$ 400.00	0.00
5210	POSTAL SERVICES	$ 50.00	$ 0.00	$ 0.00	$ 0.00	$ 50.00	0.00
5230	TELECOMMUNICATIONS	$ 1,350.00	$ 105.65	$ 49.98	$ 198.46	$ 1,045.89	22.53
5510	TRAVEL MILEAGE	$ 450.00	$ 0.00	$ 0.00	$ 0.00	$ 450.00	0.00
5540	TRAVEL CONVENTION & EDUCATION	$ 700.00	$ 0.00	$ 0.00	$ 0.00	$ 700.00	0.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
6001	OFFICE SUPPLIES	$ 100.00	$ 0.00	$ 7.20	$ 12.30	$ 87.70	12.30
6004	MEDICAL AND LABORATORY SUPPLIES	$ 3,000.00	$ 0.00	$ 90.63	$ 738.53	$ 2,261.47	24.62
6008	VEHICLE AND EQUIPMENT FUEL	$ 1,750.00	$ 0.00	$ 109.12	$ 474.59	$ 1,275.41	27.12
6011	UNIFORM AND WEARING APPAREL	$ 400.00	$ 0.00	$ 0.00	$ 0.00	$ 400.00	0.00
6014	OTHER OPERATING SUPPLIES	$ 4,500.00	$ 0.00	$ 43.88	$ 146.14	$ 4,353.86	3.25
35100	ANIMAL CONTROL	$ 94,084.00	$ 32,682.50	$ 7,231.34	$ 27,423.44	$ 33,978.06	63.89
	FUNC 35300 MEDICAL EXAMINER & INDIGENT BURIAL						
3100	PROFESSIONAL SERVICES	$ 1,000.00	$ 0.00	$ 60.00	$ 60.00	$ 940.00	6.00
	FUNC 35600 COMMUNICATIONS						
1100	SALARIES - REGULAR	$ 372,438.00	$ 243,996.67	$ 30,499.44	$ 122,136.14	$ 6,305.19	98.31
2100	FICA	$ 27,806.00	$ 18,263.26	$ 2,282.90	$ 9,148.64	$ 394.10	98.58
2210	VSRS - PLANS 1 AND 2	$ 22,438.00	$ 22,540.15	$ 2,817.55	$ 11,270.20	$ 11,372.35-	150.68
2220	VSRS - HYBRID PLAN	$ 0.00	$ 3,957.82	$ 494.72	$ 1,731.52	$ 5,689.34-	100.00
2300	Health Insurance Benefits	$ 29,654.00	$ 34,929.36	$ 4,366.17	$ 16,979.55	$ 22,254.91-	175.05
2400	Life Insurance	$ 2,727.00	$ 2,903.56	$ 362.93	$ 1,496.05	$ 1,672.61-	161.34
2510	VLDP PLAN - HYBRID	$ 0.00	$ 215.01	$ 26.88	$ 94.08	$ 309.09-	100.00
2700	WORKER'S COMPENSATION	$ 175.00	$ 0.00	$ 0.00	$ 196.80	$ 21.80-	112.46
3000	PURCHASED SERVICES	$ 200.00	$ 0.00	$ 0.00	$ 20.38	$ 179.62	10.19

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
3320	MAINTENANCE SERVICE CONTRACT	$ 104,443.00	$ 0.00	$ 36,012.36	$ 77,263.61	$ 27,179.39	73.98
5230	TELECOMMUNICATIONS	$ 25,250.00	$ 820.71	$ 2,455.55	$ 8,161.40	$ 16,267.89	35.57
5420	RENTAL OF BUILDINGS/TOWERS	$ 27,500.00	$ 16,560.00	$ 2,070.00	$ 8,280.00	$ 2,660.00	90.33
5540	TRAVEL CONVENTION & EDUCATION	$ 3,000.00	$ 0.00	$ 0.00	$ 0.00	$ 3,000.00	0.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 300.00	$ 0.00	$ 0.00	$ 0.00	$ 300.00	0.00
6001	OFFICE SUPPLIES	$ 1,800.00	$ 0.00	$ 40.50	$ 399.21	$ 1,400.79	22.18
6011	UNIFORM AND WEARING APPAREL	$ 1,400.00	$ 0.00	$ 0.00	$ 244.95	$ 1,155.05	17.50
6014	OTHER OPERATING SUPPLIES	$ 500.00	$ 0.00	$ 0.00	$ 101.99	$ 398.01	20.40
6032	EDUCATIONAL/TRAINING MATERIALS	$ 0.00	$ 0.00	$ 0.00	$ 269.95	$ 269.95-	100.00
35600	COMMUNICATIONS	$ 619,631.00	$ 344,186.54	$ 81,429.00	$ 257,794.47	$ 17,649.99	97.15
	FUNC 42400 REFUSE DISPOSAL						
3840	PURCHASED SERVICES	$ 168,000.00	$ 0.00	$ 10,954.56	$ 29,294.69	$ 138,705.31	17.44
	FUNC 42600 LITTER CONTROL PROGRAM						
3000	PURCHASED SERVICES	$ 0.00	$ 2,038.00	$ 342.00	$ 1,042.00	$ 3,080.00-	100.00
6014	OTHER OPERATING SUPPLIES	$ 6,171.00	$ 0.00	$ 0.00	$ 0.00	$ 6,171.00	0.00
42600	LITTER CONTROL PROGRAM	$ 6,171.00	$ 2,038.00	$ 342.00	$ 1,042.00	$ 3,091.00	49.91
	FUNC 42700 SANITATION						
3840	PURCHASED SERVICES	$ 27,000.00	$ 0.00	$ 2,454.20	$ 7,362.60	$ 19,637.40	27.27
5699	CIVIC CONTRIBUTIONS	$ 45,000.00	$ 0.00	$ 0.00	$ 45,000.00	$ 0.00	100.00
42700	SANITATION	$ 72,000.00	$ 0.00	$ 2,454.20	$ 52,362.60	$ 19,637.40	72.73
	FUNC 43200 GENERAL PROPERTY MAINTENANCE						
1100	SALARIES - REGULAR	$ 140,846.00	$ 92,438.24	$ 11,554.82	$ 45,315.69	$ 3,092.07	97.80
2100	FICA	$ 10,774.00	$ 6,557.72	$ 819.73	$ 3,237.51	$ 978.77	90.92
2210	VSRS - PLANS 1 AND 2	$ 15,128.00	$ 8,420.23	$ 1,052.53	$ 4,379.36	$ 2,328.41	84.61
2220	VSRS - HYBRID PLAN	$ 0.00	$ 1,506.50	$ 188.31	$ 538.42	$ 2,044.92-	100.00
2300	HEALTH INSURANCE BENEFITS	$ 21,309.00	$ 13,287.15	$ 1,660.90	$ 6,146.73	$ 1,875.12	91.20
2400	LIFE INSURANCE	$ 1,860.00	$ 1,100.02	$ 137.51	$ 560.23	$ 199.75	89.26
2510	VLDP PLAN - HYBRID	$ 0.00	$ 81.85	$ 10.23	$ 29.25	$ 111.10-	100.00
2700	WORKER'S COMPENSATION	$ 3,500.00	$ 0.00	$ 0.00	$ 4,211.49	$ 711.49-	120.33
3100	PROFESSIONAL SERVICES	$ 9,500.00	$ 0.00	$ 0.00	$ 0.00	$ 9,500.00	0.00
3310	REPAIR & MAINTENANCE	$ 8,100.00	$ 0.00	$ 0.00	$ 2,341.50	$ 5,758.50	28.91
3320	MAINTENANCE SERVICE CONTRACT	$ 88,800.00	$ 14,225.42	$ 23,283.57	$ 39,047.17	$ 35,527.41	59.99
3340	CUSTODIAL SERVICE CONTRACTS	$ 0.00	$ 29,279.96	$ 3,660.01	$ 14,640.04	$ 43,920.00-	100.00
3600	ADVERTISING	$ 750.00	$ 0.00	$ 0.00	$ 0.00	$ 750.00	0.00
5130	WATER & SEWER SERVICES	$ 0.00	$ 0.00	$ 102.00	$ 167.75	$ 167.75-	100.00
5230	TELECOMMUNICATIONS	$ 3,900.00	$ 1,046.52	$ 160.59	$ 751.68	$ 2,101.80	46.11
5301	BOILER INSURANCE	$ 2,000.00	$ 0.00	$ 0.00	$ 3,586.00	$ 1,586.00-	179.30
5302	FIRE INSURANCE	$ 19,500.00	$ 0.00	$ 0.00	$ 19,899.00	$ 399.00-	102.05
5305	MOTOR VEHICLE INSURANCE	$ 5,200.00	$ 0.00	$ 0.00	$ 5,956.50	$ 756.50-	114.55
5308	GENERAL LIABILITY INSURANCE	$ 8,500.00	$ 0.00	$ 0.00	$ 8,707.00	$ 207.00-	102.44
5410	LEASE OF EQUIPMENT	$ 1,500.00	$ 0.00	$ 0.00	$ 0.00	$ 1,500.00	0.00
5540	TRAVEL CONVENTION & EDUCATION	$ 800.00	$ 0.00	$ 0.00	$ 245.84	$ 554.16	30.73
6003	SUPPLIES - AGRICULTURAL	$ 750.00	$ 0.00	$ 0.00	$ 0.00	$ 750.00	0.00
6005	LAUNDRY, HOUSEKEEPING, & JANITOR	$ 15,000.00	$ 2,682.68	$ 904.00	$ 2,317.32	$ 10,000.00	33.33
6007	REPAIR AND MAINTENANCE SUPPLIES	$ 13,000.00	$ 6,099.47	$ 398.27	$ 1,953.29	$ 4,947.24	61.94
6008	VEHICLE AND EQUIPMENT FUEL	$ 10,000.00	$ 0.00	$ 430.79	$ 1,694.32	$ 8,305.68	16.94
6009	VEHICLE AND EQUIPMENT SUPPLIES	$ 5,700.00	$ 0.00	$ 206.62	$ 931.25	$ 4,768.75	16.34
6014	OTHER OPERATING SUPPLIES	$ 650.00	$ 0.00	$ 0.35	$ 29.61	$ 620.39	4.56
8201	MACHINERY & EQUIPMENT	$ 5,000.00	$ 0.00	$ 0.00	$ 0.00	$ 5,000.00	0.00
8202	FURNITURE & FIXTURES ADDITIONS	$ 200.00	$ 0.00	$ 0.00	$ 0.00	$ 200.00	0.00
43200	GENERAL PROPERTY MAINTENANCE	$ 392,267.00	$ 176,725.76	$ 44,570.23	$ 166,686.95	$ 48,854.29	87.55
	FUNC 43202 101 CHALMERS COURT						
3100	PROFESSIONAL SERVICES	$ 0.00	$ 0.00	$ 0.00	$ 2,581.67	$ 2,581.67-	100.00
3310	REPAIR & MAINTENANCE	$ 16,000.00	$ 551.76	$ 261.73	$ 618.49	$ 14,829.75	7.31
3320	MAINTENANCE SERVICE CONTRACTS	$ 34,000.00	$ 470.75	$ 2,765.07	$ 4,723.81	$ 28,805.44	15.28
3340	CUSTODIAL SERVICE CONTRACTS	$ 0.00	$ 18,659.13	$ 2,332.38	$ 9,329.52	$ 27,988.65-	100.00
5110	ELECTRICAL SERVICES	$ 28,000.00	$ 0.00	$ 2,701.78	$ 5,580.23	$ 22,419.77	19.93
5120	HEATING SERVICES	$ 3,600.00	$ 0.00	$ 163.92	$ 684.88	$ 2,915.12	19.02

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
5130	WATER & SEWER SERVICES	$ 2,275.00	$ 0.00	$ 94.05	$ 266.48	$ 2,008.52	11.71
6007	REPAIR AND MAINT SUPPLIES	$ 3,800.00	$ 0.00	$ 533.33	$ 683.96	$ 3,116.04	18.00
43202	101 CHALMERS COURT	$ 87,675.00	$ 19,681.64	$ 8,852.26	$ 24,469.04	$ 43,524.32	50.36
	FUNC 43205 129 RAMSBURG LN MAINTENANCE DEPT						
3310	REPAIR & MAINTENANCE	$ 9,000.00	$ 0.00	$ 0.00	$ 198.00	$ 8,802.00	2.20
3320	MAINTENANCE SERVICE CONTRACTS	$ 300.00	$ 0.00	$ 0.00	$ 104.50	$ 195.50	34.83
5110	ELECTRICAL SERVICES	$ 2,550.00	$ 0.00	$ 274.54	$ 797.60	$ 1,752.40	31.28
5120	HEATING SERVICES	$ 3,340.00	$ 0.00	$ 0.00	$ 0.00	$ 3,340.00	0.00
5130	WATER & SEWER SERVICES	$ 140.00	$ 0.00	$ 8.50	$ 42.50	$ 97.50	30.36
43205	129 RAMSBURG LN MAINTENANCE DEPT	$ 15,330.00	$ 0.00	$ 283.04	$ 1,142.60	$ 14,187.40	7.45
	FUNC 43206 100 N CHRUCH ST/RADIO TOWER						
3310	REPAIR & MAINTENANCE	$ 6,560.00	$ 0.00	$ 0.00	$ 507.70	$ 6,052.30	7.74
3320	MAINTENANCE SERVICE CONTRACTS	$ 3,500.00	$ 1,090.00	$ 0.00	$ 2,056.80	$ 353.20	89.91
5110	ELECTRICAL SERVICES	$ 10,500.00	$ 0.00	$ 942.20	$ 2,784.33	$ 7,715.67	26.52
5120	HEATING SERVICES	$ 2,750.00	$ 0.00	$ 11.96	$ 32.41	$ 2,717.59	1.18
5130	WATER & SEWER SERVICES	$ 4,230.00	$ 0.00	$ 184.00	$ 843.75	$ 3,386.25	19.95
6007	REPAIR AND MAINT SUPPLIES	$ 500.00	$ 0.00	$ 156.00	$ 327.43	$ 172.57	65.49
43206	100 N CHRUCH ST/RADIO TOWER	$ 28,040.00	$ 1,090.00	$ 1,294.16	$ 6,552.42	$ 20,397.58	27.26
	FUNC 43207 102 N CHRUCH ST						
3310	REPAIR & MAINTENANCE	$ 9,500.00	$ 0.00	$ 0.00	$ 224.01	$ 9,275.99	2.36
3320	MAINTENANCE SERVICE CONTRACTS	$ 500.00	$ 0.00	$ 0.00	$ 1,567.80	$ 1,067.80-	313.56
5110	ELECTRICAL SERVICES	$ 23,400.00	$ 0.00	$ 2,007.22	$ 6,158.28	$ 17,241.72	26.32
6007	REPAIR AND MAINT SUPPLIES	$ 1,500.00	$ 0.00	$ 0.00	$ 0.00	$ 1,500.00	0.00
43207	102 N CHRUCH ST	$ 34,900.00	$ 0.00	$ 2,007.22	$ 7,950.09	$ 26,949.91	22.78
	FUNC 43208 104 N CHURCH/106 N CHURCH ST						
3310	REPAIR & MAINTENANCE	$ 8,500.00	$ 0.00	$ 148.65	$ 1,043.41	$ 7,456.59	12.28
3320	MAINTENANCE SERVICE CONTRACTS	$ 1,900.00	$ 0.00	$ 0.00	$ 1,719.80	$ 180.20	90.52
5110	ELECTRICAL SERVICES	$ 7,320.00	$ 0.00	$ 912.65	$ 2,682.76	$ 4,637.24	36.65
5120	HEATING SERVICES	$ 3,800.00	$ 0.00	$ 0.00	$ 31.52	$ 3,768.48	0.83
5130	WATER & SEWER SERVICES	$ 650.00	$ 0.00	$ 50.00	$ 100.00	$ 550.00	15.38
6007	REPAIR AND MAINT SUPPLIES	$ 1,300.00	$ 0.00	$ 264.03	$ 272.21	$ 1,027.79	20.94
43208	104 N CHURCH/106 N CHURCH ST	$ 23,470.00	$ 0.00	$ 1,375.33	$ 5,849.70	$ 17,620.30	24.92
	FUNC 43209 225 RAMSBURG LANE ANIMAL SHELTER						
3310	PROFESSIONAL SERVICES	$ 9,000.00	$ 0.00	$ 228.03	$ 900.53	$ 8,099.47	10.01
3320	MAINTENANCE SERVICE CONTRACTS	$ 850.00	$ 0.00	$ 0.00	$ 513.00	$ 337.00	60.35
5110	ELECTRICAL SERVICES	$ 4,750.00	$ 0.00	$ 672.64	$ 1,978.34	$ 2,771.66	41.65
5120	HEATING SERVICES	$ 6,850.00	$ 0.00	$ 863.72	$ 958.51	$ 5,891.49	13.99
5130	WATER & SEWER SERVICES	$ 500.00	$ 0.00	$ 0.00	$ 0.00	$ 500.00	0.00
6007	REPAIR AND MAINT SUPPLIES	$ 2,000.00	$ 0.00	$ 0.00	$ 0.00	$ 2,000.00	0.00
43209	225 RAMSBURG LANE ANIMAL SHELTER	$ 23,950.00	$ 0.00	$ 1,764.39	$ 4,350.38	$ 19,599.62	18.16
	FUNC 43210 524 WESTWOOD RD						
3310	REPAIR & MAINTENANCE	$ 1,400.00	$ 0.00	$ 485.64	$ 665.64	$ 734.36	47.55
3320	MAINTENANCE SERVICE CONTRACTS	$ 400.00	$ 0.00	$ 0.00	$ 190.00	$ 210.00	47.50
5110	ELECTRICAL SERVICES	$ 1,662.00	$ 0.00	$ 125.34	$ 375.89	$ 1,286.11	22.62
5120	HEATING SERVICES	$ 1,800.00	$ 0.00	$ 0.00	$ 0.00	$ 1,800.00	0.00
6007	REPAIR AND MAINT SUPPLIES	$ 300.00	$ 0.00	$ 0.00	$ 13.99	$ 286.01	4.66
43210	524 WESTWOOD RD	$ 5,562.00	$ 0.00	$ 610.98	$ 1,245.52	$ 4,316.48	22.39
	FUNC 43211 225 AL SMITH CIR REC CENTER						
3310	REPAIR & MAINTENANCE	$ 10,000.00	$ 0.00	$ 139.00	$ 5,012.00	$ 4,988.00	50.12
3320	MAINTENANCE SERVICE CONTRACTS	$ 1,500.00	$ 0.00	$ 0.00	$ 209.00	$ 1,291.00	13.93
3340	CUSTODIAL SERVICE CONTRACTS	$ 0.00	$ 0.00	$ 0.00	$ 1,100.55	$ 1,100.55-	100.00
5110	ELECTRICAL SERVICES	$ 20,900.00	$ 0.00	$ 2,493.58	$ 7,092.52	$ 13,807.48	33.94
5120	HEATING SERVICES	$ 4,670.00	$ 0.00	$ 193.53	$ 354.41	$ 4,315.59	7.59

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
5130	WATER & SEWER SERVICES	$ 2,115.00	$ 0.00	$ 119.00	$ 476.00	$ 1,639.00	22.51
6007	REPAIR AND MAINT SUPPLIES	$ 3,200.00	$ 0.00	$ 0.00	$ 289.26	$ 2,910.74	9.04
43211	225 AL SMITH CIR REC CENTER	$ 42,385.00	$ 0.00	$ 2,945.11	$ 14,533.74	$ 27,851.26	34.29
	FUNC 43212 225 AL SMITH CIR PARK OFFICE/GROUNDS						
3310	REPAIR & MAINTENANCE	$ 7,500.00	$ 0.00	$ 75.00	$ 2,168.31	$ 5,331.69	28.91
5110	ELECTRICAL SERVICES	$ 7,020.00	$ 0.00	$ 318.96	$ 942.29	$ 6,077.71	13.42
5130	WATER & SEWER SERVICES	$ 2,313.00	$ 0.00	$ 207.00	$ 716.00	$ 1,597.00	30.96
6007	REPAIR AND MAINT SUPPLIES	$ 7,800.00	$ 0.00	$ 0.00	$ 516.73	$ 7,283.27	6.62
43212	225 AL SMITH CIR PARK OFFICE/GRO	$ 24,633.00	$ 0.00	$ 600.96	$ 4,343.33	$ 20,289.67	17.63
	FUNC 43213 225 AL SMITH CIR POOL						
3310	REPAIR & MAINTENANCE	$ 1,500.00	$ 0.00	$ 0.00	$ 375.00	$ 1,125.00	25.00
5110	ELECTRICAL SERVICES	$ 4,410.00	$ 0.00	$ 635.68	$ 3,219.66	$ 1,190.34	73.01
5130	WATER & SEWER SERVICES	$ 9,800.00	$ 0.00	$ 225.00	$ 4,975.00	$ 4,825.00	50.77
6007	REPAIR AND MAINT SUPPLIES	$ 1,000.00	$ 0.00	$ 13.22	$ 228.92	$ 771.08	22.89
43213	225 AL SMITH CIR POOL	$ 16,710.00	$ 0.00	$ 873.90	$ 8,798.58	$ 7,911.42	52.65
	FUNC 43214 225 AL SMITH CIR BASEBALL						
5110	ELECTRICAL SERVICES	$ 1,420.00	$ 0.00	$ 109.47	$ 439.59	$ 980.41	30.96
6007	REPAIR AND MAINT SUPPLIES	$ 10,000.00	$ 0.00	$ 1,228.59	$ 1,228.59	$ 8,771.41	12.29
43214	225 AL SMITH CIR BASEBALL	$ 11,420.00	$ 0.00	$ 1,338.06	$ 1,668.18	$ 9,751.82	14.61
	FUNC 43215 225 AL SMITH CIR SOCCER						
3310	REPAIR & MAINTENANCE	$ 750.00	$ 0.00	$ 0.00	$ 0.00	$ 750.00	0.00
5110	ELECTRICAL SERVICES	$ 650.00	$ 0.00	$ 70.16	$ 184.46	$ 465.54	28.38
6007	REPAIR AND MAINT SUPPLIES	$ 4,500.00	$ 0.00	$ 1,274.40	$ 1,911.60	$ 2,588.40	42.48
43215	225 AL SMITH CIR SOCCER	$ 5,900.00	$ 0.00	$ 1,344.56	$ 2,096.06	$ 3,803.94	35.53
	FUNC 43232 32 E MAIN ST						
6007	REPAIR AND MAINT SUPPLIES	$ 250.00	$ 0.00	$ 0.00	$ 0.00	$ 250.00	0.00
	FUNC 43236 36 E MAIN ST						
3310	REPAIR & MAINTENANCE	$ 1,500.00	$ 0.00	$ 0.00	$ 0.00	$ 1,500.00	0.00
5130	WATER & SEWER SERVICES	$ 525.00	$ 0.00	$ 0.00	$ 0.00	$ 525.00	0.00
6007	REPAIR AND MAINT SUPPLIES	$ 250.00	$ 0.00	$ 0.00	$ 0.00	$ 250.00	0.00
43236	36 E MAIN ST	$ 2,275.00	$ 0.00	$ 0.00	$ 0.00	$ 2,275.00	0.00
	FUNC 43237 311 E MAIN ST						
3310	REPAIR & MAINTENANCE	$ 5,540.00	$ 0.00	$ 2,820.29	$ 3,600.42	$ 1,939.58	64.99
3320	MAINTENANCE SERVICE CONTRACTS	$ 1,900.00	$ 0.00	$ 0.00	$ 1,700.80	$ 199.20	89.52
5110	ELECTRICAL SERVICES	$ 8,250.00	$ 0.00	$ 887.98	$ 993.10	$ 7,256.90	12.04
5130	WATER & SEWER SERVICES	$ 870.00	$ 0.00	$ 100.00	$ 275.00	$ 595.00	31.61
6007	REPAIR AND MAINT SUPPLIES	$ 2,750.00	$ 0.00	$ 0.00	$ 447.99	$ 2,302.01	16.29
43237	311 E MAIN ST	$ 19,310.00	$ 0.00	$ 3,808.27	$ 7,017.31	$ 12,292.69	36.34
	FUNC 51100 LOCAL HEALTH DEPARTMENT						
5610	CIVIC CONTRIBUTIONS	$ 205,000.00	$ 0.00	$ 51,250.00	$ 51,250.00	$ 153,750.00	25.00
	FUNC 51200 OUR HEALTH						
5699	CIVIC CONTRIBUTIONS	$ 5,000.00	$ 0.00	$ 0.00	$ 5,000.00	$ 0.00	100.00
	FUNC 52500 NORTHWESTERN COMMUNITY SERVICES						
5620	CIVIC CONTRIBUTIONS	$ 85,000.00	$ 0.00	$ 0.00	$ 21,250.00	$ 63,750.00	25.00
	FUNC 52800 CONCERN HOTLINE						
5699	CIVIC CONTRIBUTIONS	$ 750.00	$ 0.00	$ 0.00	$ 750.00	$ 0.00	100.00
	FUNC 52900 NW WORKS						
5699	CIVIC CONTRIBUTIONS	$ 750.00	$ 0.00	$ 0.00	$ 750.00	$ 0.00	100.00

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
	FUNC 53230 SHENANDOAH AREA AGENCY ON AGING						
5699	CIVIC CONTRIBUTIONS	$ 40,000.00	$ 0.00	$ 0.00	$ 10,000.00	$ 30,000.00	25.00
	FUNC 53240 LOUDOUN TRANSIT SERVICE						
5699	CIVIC CONTRIBUTIONS	$ 19,302.00	$ 0.00	$ 0.00	$ 4,825.50	$ 14,476.50	25.00
	FUNC 53500 THE LAUREL CENTER (SHELTER FOR ABUSED WOMEN)						
5699	CIVIC CONTRIBUTIONS	$ 2,000.00	$ 0.00	$ 0.00	$ 2,000.00	$ 0.00	100.00
	FUNC 53600 ACCESS INDEPENDENCE						
5699	CIVIC CONTRIBUTIONS'	$ 750.00	$ 0.00	$ 0.00	$ 0.00	$ 750.00	0.00
	FUNC 69100 LORD FAIRFAX COMMUNITY COLLEGE						
5699	CIVIC CONTRIBUTIONS	$ 17,534.00	$ 0.00	$ 0.00	$ 4,383.50	$ 13,150.50	25.00
	FUNC 71100 PARKS ADMINISTRATION						
1100	SALARIES - REGULAR	$ 232,243.00	$ 154,828.68	$ 19,353.58	$ 77,414.32	$ 0.00	100.00
1300	SALARIES - PART TIME	$ 16,020.00	$ 0.00	$ 1,548.00	$ 5,764.50	$ 10,255.50	35.98
2100	FICA	$ 19,316.00	$ 10,376.77	$ 1,415.49	$ 5,629.30	$ 3,309.93	82.86
2210	VSRS - PLANS 1 AND 2	$ 25,222.00	$ 16,814.42	$ 2,101.79	$ 8,407.16	$ 0.42	100.00
2300	HEALTH INSURANCE BENEFITS	$ 36,032.00	$ 24,009.04	$ 3,001.13	$ 12,004.52	$ 18.44	99.95
2400	LIFE INSURANCE	$ 3,066.00	$ 1,842.46	$ 230.32	$ 967.69	$ 255.85	91.66
2700	WORKER'S COMPENSATION	$ 6,750.00	$ 0.00	$ 0.00	$ 9,870.02	$ 3,120.02-	146.22
3180	CREDIT CARD MERCHANT FEES	$ 3,500.00	$ 0.00	$ 0.00	$ 874.86	$ 2,625.14	25.00
3320	MAINTENANCE SERVICE CONTRACT	$ 6,156.00	$ 2,253.84	$ 119.18	$ 510.96	$ 3,391.20	44.91
3500	PRINTING AND BINDING	$ 1,000.00	$ 0.00	$ 25.90	$ 25.90	$ 974.10	2.59
3600	ADVERTISING	$ 885.00	$ 0.00	$ 0.00	$ 459.00	$ 426.00	51.86
5210	POSTAL SERVICES	$ 5,590.00	$ 0.00	$ 276.30	$ 502.56	$ 5,087.44	8.99
5230	TELECOMMUNICATIONS	$ 2,000.00	$ 0.00	$ 63.36	$ 235.27	$ 1,764.73	11.76
5400	LEASES AND RENTALS	$ 530.00	$ 0.00	$ 520.00	$ 711.27	$ 181.27-	134.20
5540	TRAVEL CONVENTION & EDUCATION	$ 2,274.00	$ 0.00	$ 282.86	$ 782.86	$ 1,491.14	34.43
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 1,800.00	$ 0.00	$ 7.00	$ 528.00	$ 1,272.00	29.33
6001	OFFICE SUPPLIES	$ 2,500.00	$ 0.00	$ 221.95	$ 447.37	$ 2,052.63	17.89
6003	SUPPLIES - AGRICULTURAL	$ 800.00	$ 0.00	$ 0.00	$ 0.00	$ 800.00	0.00
6008	VEHICLE AND EQUIPMENT FUEL	$ 1,400.00	$ 0.00	$ 38.99	$ 265.02	$ 1,134.98	18.93
6011	UNIFORM AND WEARING APPAREL	$ 1,000.00	$ 0.00	$ 357.70	$ 357.70	$ 642.30	35.77
6013	SUPPLIES - EDUCATIONAL AND REC	$ 1,010.00	$ 0.00	$ 31.09	$ 1,043.65	$ 33.65-	103.33
6014	OTHER OPERATING SUPPLIES	$ 1,856.00	$ 0.00	$ 0.00	$ 988.29	$ 867.71	53.25
71100	PARKS ADMINISTRATION	$ 370,950.00	$ 210,125.21	$ 29,594.64	$ 127,790.22	$ 33,034.57	91.09
	FUNC 71310 CLARKE COUNTY RECREATION CENTER						
1100	SALARIES - REGULAR	$ 43,210.00	$ 28,806.68	$ 3,600.83	$ 14,403.32	$ 0.00	100.00
1300	SALARIES - PART TIME	$ 29,300.00	$ 0.00	$ 2,226.44	$ 7,152.97	$ 22,147.03	24.41
2100	FICA	$ 5,972.00	$ 2,179.55	$ 442.78	$ 1,637.06	$ 2,155.39	63.91
2210	VSRS - PLANS 1 AND 2	$ 4,693.00	$ 3,128.41	$ 391.05	$ 1,564.20	$ 0.39	99.99
2300	HEALTH INSURANCE BENEFITS	$ 5,825.00	$ 3,881.04	$ 485.13	$ 1,940.52	$ 3.44	99.94
2400	LIFE INSURANCE	$ 570.00	$ 342.80	$ 42.85	$ 180.04	$ 47.16	91.73
2700	WORKER'S COMPENSATION	$ 560.00	$ 0.00	$ 0.00	$ 0.00	$ 560.00	0.00
3600	ADVERTISING	$ 200.00	$ 0.00	$ 0.00	$ 0.00	$ 200.00	0.00
5830	REFUNDS	$ 200.00	$ 0.00	$ 0.00	$ 106.00	$ 94.00	53.00
6001	OFFICE SUPPLIES	$ 250.00	$ 0.00	$ 0.00	$ 0.00	$ 250.00	0.00
6002	SUPPLIES - FOOD	$ 1,300.00	$ 0.00	$ 0.00	$ 14.84	$ 1,285.16	1.14
6013	SUPPLIES - EDUCATIONAL AND REC	$ 2,590.00	$ 0.00	$ 82.35	$ 748.55	$ 1,841.45	28.90
6014	OTHER OPERATING SUPPLIES	$ 4,200.00	$ 0.00	$ 35.99	$ 661.65	$ 3,538.35	15.75
6015	MERCHANDISE FOR RESALE	$ 5,000.00	$ 0.00	$ 124.61	$ 214.87	$ 4,785.13	4.30
71310	CLARKE COUNTY RECREATION CENTER	$ 103,870.00	$ 38,338.48	$ 7,432.03	$ 28,624.02	$ 36,907.50	64.47
	FUNC 71320 SWIMMING POOL						
1300	SALARIES - PART TIME	$ 60,251.00	$ 0.00	$ 0.00	$ 40,172.73	$ 20,078.27	66.68
2100	FICA	$ 4,610.00	$ 0.00	$ 0.00	$ 3,073.10	$ 1,536.90	66.66
3100	PROFESSIONAL SERVICES	$ 2,900.00	$ 0.00	$ 0.00	$ 475.00	$ 2,425.00	16.38
3600	ADVERTISING	$ 79.00	$ 0.00	$ 0.00	$ 0.00	$ 79.00	0.00
5540	TRAVEL CONVENTION & EDUCATION	$ 350.00	$ 0.00	$ 0.00	$ 0.00	$ 350.00	0.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 1,725.00	$ 0.00	$ 0.00	$ 950.00	$ 775.00	55.07

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
5830	REFUNDS	$ 500.00	$ 0.00	$ 0.00	$ 28.00	$ 472.00	5.60
6011	UNIFORM AND WEARING APPAREL	$ 1,143.00	$ 0.00	$ 0.00	$ 32.19	$ 1,110.81	2.82
6013	SUPPLIES - EDUCATIONAL AND REC	$ 1,700.00	$ 0.00	$ 0.00	$ 79.82	$ 1,620.18	4.70
6014	OTHER OPERATING SUPPLIES	$ 1,700.00	$ 0.00	$ 0.00	$ 392.63	$ 1,307.37	23.10
6015	MERCHANDISE FOR RESALE	$ 2,000.00	$ 0.00	$ 0.00	$ 23.94	$ 1,976.06	1.20
6026	POOL CHEMICALS	$ 11,000.00	$ 1,385.00	$ 84.08	$ 1,680.63	$ 7,934.37	27.87
71320	SWIMMING POOL	$ 87,958.00	$ 1,385.00	$ 84.08	$ 46,908.04	$ 39,664.96	54.90
	FUNC 71330 CONCESSION STAND						
1300	SALARIES - PART TIME	$ 5,290.00	$ 0.00	$ 0.00	$ 1,785.63	$ 3,504.37	33.75
2100	FICA	$ 513.00	$ 0.00	$ 0.00	$ 136.58	$ 376.42	26.62
6001	OFFICE SUPPLIES	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
6015	MERCHANDISE FOR RESALE	$ 10,097.00	$ 0.00	$ 0.00	$ 3,451.40	$ 6,645.60	34.18
71330	CONCESSION STAND	$ 16,000.00	$ 0.00	$ 0.00	$ 5,373.61	$ 10,626.39	33.59
	FUNC 71350 PROGRAMS						
1100	SALARIES - REGULAR	$ 31,641.00	$ 21,094.00	$ 2,636.75	$ 10,547.00	$ 0.00	100.00
1300	SALARIES - PART TIME	$ 94,500.00	$ 0.00	$ 5,433.36	$ 37,184.08	$ 57,315.92	39.35
2100	FICA	$ 9,650.00	$ 1,430.94	$ 594.52	$ 3,559.98	$ 4,659.08	51.72
2210	VSRS - PLANS 1 AND 2	$ 3,436.00	$ 2,290.81	$ 286.35	$ 1,145.40	$ 0.21-	100.01
2300	HOSPITAL/MEDICAL PLANS	$ 5,825.00	$ 3,881.04	$ 485.13	$ 1,940.52	$ 3.44	99.94
2400	LIFE INSURANCE	$ 418.00	$ 251.02	$ 31.38	$ 131.85	$ 35.13	91.60
2700	WORKER'S COMPENSATION	$ 750.00	$ 0.00	$ 0.00	$ 0.00	$ 750.00	0.00
3100	PROFESSIONAL SERVICES	$ 56,000.00	$ 40,567.49	$ 2,867.55	$ 19,084.76	$ 3,652.25-	106.52
3500	PRINTING AND BINDING	$ 7,000.00	$ 1,437.00	$ 0.00	$ 1,693.00	$ 3,870.00	44.71
3600	ADVERTISING	$ 1,700.00	$ 0.00	$ 25.00	$ 25.00	$ 1,675.00	1.47
5210	POSTAL SERVICES	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
5300	NSURANCE	$ 0.00	$ 0.00	$ 0.00	$ 185.00	$ 185.00-	100.00
5400	LEASES AND RENTALS	$ 1,000.00	$ 0.00	$ 87.50	$ 292.50	$ 707.50	29.25
5540	TRAVEL CONVENTION & EDUCATION	$ 500.00	$ 0.00	$ 0.00	$ 0.00	$ 500.00	0.00
5560	GROUP TRIPS	$ 5,000.00	$ 0.00	$ 0.00	$ 1,875.00	$ 3,125.00	37.50
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 500.00	$ 0.00	$ 0.00	$ 200.00	$ 300.00	40.00
5830	REFUNDS	$ 7,500.00	$ 0.00	$ 511.00	$ 1,064.00	$ 6,436.00	14.19
6001	OFFICE SUPPLIES	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
6002	SUPPLIES - FOOD	$ 7,000.00	$ 0.00	$ 336.50	$ 1,515.50	$ 5,484.50	21.65
6011	UNIFORM AND WEARING APPAREL	$ 2,000.00	$ 0.00	$ 201.85	$ 220.55	$ 1,779.45	11.03
6013	SUPPLIES - EDUCATIONAL AND REC	$ 6,500.00	$ 0.00	$ 274.14	$ 1,961.81	$ 4,538.19	30.18
6014	OTHER OPERATING SUPPLIES	$ 2,000.00	$ 0.00	$ 0.00	$ 210.88	$ 1,789.12	10.54
6015	MERCHANDISE FOR RESALE	$ 6,000.00	$ 1,797.00	$ 160.00	$ 1,863.00	$ 2,340.00	61.00
71350	PROGRAMS	$ 249,120.00	$ 72,749.30	$ 13,931.03	$ 84,699.83	$ 91,670.87	63.20
	FUNC 72600 VIRGINIA COMMISSION FOR THE ARTS						
5699	CIVIC CONTRIBUTIONS	$ 10,000.00	$ 0.00	$ 0.00	$ 10,000.00	$ 0.00	100.00
	FUNC 73200 REGIONAL LIBRARY						
5699	CIVIC CONTRIBUTIONS	$ 185,000.00	$ 0.00	$ 46,250.00	$ 92,500.00	$ 92,500.00	50.00
	FUNC 81110 PLANNING ADMINISTRATION						
1100	SALARIES - REGULAR	$ 229,603.00	$ 153,068.62	$ 19,133.60	$ 76,534.40	$ 0.02-	100.00
2100	FICA	$ 17,565.00	$ 11,659.65	$ 1,457.45	$ 5,829.80	$ 75.55	99.57
2210	VSRS - PLANS 1 AND 2	$ 24,935.00	$ 16,623.25	$ 2,077.91	$ 8,311.64	$ 0.11	100.00
2300	HEALTH INSURANCE BENEFITS	$ 20,388.00	$ 13,583.63	$ 1,697.96	$ 6,791.84	$ 12.53	99.94
2400	LIFE INSURANCE	$ 3,031.00	$ 1,821.52	$ 227.70	$ 956.70	$ 252.78	91.66
2700	WORKER'S COMPENSATION	$ 3,650.00	$ 0.00	$ 0.00	$ 4,937.52	$ 1,287.52-	135.27
3100	PROFESSIONAL SERVICES	$ 20,000.00	$ 0.00	$ 2,285.00	$ 5,235.00	$ 14,765.00	26.17
3140	ENGINEERING & ARCHITECTURAL	$ 3,000.00	$ 0.00	$ 0.00	$ 1,427.50	$ 1,572.50	47.58
3320	MAINTENANCE SERVICE CONTRACT	$ 700.00	$ 511.57	$ 0.00	$ 68.43	$ 120.00	82.86
3500	PRINTING AND BINDING	$ 3,000.00	$ 0.00	$ 0.00	$ 61.95	$ 2,938.05	2.07
3600	ADVERTISING	$ 2,000.00	$ 0.00	$ 425.40	$ 1,098.60	$ 901.40	54.93
5210	POSTAL SERVICES	$ 1,500.00	$ 0.00	$ 394.89	$ 394.89	$ 1,105.11	26.33
5230	TELECOMMUNICATIONS	$ 400.00	$ 0.00	$ 20.84	$ 76.47	$ 323.53	19.12
5510	TRAVEL MILEAGE	$ 2,000.00	$ 0.00	$ 41.44	$ 224.56	$ 1,775.44	11.23
5540	TRAVEL CONVENTION & EDUCATION	$ 1,500.00	$ 0.00	$ 0.00	$ 12.00	$ 1,488.00	0.80
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 750.00	$ 0.00	$ 0.00	$ 0.00	$ 750.00	0.00

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
6001	OFFICE SUPPLIES	$ 2,500.00	$ 0.00	$ 16.88	$ 751.86	$ 1,748.14	30.07
6012	SUPPLIES - BOOKS AND SUBSCRIPTI	$ 1,000.00	$ 0.00	$ 0.00	$ 0.00	$ 1,000.00	0.00
81110	PLANNING ADMINISTRATION	$ 337,522.00	$ 197,268.24	$ 27,779.07	$ 112,713.16	$ 27,540.60	91.84
	FUNC 81300 HELP WITH HOUSING						
5699	CIVIC CONTRIBUTIONS	$ 5,400.00	$ 0.00	$ 0.00	$ 5,400.00	$ 0.00	100.00
	FUNC 81400 BOARD OF ZONING APPEALS						
1300	SALARIES - PART TIME	$ 250.00	$ 0.00	$ 0.00	$ 0.00	$ 250.00	0.00
2100	FICA	$ 20.00	$ 0.00	$ 0.00	$ 0.00	$ 20.00	0.00
3100	PROFESSIONAL SERVICES	$ 2,000.00	$ 0.00	$ 0.00	$ 0.00	$ 2,000.00	0.00
3160	BOARD MEMBER FEES	$ 500.00	$ 0.00	$ 0.00	$ 100.00	$ 400.00	20.00
3600	ADVERTISING	$ 500.00	$ 0.00	$ 300.00	$ 300.00	$ 200.00	60.00
5210	POSTAL SERVICES	$ 50.00	$ 0.00	$ 0.00	$ 0.00	$ 50.00	0.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 150.00	$ 0.00	$ 0.00	$ 0.00	$ 150.00	0.00
81400	BOARD OF ZONING APPEALS	$ 3,470.00	$ 0.00	$ 300.00	$ 400.00	$ 3,070.00	11.53
	FUNC 81510 OFFICE OF ECONOMIC DEVELOPMENT						
1100	SALARIES - REGULAR	$ 33,109.00	$ 22,072.71	$ 2,759.07	$ 11,036.28	$ 0.01	100.00
2100	FICA	$ 2,533.00	$ 1,708.09	$ 213.51	$ 854.04	$ 29.13-	101.15
2210	VSRS - PLANS 1 AND 2	$ 3,596.00	$ 2,397.11	$ 299.63	$ 1,198.52	$ 0.37	99.99
2300	HOSPITAL/MEDICAL PLANS	$ 2,913.00	$ 1,940.54	$ 242.56	$ 970.24	$ 2.22	99.92
2400	LIFE INSURANCE	$ 437.00	$ 262.66	$ 32.83	$ 137.95	$ 36.39	91.67
3100	PROFESSIONAL SERVICES	$ 61,600.00	$ 0.00	$ 0.00	$ 850.00	$ 60,750.00	1.38
3500	PRINTING AND BINDING	$ 500.00	$ 0.00	$ 0.00	$ 0.00	$ 500.00	0.00
5210	POSTAGE	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
5699	CIVIC CONTRIBUTIONS	$ 750.00	$ 0.00	$ 0.00	$ 0.00	$ 750.00	0.00
6001	OFFICE SUPPLIES	$ 400.00	$ 0.00	$ 0.00	$ 0.00	$ 400.00	0.00
81510	OFFICE OF ECONOMIC DEVELOPMENT	$ 105,938.00	$ 28,381.11	$ 3,547.60	$ 15,047.03	$ 62,509.86	40.99
	FUNC 81520 BERRYVILLE DEVELOPMENT AUTHORITY						
3100	PROFESSIONAL SERVICES	$ 4,500.00	$ 0.00	$ 0.00	$ 0.00	$ 4,500.00	0.00
3160	BOARD MEMBER FEES	$ 1,000.00	$ 0.00	$ 25.00	$ 100.00	$ 900.00	10.00
3600	ADVERTISING	$ 500.00	$ 0.00	$ 0.00	$ 0.00	$ 500.00	0.00
5210	POSTAL SERVICES	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
81520	BERRYVILLE DEVELOPMENT AUTHORITY	$ 6,100.00	$ 0.00	$ 25.00	$ 100.00	$ 6,000.00	1.64
	FUNC 81530 SMALL BUSINESS DEVELOPMENT CENTER						
5699	CIVIC CONTRIBUTIONS	$ 1,500.00	$ 0.00	$ 0.00	$ 1,500.00	$ 0.00	100.00
	FUNC 81540 BLANDY EXPERIMENTAL FARM						
5699	CIVIC CONTRIBUTIONS	$ 3,000.00	$ 0.00	$ 0.00	$ 3,000.00	$ 0.00	100.00
	FUNC 81600 PLANNING COMMISSION						
1300	SALARIES - PART TIME	$ 500.00	$ 0.00	$ 50.00	$ 250.00	$ 250.00	50.00
2100	FICA	$ 39.00	$ 0.00	$ 3.82	$ 19.12	$ 19.88	49.03
3100	PROFESSIONAL SERVICES	$ 8,000.00	$ 0.00	$ 0.00	$ 0.00	$ 8,000.00	0.00
3160	BOARD MEMBER FEES	$ 10,000.00	$ 0.00	$ 500.00	$ 2,150.00	$ 7,850.00	21.50
3600	ADVERTISING	$ 600.00	$ 0.00	$ 0.00	$ 0.00	$ 600.00	0.00
5210	POSTAL SERVICES	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
5540	TRAVEL CONVENTION & EDUCATION	$ 500.00	$ 0.00	$ 0.00	$ 0.00	$ 500.00	0.00
5810	DUES,SUBSCRIPTIONS & MEMBERSHIPS	$ 261.00	$ 0.00	$ 0.00	$ 0.00	$ 261.00	0.00
81600	PLANNING COMMISSION	$ 20,000.00	$ 0.00	$ 553.82	$ 2,419.12	$ 17,580.88	12.10
	FUNC 81700 BOARD OF SEPTIC APPEALS						
1300	SALARIES - PART TIME	$ 200.00	$ 0.00	$ 0.00	$ 0.00	$ 200.00	0.00
2100	FICA	$ 16.00	$ 0.00	$ 0.00	$ 0.00	$ 16.00	0.00
3160	BOARD MEMBER FEES	$ 200.00	$ 0.00	$ 0.00	$ 150.00	$ 50.00	75.00
3600	ADVERTISING	$ 484.00	$ 0.00	$ 0.00	$ 557.40	$ 73.40-	115.17
5210	POSTAL SERVICES	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
81700	BOARD OF SEPTIC APPEALS	$ 1,000.00	$ 0.00	$ 0.00	$ 707.40	$ 292.60	70.74

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
	FUNC 81800 HISTORIC PRESERVATION COMMISSION						
3100	PROFESSIONAL SERVICES	$ 29,850.00	$ 0.00	$ 3,045.00	$ 3,045.00	$ 26,805.00	10.20
3160	BOARD MEMBER FEES	$ 1,000.00	$ 0.00	$ 100.00	$ 100.00	$ 900.00	10.00
3600	ADVERTISING	$ 250.00	$ 0.00	$ 0.00	$ 0.00	$ 250.00	0.00
5210	POSTAL SERVICES	$ 200.00	$ 0.00	$ 26.40	$ 26.40	$ 173.60	13.20
5540	TRAVEL CONVENTION & EDUCATION	$ 350.00	$ 0.00	$ 0.00	$ 0.00	$ 350.00	0.00
81800	HISTORIC PRESERVATION COMMISSION	$ 31,650.00	$ 0.00	$ 3,171.40	$ 3,171.40	$ 28,478.60	10.02
	FUNC 81910 NORTHERN SHENANDOAH VALLEY REGIONAL COMM						
5699	CIVIC CONTRIBUTIONS	$ 5,776.00	$ 0.00	$ 0.00	$ 5,776.22	$ 0.22-	100.00
	FUNC 81920 REGIONAL AIRPORT AUTHORITY						
5699	CIVIC CONTRIBUTIONS	$ 2,500.00	$ 0.00	$ 0.00	$ 625.00	$ 1,875.00	25.00
	FUNC 82200 FRIENDS OF THE SHENANDOAH						
5699	CIVIC CONTRIBUTIONS	$ 3,000.00	$ 0.00	$ 0.00	$ 3,000.00	$ 0.00	100.00
	FUNC 82210 WATER QUALITY MANAGEMENT						
3000	PURCHASED SERVICES	$ 30,000.00	$ 0.00	$ 0.00	$ 0.00	$ 30,000.00	0.00
	FUNC 82400 LORD FAIRFAX SOIL AND WATER CONSERV						
5699	CIVIC CONTRIBUTIONS	$ 5,000.00	$ 0.00	$ 5,000.00	$ 5,000.00	$ 0.00	100.00
	FUNC 82600 BIO-SOLIDS APPLICATION						
1300	SALARIES - PART TIME	$ 12,228.00	$ 0.00	$ 1,137.50	$ 3,737.50	$ 8,490.50	30.57
2100	FICA	$ 936.00	$ 0.00	$ 87.01	$ 285.90	$ 650.10	30.54
2700	WORKER'S COMPENSATION	$ 150.00	$ 0.00	$ 0.00	$ 137.33	$ 12.67	91.55
3100	PROFESSIONAL SERVICES	$ 400.00	$ 0.00	$ 0.00	$ 0.00	$ 400.00	0.00
5510	TRAVEL MILEAGE	$ 2,047.00	$ 0.00	$ 352.24	$ 857.36	$ 1,189.64	41.88
82600	BIO-SOLIDS APPLICATION	$ 15,761.00	$ 0.00	$ 1,576.75	$ 5,018.09	$ 10,742.91	31.84
	FUNC 83100 COOPERATIVE EXTENSION						
3100	PROFESSIONAL SERVICES	$ 100.00	$ 0.00	$ 0.00	$ 0.00	$ 100.00	0.00
3320	MAINTENANCE SERVICE CONTRACTS	$ 300.00	$ 405.72	$ 0.00	$ 54.28	$ 160.00-	153.33
3841	VPI EXTENSION AGENT	$ 37,036.00	$ 0.00	$ 0.00	$ 0.00	$ 37,036.00	0.00
5210	POSTAGE	$ 64.00	$ 0.00	$ 88.82	$ 88.82	$ 24.82-	138.78
5230	TELECOMMUNICATIONS	$ 500.00	$ 0.00	$ 15.46	$ 44.88	$ 455.12	8.98
6014	OTHER OPERATING SUPPLIES	$ 2,000.00	$ 0.00	$ 100.68	$ 325.20	$ 1,674.80	16.26
83100	COOPERATIVE EXTENSION	$ 40,000.00	$ 405.72	$ 204.96	$ 513.18	$ 39,081.10	2.30
	FUNC 83400 4-H CENTER						
5699	CIVIC CONTRIBUTIONS	$ 2,300.00	$ 0.00	$ 0.00	$ 2,300.00	$ 0.00	100.00
	FUNC 91600 CONTINGENCIES						
1000	PERSONNEL	$ 165,000.00	$ 0.00	$ 0.00	$ 0.00	$ 165,000.00	0.00
3140	ENGINEERING & ARCHITECTURAL	$ 12,150.00	$ 0.00	$ 0.00	$ 0.00	$ 12,150.00	0.00
3150	LEGAL	$ 20,000.00	$ 0.00	$ 0.00	$ 0.00	$ 20,000.00	0.00
8000	MINOR CAPITAL	$ 15,000.00	$ 0.00	$ 0.00	$ 0.00	$ 15,000.00	0.00
91600	CONTINGENCIES	$ 212,150.00	$ 0.00	$ 0.00	$ 0.00	$ 212,150.00	0.00
000	NON-CATEGORICAL	$ 8,896,643.00	$ 3,204,488.76	$ 720,777.24	$ 3,033,563.23	$ 2,658,591.01	70.12
PJT 111 E911							
	FUNC 35610						
5230	TELECOMMUNICATIONS	$ 37,284.00	$ 0.00	$ 0.00	$ 0.00	$ 37,284.00	0.00
6032	EDUCATIONAL/TRAINING MATERIALS	$ 2,000.00	$ 0.00	$ 0.00	$ 0.00	$ 2,000.00	0.00
35610		$ 39,284.00	$ 0.00	$ 0.00	$ 0.00	$ 39,284.00	0.00
111	E911	$ 39,284.00	$ 0.00	$ 0.00	$ 0.00	$ 39,284.00	0.00

Code	Description	Appropriations	Outstanding Encumbrances	Expenditures For OCTOBER	Expenditures Year-to-Date	Available Balance	Percent Used
	PJT 126 V-STOP GRANT						
	FUNC 22100 COMMONWEALTH'S ATTORNEY						
1100	SALARIES - REGULAR	$ 26,877.00	$ 17,237.97	$ 2,154.75	$ 8,619.00	$ 1,020.03	96.20
1300	SALARIES - PART TIME	$ 8,362.00	$ 5,574.70	$ 696.82	$ 2,787.28	$ 0.02	100.00
2100	FICA	$ 2,696.00	$ 391.19	$ 52.61	$ 210.44	$ 2,094.37	22.32
2210	VSRS - PLANS 1 AND 2	$ 1,013.00	$ 605.40	$ 75.68	$ 302.72	$ 104.88	89.65
2300	HEALTH INSURANCE	$ 1,408.00	$ 0.00	$ 0.00	$ 0.00	$ 1,408.00	0.00
2400	LIFE INSURANCE	$ 123.00	$ 0.00	$ 0.00	$ 0.00	$ 123.00	0.00
22100	COMMONWEALTH'S ATTORNEY	$ 40,479.00	$ 23,809.26	$ 2,979.86	$ 11,919.44	$ 4,750.30	88.26
126	V-STOP GRANT	$ 40,479.00	$ 23,809.26	$ 2,979.86	$ 11,919.44	$ 4,750.30	88.26
	PJT 140 RAIN BARREL PARTNERSHIP - INTERSTATE COMMISSION ON						
	FUNC 81110 PLANNING ADMINISTRATION						
6000	MATERIALS AND SUPPLIES	$ 1,080.00	$ 0.00	$ 0.00	$ 0.00	$ 1,080.00	0.00
	PJT 402 DMV SELECTIVE ENFORCEMENT-ALCOHOL						
	FUNC 31200 SHERIFF						
1300	SALARIES - PART TIME	$ 8,360.00	$ 0.00	$ 0.00	$ 2,116.90	$ 6,243.10	25.32
2100	FICA	$ 640.00	$ 0.00	$ 0.00	$ 161.92	$ 478.08	25.30
6010	POLICE SUPPLIES	$ 0.00	$ 0.00	$ 1,125.00	$ 1,125.00	$ 1,125.00-	100.00
31200	SHERIFF	$ 9,000.00	$ 0.00	$ 1,125.00	$ 3,403.82	$ 5,596.18	37.82
402	DMV SELECTIVE ENFORCEMENT-ALCOHO	$ 9,000.00	$ 0.00	$ 1,125.00	$ 3,403.82	$ 5,596.18	37.82
	PJT 403 DMV SELECTIVE ENFORCEMENT-SPEED						
	FUNC 31200 SHERIFF						
1200	OVERTIME	$ 0.00	$ 0.00	$ 0.00	$ 866.15	$ 866.15-	100.00
2100	FICA	$ 0.00	$ 0.00	$ 0.00	$ 66.26	$ 66.26-	100.00
31200	SHERIFF	$ 0.00	$ 0.00	$ 0.00	$ 932.41	$ 932.41-	100.00
403	DMV SELECTIVE ENFORCEMENT-SPEED	$ 0.00	$ 0.00	$ 0.00	$ 932.41	$ 932.41-	100.00
	PJT 410 ICAC TASK FORCE GRANT						
	FUNC 31200 SHERIFF						
6000	MATERIALS AND SUPPLIES	$ 0.00	$ 0.00	$ 0.00	$ 2,056.00	$ 2,056.00-	100.00
	PJT 602 DOJ VEST GRANT						
	FUNC 31200 SHERIFF						
6010	POLICE SUPPLIES	$ 0.00	$ 0.00	$ 3,960.00	$ 3,960.00	$ 3,960.00-	100.00
	PJT 605 DOJ LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG)						
	FUNC 31200 SHERIFF						
1100	SALARIES - REGULAR	$ 1,770.00	$ 0.00	$ 0.00	$ 0.00	$ 1,770.00	0.00
1300	SALARIES - PART TIME	$ 0.00	$ 0.00	$ 0.00	$ 1,942.28	$ 1,942.28-	100.00
2100	FICA	$ 136.00	$ 0.00	$ 0.00	$ 146.99	$ 10.99-	108.08
31200	SHERIFF	$ 1,906.00	$ 0.00	$ 0.00	$ 2,089.27	$ 183.27-	109.62
605	DOJ LOCAL LAW ENFORCEMENT BLOCK	$ 1,906.00	$ 0.00	$ 0.00	$ 2,089.27	$ 183.27-	109.62
100	GENERAL FUND	$ 8,988,392.00	$ 3,228,298.02	$ 728,842.10	$ 3,057,924.17	$ 2,702,169.81	69.94

Joint Administrative Services Board Update

Administrative Services Board

October 27, 2014 Regular Meeting 1:00 pm

At a regular meeting of the Joint Administrative Services Board held on Monday, October 27, 2014 at 1:00 pm in the Meeting Room AB, Berryville Clarke County Government Center, 101 Chalmers Court, 2nd Floor, Berryville, Virginia.

Members Present

Chuck Bishop; J. Michael Hobert; Sharon Keeler; Chip Schutte

Members Absent

David Ash

Staff Present

Emily Johnston; Tom Judge; Gordon Russell; Lora Walburn

Others Present

None

1. Call To Order - Determination of Quorum

   At 1:00 pm, Michael Hobert called the meeting to order.

   By consensus, the Board adopted the agenda as presented.

2. Approval of Minutes

   Chip Schutte, seconded by Chuck Bishop, moved to approve the October 6, 2014 minutes as presented. The motion carried by the following vote:

David Ash	-	Absent
Chuck Bishop	-	Aye
J. Michael Hobert	-	Aye
Sharon Keeler	-	Aye
Charles “Chip” Schutte	-	Aye

3. Travel Policy

Please find an amendment to the current Purchasing Policy section on Travel attached, along with a one page form that will be the instrument for organizing travel events in the future. A concerted effort will be made to enforce this policy and utilize this form. Adoption of this amendment is proposed, after which the matter will be brought to the School Board and Board of Supervisors.

Tom Judge reviewed the issues and recommendation. Emily Johnson answered questions from the Board during the course of its discussion. Highlights include:

- Employees will be reimbursed up to the per diem amounts.
- If receipts are not presented and/or charges exceed per diem, the County will take measures to recover the funds from the responsible employee.
- Emily Johnson explained the process for determining the tier using the GSA website.
- Employees shall be required to submit reimbursements using the revised *Travel Requisition and Reimbursement Form*.

Chip Schutte, seconded by Chuck Bishop, moved to approve the changes to the Travel Policy as shown, as well as the revised Travel Requisition and Reimbursement Form with the new policy to go into effect January 1, 2015 upon approval by the School Board and Board of Supervisors. The motion carried by the following vote:

David Ash	-	Absent
Chuck Bishop	-	Aye
J. Michael Hobert	-	Aye
Sharon Keeler	-	Aye
Charles "Chip" Schutte	-	Aye

4. ERP Update

A. There will be a visual demonstration of the system.

B. There has been substantial savings on travel and conversion costs against what was included in the contract (approx. $10K to date).

C. Next two weeks: extensive meetings on set up options for financial management. See attached [attachment is included in 10-27-2014 packet] brainstorm regarding switch settings.

Tom Judge briefly summarized the items above.

Tom Judge and Gordon Russell provided a demonstration of the Tyler Munis system. Highlights include:

- Plan is to instruct 11 persons per train-the-trainer session.
- Training will include the dashboard function for individual users.

- Authorized users may access from off-site personal computers.
- Employee and citizen self-service functions will be available from off-site personal computers.
- History will include: FY2013 and FY2014 budget and actual; FY2015 budget and year-to-date. Tom Judge is negotiating inclusion of FY2016.
- Tyler Munis is pleased with the County's progress toward implementation.

5. PT assistance for Payroll

Staff medical issues, ERP setup responsibilities, and the prospect of mid-year retroactive payrolls in months with short payroll turnarounds will make it necessary to hire part-time assistance for the Payroll department. JAS generally turns back $10K/year from its budget. It is expected that the department can absorb the cost from its existing budget through December. After that, the ERP portion can be charged to the Capital budgets, or a supplemental from government savings sought. Approval of this course of action is requested.

Tom Judge provided background of the current need with his recommendation for hiring part-time clerical assistance for the Payroll department.

Chip Schutte, seconded by Sharon Keeler, moved to authorize use of existing budgeted funds to cover 10 hours per week thru the end of December at a rate not to exceed $13 per hour. The motion carried by the following vote:

David Ash	-	Absent
Chuck Bishop	-	Aye
J. Michael Hobert	-	Aye
Sharon Keeler	-	Aye
Charles "Chip" Schutte	-	Aye

6. Payroll and Classification Update

The Board of Supervisors has approved additional funding for Joint Services equivalent to 4% of total salary plus benefits, pending completion of the Evergreen Study, and approval by the Joint Administrative Services Board.

Tom Judge summarized the above. He advised that subsequent to completion of the Evergreen study he would bring the study to the Board with recommendation about implementation of salary increase.

7. Set Next Meeting

The next regularly scheduled meeting is set for Monday, November 24, 2014.

8. Adjournment

At 2:00 pm, Chairman Hobert adjourned the meeting.

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Minutes Recorded and Transcribed by: Lora B. Walburn

Government Projects Update

Miscellaneous Items

Board of Supervisors
Summary of Required Actions Status Report

Meeting/Letter Date	Item	Description	Responsibility	Status	Date Complete	Review Date
10/21/2014	1816	Follow up on increased energy costs at the BCCGC in relation to litigation.	David Ash	Complete	10/24/2014	
10/21/2014	1817	Develop notice and advertise public hearing for TA-14-03.	Lora B. Walburn	Complete	10/22/2014	
10/21/2014	1818	Process approved minutes.	Lora B. Walburn	Complete	10/23/2014	
10/21/2014	1819	Process 2014-02P.	Lora B. Walburn	Complete	10/23/2014	
10/21/2014	1820	Update database and draft letters of appointment.	Lora Walburn	Complete	10/28/2014	
10/21/2014	1821	Execute letters of appointment.	J. Michael Hobert	Complete	10/29/2014	
10/21/2014	1822	Provide email notice of appointment to Town Manager Keith Dalton.	Lora B. Walburn	Complete	10/29/2014	
10/21/2014	1823	Provide email notice of appointment to CCPS Superintendent.	Lora B. Walburn	Complete	10/29/2014	
10/21/2014	1824	Contact Bobby Levi for porch repair estimate at 34 East Main Street.	David Ash	Complete	10/22/2014	
10/21/2014	1825	Draft letter re Morgan's Ford Road.	Brandon Stidham	Complete	10/27/2014	
10/21/2014	1826	Update County Code with CC-2014-03.	Lora B. Walburn	Complete	10/23/2014	
10/21/2014	1827	Develop exhibits 1 thru 3.	Lora B. Walburn	Complete	11/3/2014	
10/21/2014	1828	Coordinate BoS direction with Springsted.	David Ash	Complete update recvd 10/28	10/28/2014	

Upon completion, please provide status update to Lora Walburn for database entry.

Board Member Committee Status Reports

Closed Session *[as necessary]*

Citizen Comment Period

Public Hearing Notices

The Clarke County Board of Supervisors will hold public hearing on Tuesday, November 18, 2014, at 6:30 PM, or as soon thereafter as the matter may be heard, in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, 2nd Floor, Berryville, Virginia to consider action on the following matters:

PH 14-15: TA-14-03, Application Filing Deadlines for Special Use Permit, Zoning Map Amendment, Site Plan, and Subdivision Applications. A proposed text amendment to amend Article 5 (Special Use Permits), Article 6 (Site Development Plans), and Article 8 (Amendments) of the Zoning Ordinance and to amend Article 4 (Procedure for Subdivision Approval) of the Subdivision Ordinance. The purpose of the amendments is to create new and clarify existing procedures regarding the filing of applications for special use permits, zoning map amendments (rezonings), site plan reviews, and subdivision plat reviews. The proposed amendments would establish uniform provisions regarding mandatory pre-application meetings, determination of application completeness, and new deadlines for applicant submission of documentation prior to public hearings among other changes.

Any person desiring to be heard regarding the above matters should appear at the appointed time and place. Written copies of statements at public hearings are requested but not required.

David Ash, County Administrator

ZONING AND SUBDIVISION ORDINANCE TEXT AMENDMENTS (TA-14-03)
Application Filing Deadlines for Special Use Permit, Zoning Map Amendment, Site Plan, and Subdivision Applications
November 18, 2014 Board of Supervisors Meeting – PUBLIC HEARING
STAFF REPORT – Department of Planning

The purpose of this staff report is to provide information to the Planning Commission and Board of Supervisors to assist them in reviewing this proposed ordinance amendment. It may be useful to members of the general public interested in this proposed amendment.

Description:

A proposed text amendment to amend Article 5 (Special Use Permits), Article 6 (Site Development Plans), and Article 8 (Amendments) of the Zoning Ordinance and to amend Article 4 (Procedure for Subdivision Approval) of the Subdivision Ordinance. The purpose of the amendments is to create new and clarify existing procedures regarding the filing of applications for special use permits, zoning map amendments (rezonings), site plan reviews, and subdivision plat reviews. The proposed amendments would establish uniform provisions regarding mandatory pre-application meetings, determination of application completeness, and new deadlines for applicant submission of documentation prior to public hearings among other changes.

Requested Action:

Conduct advertised public hearing and take action on proposed text amendment.

Staff Discussion/Analysis:

Background

This proposed amendment was initially developed in response to concerns raised by Commission members regarding applicant submission of supplementary or revised materials for review between the date that the meeting packets are sent to the Commission and the date of the advertised public hearing. The concern was that late submission of materials does not allow adequate time for Staff, the Commission (or Board of Supervisors), and citizens to evaluate the new information. Since the current Zoning and Subdivision Ordinances do not have specified deadlines to regulate submission of supplementary materials, Commission members requested Staff to develop a text amendment to address this concern.

The matter was sent to the Commission's Site Plan Committee for evaluation on January 16, 2014 and the Committee forwarded the following recommendations to the full Commission regarding the proposed text amendment:

- Require applicants to submit all materials pertaining to the technical elements of an application no later than 14 days prior to the first public hearing and 7 days prior to any continued public hearing. Any materials submitted after these deadlines could not be considered by the Commission or Board at that meeting.
- Establish an annual calendar of filing deadlines to inform the public about critical milestones in the application process.

- Do not include a process to allow any filing deadlines to be waived. The Committee's opinion was that granting waivers of the deadline requirements would ultimately weaken the regulation and encourage more applicants to request waivers.
- Establish mandatory pre-application meeting requirements as a pre-requisite to filing an application in order to encourage more complete and accurate submissions.
- Establish a re-advertising fee to be assessed to applicants that fail to provide all materials by the deadline, necessitating a deferral and re-advertisement of a scheduled public hearing.

The Commission reviewed the Committee's recommendations at the briefing meeting on February 4, 2014 and accepted them with the exception of establishing a 10 day deadline for submission of materials prior to a continued public hearing instead of a 7 day deadline. The Commission also agreed to include amendments to reconcile site plan review timeframes with Code of Virginia requirements, to clarify that public hearings are required for site plan reviews, and to include new provisions for applicant-initiated deferral requests.

Following the February 4 briefing meeting, Staff worked with County Attorney Robert Mitchell to review conformance of the requested changes with State law. At Mr. Mitchell's recommendation, a more comprehensive update of the sections of the Zoning Ordinance dealing with special use permits, site plans, and zoning map amendments (rezonings), and the Subdivision Ordinance section dealing with subdivision plat review, was conducted. The proposed text amendments to these sections ensure that consistent language is used across all four review processes, that the resultant workflow and milestones are more efficient and easier to understand, and that all provisions are compliant with Code of Virginia requirements. The County's engineering consultant, Anderson & Associates, also reviewed the text amendments and had no concerns with how the proposed changes may impact the review process.

Text Amendment Overview and Analysis

If the text amendments are adopted, the following steps would apply to all applications for special use permits, zoning map amendments (rezonings), site plans, and subdivision applications.

- Pre-application conference – A formal pre-application conference is to be held with Planning Staff as an application filing requirement no less than seven (7) days prior to filing the application. The meeting would include Planning Staff and the County's engineering consultant and would be used to answer any questions that the applicant and/or their engineer may have about the review process. Pre-application conferences are currently not mandatory, but requiring them would help to encourage more complete and accurate filings. Pre-application conferences would also have to be documented with a report that would become the initial public record on the application. This report would be used to provide Commissioners and Board members with advance notice of upcoming applications.

- Application filing deadline – The application filing deadline would be established by the Zoning Administrator. As previously noted, the filing deadline would likely be established as the first Friday of each month prior to close of business. In the event that

the Planning Department is closed, the deadline would be moved to close of business on the next available business day. A complete application that is filed by the deadline would be taken to the Planning Commission the following month to set public hearing two months from the filing deadline. Failure to file an application by the deadline would automatically advance the application to the next filing deadline. Filing deadlines would be set on an annual basis and publicized on the County website as recommended by the Site Plan Committee.

- Application completeness determination – The Zoning Administrator will review the application within a reasonable time frame and determine whether all required elements are included to constitute a complete application.

- Routing of application and plans. Once an application is determined to be complete, it will be routed to reviewing agencies and the County's engineering consultants. Planning Staff will request all comments back within two weeks although it should be noted that some State agencies may take longer to respond with comments. Planning Staff will provide comments to the applicant as they are received with the goal of providing all comments on technical elements to the applicant within two weeks of the 14-day deadline.

- 14-day submission deadline – Applicants will be required to submit all documentation demonstrating compliance with technical requirements no less than 14 days prior to the scheduled public hearing. Any documentation submitted after the 14 day deadline would not be considered by the Planning Commission or Board of Supervisors. Technical requirements would consist of any specific provisions that must be met for approval, e.g., site plan review requirements. These would not include items that are negotiable or variable on a case by case basis such as impact mitigation measures or conditions.

- 10-day submission deadline for continued public hearings/deferred meetings – In the event of a continued public hearing or closed public hearing and deferral, applicants will be required to submit all documentation demonstrating compliance with technical requirements no less than 10 days prior to the date of the continued public hearing. As with the 14-day deadline, any documentation submitted after the 10-day deadline would not be considered by the Planning Commission or Board of Supervisors.

- Statutory review periods for applications – The Code of Virginia specifies the review period for each of the aforementioned applications. The start and length of the review period for each application is listed below:

    - Special Use Permits – Planning Commission must act on a special use permit application within 100 days of the date of the meeting at which the Commission first considers a complete application. The 100-day review period would begin at the Commission's initial meeting to set public hearing.

    - Zoning Map Amendments (rezonings) -- Planning Commission must act on a rezoning application within 100 days of the date of the meeting at which the

Commission first considers a complete application. The 100-day review period would begin at the Commission's initial meeting to set public hearing.

- Site plans – The administrative body (either the Planning Commission or Berryville Area Development Authority depending upon the location of the subject property) must act on a site plan within 60 days of the date of the meeting at which the administrative body first considers a complete application. The 60-day review period would begin at the Commission's initial meeting to set public hearing.

- Subdivision Plats – The Planning Commission must act on a subdivision plat within 60 days of the date of the meeting at which the administrative body first considers a complete application. The 60-day period would begin at the Commission's initial meeting to set public hearing for major subdivisions, and at the Commission's initial meeting to review minor subdivisions.

Staff previously had concerns with management of the 60-day review period for site plans and major subdivision plats given the Commission's monthly review schedule and procedure for setting public hearings one month prior to conducting them. The County Attorney's determination that the review period begins on the date of the Commission's first review of a complete site plan or subdivision plat application and not on the date that a complete application is filed rectifies this concern.

Other proposed changes include the following:

- Special Use Permit applicants – New language is added to clarify that an owner of record or contract purchaser may apply for a special use permit. In the event that a contract purchaser is the applicant, the owner of record must provide written confirmation that the contract purchaser is approved to serve as the applicant, that there is a written contract among the parties, and that written notification to the County must be provided if the purchase contract is terminated while the application remains pending before the County.

- Deferral of Special Use Permit and Rezoning Applications – New language is added to give the Zoning Administrator the authority to defer a special use or rezoning application that has been scheduled for public hearing. The purpose of this section is to provide an applicant with additional time to refine their application materials without continuing to run against the Commission's or Board's statutory review time. An applicant's deferral request must be provided in writing to the Zoning Administrator prior to finalizing the public hearing advertisement and must be for good cause in order to be accepted by the Zoning Administrator. An accepted deferral request would advance the matter to the Commission's or Board's next regular meeting.

  If the applicant requests a deferral after the public hearing advertisement is finalized, the Commission or Board must act to accept or deny the deferral request. If the deferral request is accepted, the applicant must pay a re-advertising fee in order to be placed on the next Commission or Board agenda. This provides the applicant with a deferral option

if additional work is required late in the process but also provides an incentive for the applicant to identify and address potential deficiencies sooner.

Staff has also assembled a draft Schedule of Land Use Application Deadlines using January – June 2015 as a model timeframe. The Schedule lists Commission and Board of Supervisors meeting dates and deadlines for pre-application meetings, public hearing advertisements, and filing deadlines for initial and continued public hearings. If this text amendment is ultimately adopted, the Schedule would be posted on the County website and also provided in the Planning Department as part of the land use application package. A copy of this draft Schedule is enclosed for your reference.

Given the number of subsections that are proposed for amendment, the County Attorney has recommended that the full text of each section be provided for the Board's review. The full text of these sections and the proposed amendment language is attached for your reference along with an index of the changes to each subsection.

Planning Commission Recommendation:
Following a duly advertised Public Hearing on October 3, 2014, the Planning Commission voted 7-0-3 (Bouffault, Lee, Kruhm absent) to recommend adoption of the text amendment. No one spoke for or against the amendment at the Commission's Public Hearing.

Staff Recommendation:
Staff has no outstanding concerns with the adoption of these text amendments.

Amendment Text (proposed changes in bold italics with strikethroughs where necessary):

See attached document.

History:

January 10, 2014.	**Matter assigned by the Commission to the Site Plan Committee for further study.**
February 4, 2014.	**Site Plan Committee recommendations presented to the Commission; matter is forwarded to Planning Staff for text amendment development.**
September 5, 2014.	**Commission voted 10-0-1 (Kreider absent) to set public hearing for the October Commission meeting.**
October 3, 2014,	**Commission voted 7-0-3 (Bouffault, Lee, Kruhm absent) to recommend adoption of the text amendment.**

October 21, 2014.	**Board voted unanimously (5-0) to set public hearing on the proposed amendment for the November meeting.**
November 18, 2014.	**Placed on the Board of Supervisors' November agenda and advertised for Public Hearing (ad dates October 28 and November 4, 2014).**

TA-14-03 -- APPLICATION FILING DEADLINES FOR SPECIAL USE PERMIT, ZONING MAP AMENDMENT, SITE PLAN, AND SUBDIVISION APPLICATIONS
INDEX OF PROPOSED AMENDMENTS

Zoning Ordinance Amendments

Article 5 – Special Use Permits

No changes to section 5-A (General)

5-B Procedure:

5-B-1 Application:

5-B-1-a Added a new section on pre-application conference requirements.

5-B-1-b Moved and edited language from current 5-B-1-a regarding application filing requirements including who may file an application (changed "contract owner" to "contract purchaser").

5-B-1-c Moved language from current 5-B-1-b regarding materials to be filed with application – no changes made to current language.

5-B-1-d Moved language from current 5-B-1-c regarding Zoning Administrator's authority to require additional information and added new language regarding Zoning Administrator's authority to establish filing deadlines.

5-B-1-e Added new section regarding Zoning Administrator's authority to determine when an application is complete and require that a complete application be forwarded to the Planning Commission for initial review at next meeting.

5-B-2 Recommendation by Planning Commission:

5-B-2-a Removed redundant language that appears in new section 5-B-1-e.

5-B-2-b Added and amended language to clarify that the Commission's 100-day review period begins on the date of the meeting at which the Commission first receives a complete application for review.

5-B-4 Added new section regarding material filing deadlines and application deferral ("Procedures Before Planning Commission and Board of Supervisors")

5-B-4-a Added new section establishing a 14 day deadline prior to first Public Hearing and 10 day deadline prior to continued Public Hearing for applicant to file all documentation to demonstrate compliance with

required technical elements, and notes that late materials shall not be considered by the Commission or Board of Supervisors at the scheduled meeting

5-B-4-b Added new section regarding application deferral

1. Zoning Administrator has authority to accept applicant deferral request if made prior to finalizing the Public Hearing advertisement

2. Commission or Board to determine whether to accept applicant deferral request if provided after the Public Hearing advertisement is finalized, and applicant to be responsible for re-advertising fee if deferral request is accepted

5-B-5 RENUMBERED (current 5-B-4) – Criteria for Action on Special Use Permit

5-B-6 RENUMBERED (current 5-B-5) – Special Use Deemed Approved

No changes to sections 5-C (Revocation) and 5-D (Required Amendment)

Article 6 – Site Development Plans

No changes to sections 6-A (Intent) through 6-D (Administration)

6-E Procedures:

6-E-1 Amended language regarding pre-application conference requirements

6-E-2 Application

6-E-2-b Added language regarding Zoning Administrator's authority to require additional information, and added new language regarding Zoning Administrator's authority to establish filing deadlines

6-E-2-c Added language regarding Zoning Administrator's authority to determine when an application is complete and requirement that a complete application be forwarded to the Planning Commission for initial review at next meeting.

6-E-2-d RENUMBERED (current 6-E-2-c)

6-E-2-e RENUMBERED (current 6-E-2-d)

6-E-2-f RENUMBERED (current 6-E-2-e)

6-E-3 Action on Site Plan Application

6-E-3-a Time Period – replaced 100 day review period with 60 day review period consistent with Code of Virginia requirements

6-E-3-b Edited language to state that public hearings and public notice are required for site plan reviews (subsection 1). Added a new subsection 2 to establish the 14 and 10 day filing deadlines for applicant submission of materials prior to public hearing.

6-E-3-c Action by the Administrative Body

1. Edited language regarding what may be considered in approving or disapproving a site plan.
3. Requires reasons to be stated for disapproval of a site plan and what modifications, if any, can be made to permit approval.
4. Deleted current language preventing refiling of the same or substantially similar version of a plat within 12 months of denial by the Commission (not supported by Code of Virginia).

No changes to sections 6-F (Specifications) through 6-L (Building Permits).

Article 8 – Amendments

No changes to section 8-A (General)

8-B Method of Initiating Amendments:

8-B-1 Petition of Property Owner

8-B-1-a Zoning Map Amendment (rezoning) – Added section title, pre-application conference requirements, and language regarding Zoning Administrator's authority to require additional information, establish filing deadlines, determine completeness, and forwarding to Commission for review

8-B-1-b Deleted current language regarding Zoning Administrator forwarding application to Commission for review (replaced with new language in 8-B-1-a)

8-F Added new section – **Procedures Before Planning Commission and Board of Supervisors**

8-F-1 Added new section establishing a 14 day deadline prior to first Public Hearing and 10 day deadline prior to continued Public Hearing for applicant to file all documentation to demonstrate compliance with required technical elements, and

notes that late materials shall not be considered by the Commission or Board of Supervisors at the scheduled meeting

8-F-2 Added new section regarding application deferral

1. Zoning Administrator has authority to accept applicant deferral request if made prior to finalizing the Public Hearing advertisement

2. Commission or Board to determine whether to accept applicant deferral request if provided after the Public Hearing advertisement is finalized, and applicant to be responsible for re-advertising fee if deferral request is accepted

Current 8-F (Withdrawal of Petitions) and 8-G (Limitation on Filing New Petition After Denial) renumbered as 8-G and 8-H.

Subdivision Ordinance Amendments

Article 4 – Procedure for Subdivision Approval

4-A Deleted current provisions regarding Exploratory Sketch Plans and replaced with language regarding pre-application conference requirements.

4-B Deleted current language regarding subdivision plat application deadlines and review of application by VDOT prior to application filing with the Zoning Administrator.

4-C Acceptance for Filing:

4-C-1 Replaced current language regarding review of preliminary plat by Zoning Administrator with new language noting Zoning Administrator's authority to require necessary information and establish filing deadlines.

4-C-2 Deleted current language preventing refiling of the same or substantially similar version of a plat within 12 months of denial by the Commission (not supported by Code of Virginia). Added new language noting Zoning Administrator's authority to determine when an application is complete and responsibility to forward a complete application to the Commission for review.

4-C-3 Added new language regarding procedure for review of plats by other agencies and officials to solicit comments for Zoning Administrator's staff report.

4-C-4 Added new language indicating that the plat and materials are available for review in the County Planning Department.

4-C-5 Added new language stating that the Applicant is responsible for bearing the costs of any extraordinary professional services used by the Commission in reviewing the plat.

No changes to sections 4-D (Public Disclosure) or 4-E (Report to Planning Commission)

4-F Public Hearing:

Added new subsection (b) to establish the 14 and 10 day filing deadlines for applicant submission of materials prior to public hearing. Current language is numbered as subsection (a).

4-F-2 Added new subsection (f) to establish application deferral procedures.

4-G Action on Preliminary Plat:

4-G-3 Deleted language and reference to 4-C-2 (see above).

No changes to sections 4-H (Submission of Plans and Profiles) and 4-I (Submission of Record Plat)

4-J Action on Record Plat

4-J-2 Deleted subsection (c) as non-specific and potentially limiting grounds for action.

4-J-3 Added language requiring the Commission to state reasons for disapproval of a plat.

No changes to sections 4-K (Recordation of Plats) or 4-L (Burden of Proof)

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5 SPECIAL USE PERMITS

5-A GENERAL

Special Use Permits may be granted by the Board of Supervisors for any of the uses for which a permit is required by the provisions of this Ordinance.

5-B PROCEDURE

5-B-1 Application:

5-B-1-a ~~Application for a Special Use Permit may be made by the record owner of the property, or contract owner with written approval of the record owner. If application is made by the contract owner, a copy of the contract shall be filed with and made a part of the application.~~

Pre-application Conference Requirement.
No less than seven (7) days prior to filing an application, a pre-application conference shall be held between the Applicant and the Zoning Administrator. The Applicant shall provide the following items for review which shall be retained by the Zoning Administrator as the initial public record for the application:

1. A conceptual or draft site plan showing the subject property, general site layout, and main elements to be proposed as part of the application.

2. A written description of the proposed special use including operations details such as the nature of the special use, hours of operation, number of employees, and measures to mitigate impacts on surrounding properties.

5-B-1-b (3/20/90) ~~Such application shall be filed with the Zoning Administrator and shall be accompanied by fifteen (15) copies of the following:~~
~~1. A site development plan in accordance with Article 6 of this Ordinance.~~
~~2. Front, side, and rear elevations and floor plans of proposed buildings.~~
~~3. The applicable filing fee.~~

An application for a Special Use Permit may be made by the record owner of the property or a contract purchaser. If the application is made by a contract purchaser, the record owner shall submit the following, in writing, as a part of the application:

1. Approval of the contract purchaser making the application;

2. Confirmation that the applicant is a contract purchaser under an existing written contract; and

3. Agreement to give written notification to the County if the purchase contract is terminated while the application is pending before the County.

5-B-1-c ~~The Zoning Administrator may require such other information to be submitted, as the Zoning Administrator deems necessary for a proper and intelligent consideration of the application.~~

Such application shall be filed with the Zoning Administrator and shall be accompanied by fifteen (15) copies of the following:

1. A site development plan in accordance with Article 6 of this Ordinance.
2. Front, side, and rear elevations and floor plans of proposed buildings.
3. The applicable filing fee.

5-B-1-d The Zoning Administrator may require such other information to be submitted, as the Zoning Administrator deems necessary for a proper and intelligent consideration of the application. The Zoning Administrator may also establish regular filing deadlines to ensure that there is sufficient time to evaluate the application prior to the Planning Commission's initial review.

5-B-1-e The Zoning Adminsitrator shall determine when the application is complete. After receipt of a complete application, the Zoning Administrator shall refer the application to the Planning Commission for initial review at its next regular monthly meeting.

5-B-2 Recommendation by Planning Commission

5-B-2-a Public Hearing Requirements
(6/13/89) (9/19/89) (10/17/89) (11/16/93)

~~Upon receipt of the application and all required information, the Zoning Administrator shall refer same to the Planning Commission for consideration at the next regular monthly meeting. T~~After referral of the application to the Planning Commission by the Zoning Administrator, the ~~Planning~~ Commission shall hold a public hearing on said application after giving public notice as required by Section 15.2-2204, Code of Virginia, 1950, as amended, and in accordance with the requirements of Section 10-E of this ordinance.

5-B-2-b Action by Planning Commission
(9/19/89)

~~within~~ Within one-hundred (100) days of the date of the meeting of the Planning Commission at which a complete application is referred to the Commission,~~referral the application to the Planning Commission, at their next regular monthly meeting,~~ the ~~Planning~~ Commission shall make a recommendation on said application to the Board of Supervisors to approve or disapprove the application. The recommendation of the Planning Commission may include recommendations for conditions to be applied to the Special Use Permit should it be granted by the Board of Supervisors.

5-B-2-c Information Required Before Making a Recommendation
(6/13/89)

Before making a recommendation, the Commission may require the applicant to furnish such information as it may deem necessary in order to determine whether the proposed special use permit is detrimental to the public health, safety, or general welfare. Such a determination shall be based on the specific findings listed in 5-B-4. The Commission may make any additional findings it may deem appropriate.

5-B-2-d Berryville Area Development Authority
(3/17/92)

The Berryville Area Development Authority (BADA) shall assume the responsibilities of the Planning Commission regarding special use permit review, as detailed above, for properties located within Annexation Area "B" as identified in the Clarke County/Town of Berryville Annexation Agreement, December 1988.

5-B-3 Action by Board of Supervisors

(1/21/97)

5-B-3-a Public Hearing Requirements

(9/18/89) (10/17/89) (11/16/93)

Public Hearing: Within one hundred days of receiving the recommendation of the Planning Commission, at their next regular meeting, and before action on the application for a Special Use Permit, the Board of Supervisors shall hold a public hearing on said application, after giving public notice as required by Section 15.2-2204, Code of Virginia, 1950, as amended, and in accordance with the requirements of Section 10-E of this ordinance.

5-B-3-b Burden of Proof

(6/13/89)

The burden of proof shall be on the applicant to show reasonableness of the proposed special use permit, the lack of adverse effect, and compliance with the elements of public health, safety, and general welfare as set forth in Section 5-B-4.

5-B-4-c Compliance

Upon the granting of a Special Use Permit, one copy of the site development plan submitted with the application shall be certified by the Zoning Administrator and returned to the applicant, together with a statement in writing of the conditions, if any, imposed by the Board in granting the permit. The applicant shall use the property for the proposed use only in such manner as provided in the site development plan and only in accordance with the conditions, if any, provided by the Board.

5-B-4 Procedures Before Planning Commision and Board of Supervisors

5-B-4-a Deadlines for Applicant Submission of Materials Prior to Public Hearing

Following the filing of a complete application, the Applicant shall provide any new or revised materials demonstrating compliance with required technical elements no less than 14 days prior to the first Public Hearing and no less than 10 days prior to any continued Public Hearing. Required technical elements include any regulations governing site development such as building and lot dimensions, use standards, and site development plan elements. Any new or revised materials provided after the deadlines referenced above shall not be considered by the Planning Commission or Board of Supervisors at the scheduled meeting.

5-B-4-b Deferral of Application

An applicant may request that consideration of a special use permit application at a Public Hearing be deferred by submitting a written request for deferral to the Zoning Administrator.

1. If the deferral request is provided to the Zoning Administrator prior to finalizing the Public Hearing advertisement for consideration by the Planning Commission or Board of Supervisors, the Zoning Administrator shall determine whether to grant the deferral request. A request for deferral shall be approved only for good cause. If such request is approved by the Zoning Administrator, consideration of the application shall be deferred to the next regularly scheduled meeting of the Planning Commission or Board of Supervisors.

2. If the deferral request is provided after finalizing the Public Hearing advertisement, the request for deferral shall be placed on the Public Hearing agenda on the date the application is to be considered. The Planning Commission or Board of Supervisors, as applicable may approve the request for deferral for good cause. The applicant shall be responsible for a re-advertising fee which shall be paid in full prior to the application being placed on an upcoming meeting agenda of the Planning Commission or Board of Supervisors.

5-B-45 Criteria for Action on Special Use Permit

(1/21/97) Before taking action, the Board may require the applicant to furnish such information as it may deem necessary in order to determine whether the proposed special use permit is detrimental to the public health, safety, or general welfare. Such a determination shall be based on the following specific findings. The Board may make any additional findings it may deem appropriate. The use requiring the special use permit:

5-B-45-a Will be consistent with the Comprehensive Plan of the County.

5-B-45-b Will be consistent with the Purposes and Intent of this Ordinance.

5-B-45-c Will not have an undue adverse impact on the short-term and long-term fiscal resources of the County for education, water, sewage, fire, police, rescue, solid waste disposal or other services, and will be consistent with the capital improvement goals and objectives of the Comprehensive Plan, to the end that growth of the community will be consonant with the efficient and economic use of public funds.

5-B-45-d Will not cause an undue adverse effect on neighboring property values without furthering the goals of the Comprehensive Plan to the benefit of the County.

5-B-45-e Will not cause an undue adverse effect on the preservation of agricultural or forestal land.

5-B-45-f Will not cause unreasonable traffic congestion or unsafe conditions on existing or proposed public roads and has adequate road access.

5-B-45-g Will not cause destruction of or encroachment upon historic or archeological sites, particularly properties under historic easement.

5-B-45-h Will not cause an undue adverse effect on rare and irreplaceable natural areas, areas of outstanding natural beauty, state-designated scenic byways or scenic rivers or properties under open space easement.

5-B-45-i Will not cause an undue adverse effect on wildlife and plant habitats.

5-B-45-j Will have sufficient water available for its foreseeable needs.

5-B-45-k Will not cause unreasonable depletion of or other undue adverse effect on the water source(s) serving existing development(s) in adjacent areas.

5-B-45-l	Will not cause undue surface or subsurface water pollution.
5-B-45-m	Will not cause an undue adverse effect on existing or proposed septic systems in adjacent areas.
5-B-45-n	Will not cause unreasonable soil erosion.
5-B-45-o	Will have adequate facilities to provide safety from flooding, both with respect to proposed structures and to downhill/downstream properties.
5-B-45-p	Will not cause undue air pollution.
5-B-45-q	Will not cause undue noise, light or glare, dust, odor, fumes, or vibration.
5-B-45-r	If in the AOC or FOC zoning districts, will not result in scale or intensity of land use significantly greater than that allowed under the permitted uses for these districts.
5-B-45-s	Will not cause a detrimental visual impact.

5-B-~~5~~6 Special Use Deemed Approved

(2/17/09) A property shall be deemed to have been approved for a special use if, at the time of the adoption of the ordinance provision permitting that use in the zoning district as a special use, the use was either a permitted use in the district or a legal nonconforming use.

(2/17/09) The owner of a property, deemed to have been approved for a special use as a result of an amendment to the Zoning Ordinance, shall submit a site plan to the Zoning Administrator documenting the nature and extent of such use within six months of the adoption of the ordinance permitting the use as a special use. Failure to do so shall constitute a violation of the Zoning Ordinance. Such a Site Plan shall address the Specifications and Contents of a Site Plan as listed in the Zoning Ordinance Sections 6-F and 6-G. The Zoning Administrator may waive any of these specifications or content items where such waiver is not inconsistent with the intent of Section 6, and the applicant establishes that an undue hardship would result from requiring a specific item or that providing the item is unreasonable.

5-C REVOCATION

(11/16/04) The Board of Supervisors may, by resolution, initiate the revocation of any active Special Use Permit. The consideration of the revocation shall proceed following the procedure set forth for approving a new Special Use Permit. Following a recommendation by the Planning Commission, the Board may revoke an active Special Use Permit for the following reasons:

1. Failure to establish or discontinuance of the approved Special Use: If the approved Special Use has not been established within two years of its approval or if it has been discontinued for one year, the Special Use Permit may be revoked. A Special Use Permit approved before 2004 November 16 shall be eligible for revocation if it has not been established by 2006 November 16 or if it has been discontinued for one year as of 2005 November 16.

(3/18/14)

2. Repeated or continuing violations of the conditions placed on the Permit. Failure to comply with any one or more of the conditions of a Special Use Permit may result in the issuance of a Notice of Violation (OV) by the Zoning Administrator. The Zoning Administrator may present a Special Use Permit to the Board of Supervisors for revocation if the NOV is not resolved as directed. Upon the issuance of a third NOV for violations of any one or more of the permit conditions, and failure of the permit holder to appeal to the Board of Zoning Appeals, the Zoning Administrator shall present the Special Use Permit to the Board of Supervisors for revocation.

(3/18/14)

3. Fraudulent, false, or misleading information supplied by the applicant in applying for the Special Use Permit.
4. Violations of other provisions of the Zoning Ordinance not addressed by the Special Use Permit conditions, the Code of Clarke County, or State and Federal law related to the activities of the Special Use.

5-D REQUIRED AMENDMENT

5-D-1 (2/17/09) A property which has been granted a special use permit for a use, or a property which is deemed to have been granted a special use permit for a use pursuant to section 5-B-5, shall be required to apply for an amended special use permit in the event the use is enlarged or expanded.

5-D-2 (2/17/09) The procedures for applying for an amended special use permit shall be the same procedures as for special use permit applications as set forth in Section 5-B.

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6 SITE DEVELOPMENT PLANS

(7/20/93)
(6/15/04)

6-A INTENT

The purpose of these requirements is to promote the orderly development of certain activities in the County and to insure that such activities are developed in a manner harmonious with surrounding properties and in the interest of public health, safety, and welfare. The site plan shall be used to review:

1. a project's compatibility with its environment,
2. the ability of proposed traffic circulation systems to provide for safe and convenient movement of vehicles and pedestrians,
3. the quantity, quality, utility, and type of the project's community facilities, and
4. the location and adequacy of the provision for drainage and utilities.

6-B WHEN REQUIRED

6-B-1 (7/17/12) A site plan shall be submitted in accordance with this article for all proposed buildings, structures, or uses, except:

a. Single family detached dwellings
b. Small wind turbines subject to the following requirements:
   (1) Single structures greater than 100 feet in height; or
   (2) Less than three wind turbine structures 100 feet or less
c. Agricultural buildings.

6-B-2 A site plan shall be submitted when a change of use of an existing structure requires additional parking or other significant external improvements.

6-B-3 (2/19/08) A site plan shall be submitted when a change of use of an existing structure requires conformance to current site plan requirements such as parking, landscaping, signage, lighting, storm water control, etc.

6-C WAIVER OF REQUIREMENTS

6-C-1 Any requirement of this Section may be waived by the Agent where the waiver is not inconsistent with this Section, and the applicant establishes that an undue hardship would result from a strict enforcement of this Section, or that the requirement is unreasonable.

6-C-2 The Agent may waive the requirements for site plan review for additions to buildings, structures, and uses, if in his/her opinion; such addition does not substantially affect the intent of this Section.

6-D ADMINISTRATION

6-D-1 (2/21/90) The Berryville Area Development Authority (BADA) is the administrative body for property within Annexation Area "B" (as defined in the County/ Town Annexation Agreement of 1988) which is the subject of the application and for which no final Certificate of Occupancy has been

granted.

6-D-2 In all other areas of the County, the Clarke County Planning Commission as the administrative body.

6-D-3 The Planning Commission and BADA may accept comments from the County of Clarke, Town of Berryville, and other applicable public agencies when reviewing site plans.

6-D-4 Agent

The Planning Commission may act through the Clarke County planning staff, and the BADA through the Clarke County planning staff or the Berryville planning staff (the "Agent"), to the extent the Administrative Bodies find it appropriate for the administration of this Section. However, no Agent may act for the Administrative Bodies in approving, conditionally approving, or denying any site plan. The Agent shall be responsible for the processing of site development plan applications, subject to the procedures provided herein.

6-D-5 Inspection

All government officers and employees responsible for the enforcement of this Section shall have the right to enter upon any property at all reasonable times during the period of construction for the purpose of making inspections for compliance with this Section. It shall be the responsibility of the developer to notify the Agent when each stage of the development is ready for inspection for compliance with the site plan as approved by the Administrative Body. The developer shall make one set of the approved site plan available at the site at all times during construction.

6-E PROCEDURES

6-E-1 Pre-Application Conference Requirement

~~All applicants shall first submit a sketch plan and request a pre-application conference with the Agent to discuss the basic site development scheme, basic ordinance requirements, and preliminary features of the proposed development as they relate to this Section~~

No less than seven (7) days prior to filing an application, a pre-application conference shall be held between the Applicant and the Agent. The Applicant shall provide for review a conceptual or draft site plan showing the subject property, general site layout, and main elements to be proposed as part of this application. The draft site plan and any additional materials provided by Applicant shall be retained by the Agent as the initial public record for the application.

6-E-2 Application

6-E-2-a (3/20/90) (10/18/11) Application for approval of a site development plan shall be made by submitting an application form, paper copies of the site plan, a digital or electronic copy of the site plan (Portable Document Format) (PDF), digital files (as described below) and the applicable fee, to the Agent.

1. A total of 21 paper copies shall be submitted, 15 copies on 11 by 17 inch paper and six copies on 24 by 36 inch paper.

2. The digital files shall be provided in one of the following formats:
   DXF (AutoCAD ASCII Drawing Exchange File)
   ArcGIS shapefile
   ArcGis Personal geodatabase
3. The digital files shall provide individual layers for the following features:
   Site boundary
   Parcel lot lines
   Lot numbers
   Tax Map numbers
   Streets and Roads
   Road Right of Ways
   Road names
   Building footprints
   Utilities and Lines
   Easements
4. The digital files shall be submitted in the following projection:

Projected Coordinate System:	NAD 1983 State Plane Virginia North FIPS 4501 Feet
Projection:	Lambert Conformal Conic
False Easting:	11482916.66666666
False Northing:	6561666.66666667
Central Meridian:	-78.50000000
Standard Parallel:	1:38.03333333
Standard Parallel:	2:39.20000000
Latitude Of Origin:	37.66666667
Linear Unit:	Foot US
Geographic Coordinate System:	GCS North American 1983
Datum:	D North American 1983
Prime Meridian:	Greenwich
Angular Unit:	Degree

   A minimum of two property corners shall be identified by xy coordinates in order to "tie to" existing GIS layers.
   A Statement indicating the source of the northern meridian and amount of declination used
5. The Zoning Administrator may modify the number and size of paper copies or digital copies and may modify the format and features for such digital information based on unique circumstances.

6-E-2-b ~~The Agent shall review the submitted materials to determine if the basic requirements of this Section have been met. If in conformance, the application shall be accepted for filing, and shall be forwarded to the Administrative Body.~~

The Agent may require such other information to be submitted as the Agent deems necessary for a proper and intelligent consideration of the application. The Agent may also establish regular filing deadlines to ensure that there is sufficient time to evaluate the application prior to the Administrative Body's initial review.

6-E-2-c The Agent shall determine when the application is complete. After receipt of a complete application, the Agent shall refer the matter to the Administrative Body for initial review at its next regular meeting.

6-E-2-~~e~~d The Agent shall forward copies of the site plan for all applicable agencies and officials for written comments and recommendations. After receiving such comments and recommendations, the Agent shall prepare a report for the Administrative Body.

6-E-2-~~d~~e The site plan and accompanying materials shall be available for public review in the Clarke County Planning Department

6-E-2-~~e~~f In addition to the fee set by the Board of Supervisors, the Board may require the applicant to bear the costs of any extraordinary professional services employed by the Administrative Body in reviewing the site plan.

6-E-3 Action on Site Plan Application

6-E-3-a Time Period

After receiving a complete application from the Agent, the Administrative Body shall ~~consider~~ initially review the application at the next regular monthly meeting. Within ~~100~~ 60 days of this first meeting, the Administrative Body shall act to approve, approve with conditions, or ~~deny~~ disapprove the site plan. ~~Failure of the Administrative Body to act within this 100-day period shall be deemed approval of the site plan unless an extension of the time period is agreed upon by the Administrative Body and the applicant.~~

6-E-3-b Public Notice and Hearings

1. ~~Action on site plans, not requiring an ordinance amendment, are administrative and do not require public notice or hearings. However, the~~ The Administrative Body ~~may~~ shall provide public notice and hold public hearings on the site plan ~~request~~application~~, if it deems it desirable. If the Planning Commission deems it necessary to hold a public hearing on the Site Plan, such public hearing shall be held~~ in accordance with the requirements of Section 10-E of this ordinance.

2. Deadlines for Applicant Submission of Materials Prior to Public Hearing. Following the filing of a complete application, the Applicant shall provide any new or revised materials demonstrating compliance with required technical elements no less than 14 days prior to the first Public Hearing and no less than 10 days prior to any continued Public Hearing. Required technical elements include any regulations governing site development such as lot dimensions and plan submission requirements. Any new or revised materials provided after the deadlines referenced above shall not be considered by the Commission at the scheduled meeting.

6-E-3-c Action by the Administrative Body

1. The Administrative Body shall approve the site plan if it finds that the plan meets the requirements of this ~~Section,~~Ordinance, the Clarke County Code, the Code of Virginia, and the intent of the Clarke County Comprehensive Plan and/or its Berryville Area Plan component~~, and would promote the health, safety, and general welfare of the public~~.
2. The Administrative Body may condition approval of the site plan upon the applicant making certain changes or modifications to the plan, said conditions to be stated in writing by the Administrative Body.

3. ~~The~~ If the Administrative Body ~~may deny~~disapproves a site plan, ~~stating~~ it shall state in writing the reasons for such denial in a separate document or on the plan itself. The reason for disapproval shall identify deficiencies in the plan that caused the disapproval, and shall identify, to the extent practicable, modifications or corrections that will permit approval of the site plan.
4. ~~Applications for the same or substantially similar site development plan shall not be accepted or considered for all or any part of property for which a site development plan has been disapproved by the Administrative Body during the 12 months immediately preceding the application. Such application shall address, at a minimum, those criteria that were cited as the basis of denial.~~

6-E-3-d Appeals

Any applicant may appeal the decision of the Administrative Body by filing within 30 days of the decision of the Administrative Body an appeal in writing to the Board of Supervisors of Clarke County, Virginia.

6-E-3-e Site Plans Submitted with Special Use Permit Applications

(6/19/90) Where a site plan is submitted with a Special Use Permit application as required in Section 5 of this Ordinance, the action of the Administrative Body shall be in the form of a recommendation to the Board of Supervisors. The Board shall then consider the site plan in conjunction with the Special Use Permit request, as outlined in Section 5.

6-E-4 Compliance with Conditions

(2/17/09) (10/18/11) A Site Plan shall become null and void if it is not submitted, in a form complying with all conditions established by the Planning Commission or Board of Supervisors, to the Planning Commission or Board of Supervisors Chair and Zoning Administrator for signature within six months from the date of approval by the Planning Commission or Board of Supervisors. The Planning Commission or Board of Supervisors may extend this time limit upon written request of the property owner. Such submittal shall include six copies on 24 by 36 inch paper, a digital or electronic copy of the site plan (Portable Document Format (PDF), digital files (see section 6-E-2-a-2 thru 5 for format, features, and projection). The Zoning Administrator may modify the number of paper copies or digital copies and may modify the format and features for such digital information based on unique circumstances.

6-E-5 Approval Expiration

(2/17/09) Unless a final Certificate of Occupancy has been issued for the structures shown on the Site Plan, an approved final Site Plan shall no longer be valid after five years from the date the Planning Commission or Board of Supervisors Chair sign a final version of the Site Plan that complies with any conditions set by the Planning Commission or Board of Supervisors in its approval action. Upon application of the developer, filed before expiration of a final Site Plan, the Planning Commission or Board of Supervisors may grant one or more extensions of such approval for additional periods as the Commission or Board, at the time the extension is granted, determines to be reasonable. Such extensions shall take into consideration:

1. whether a building permit has been issued,
2. whether substantial construction work has been completed,
3. the size and phasing of the proposed development, and

4. the laws, ordinances, and regulations in effect at the time of the request for an extension.

6-F SPECIFICATIONS

Every site plan shall be prepared in accordance with the following specifications:

6-F-1 The scale shall be one inch equals not more than 50 feet.

6-F-2 All site plans shall be submitted on 24 by 36 inch sheets.

6-F-3 If the site plan is on more than one sheet, match lines shall clearly indicate where the sheets join.

6-F-4 Horizontal dimensions shall be in feet and decimals of feet to the nearest 1/100 of a foot.

6-G CONTENTS

The site plan, or any portion thereof involving engineering, urban planning, landscape architecture, architecture or land surveying shall be prepared by qualified persons. Site plans shall be certified by seal and signature of an architect, engineer, or land surveyor licensed to practice by the Commonwealth of Virginia within the limits of their respective licenses. The site plan shall contain the following information, as applicable:

6-G-1 The proposed title of the project and the name of the engineer, architect, landscape architect or surveyor; the name of the developer; name and address of the property owner.

6-G-2 A signature area for approvals by the chairman of the Administrative Body and the Agent.

6-G-3 Signature of the property owner.

6-G-4 North point, scale, and date.

6-G-5 Vicinity map at a scale of one inch equals not more than 2,000 feet, showing the location of the project in relation to state roads and other prominent features.

6-G-6 Existing zoning and zoning district boundaries for the property in question, and on immediately surrounding properties.

6-G-7 The present owner and use of all properties contiguous or directly across any street.

6-G-8 The boundaries of the property involved by bearings and distances, certified by a land surveyor licensed to practice in the Commonwealth of Virginia.

6-G-9 All existing property lines, existing streets, buildings, watercourses, waterways, lakes, and other existing physical features on or adjoining the property. Size and height of existing buildings on the property should be shown. Features on adjoining properties need only be shown in approximate scale and proportion.

6-G-10 Topography of the project area with contour intervals of two feet or less

6-G-11 Location and sizes of sanitary and storm sewers, gas lines, water lines, culverts, fire hydrants, and other above-ground or underground structures in or affecting the project, including existing and proposed facilities, and easements for these facilities.

6-G-12 The location, dimensions, name, and construction details (including typical sections) of proposed streets, alleys, driveways, and the location, type, and size of ingress and egress to the site. When proposed streets intersect with existing streets, both edges of existing pavement or curb and gutter must be indicated for a minimum of 50 feet or the length of connections, whichever is greater.

6-G-13 The location of all off-street parking, loading spaces, and walkways, indicating types of surfacing, size and angle of stalls, width of aisles, and a schedule showing the number of parking spaces.

6-G-14 The location, height, type, and material of all fences, walls, screen planting, and landscaping details of all buildings and grounds, and the location, height, and character of all outdoor lighting systems.

6-G-15 The location of all proposed buildings and structures, primary and accessory; number of stories and height; proposed general use of each structure; and the number, size, and type of dwelling units, where applicable.

6-G-16 Provision for the adequate disposition of natural and storm water indicating the location, sizes, types, and grades of ditches, catch basins, detention ponds (showing 10-year and 100-year elevations), and pipes and connections to existing drainage systems. Plans shall be in accordance with the Berryville Stormwater System Master Plan.

6-G-17 Provisions, plans and schedule for the adequate control of erosion and sediment, in accordance with the Clarke County Erosion and Sediment Control Ordinance.

6-G-18 Proposed finished grading by contour, supplemented where necessary by spot elevations.

6-G-19 Flood plain studies as required by the Agent.

6-G-20 The location, size, height, materials used, orientation, and illumination of proposed signs.

6-G-21 The location, dimensions and total area of proposed recreation, open space, and required amenities and improvements.

6-G-22 The location of all wooded areas on the site, including all individual large or medium canopy trees (see section 6-H-10-g) with a diameter of eight inches or more (measured 4½ feet above the ground) and all small canopy trees (see section 6-H-10-g) with a diameter four inches or greater (measured 4½ feet above the ground) that are located within the areas proposed for clearing and within 20 feet of the proposed limit of clearing. The site plan shall provide an indication of which trees are to be retained and which are to be removed.

6-G-23 A landscape plan (same scale as site plan), meeting the minimum landscape design standards

described below.

6-G-24 Development sequence for phased construction, if applicable.

6-G-25 Building restriction lines.

6-G-26 Distance to nearest school or school site.

6-G-27 Elevation plans for all exterior facades of proposed structures, showing design features and indicating materials and colors to be used.

6-G-28 Source of title of the owner of record, including deed book and page reference of the last instrument in the chain of title.

6-G-29 Total site acreage; acreage of individual lots and street rights-of-way.

6-G-30 Location and acreage to the nearest 0.1 acre of critical environmental areas, including the following: slopes between 15%-25%; slopes greater than 25%; rock outcroppings; sinkholes; floodplains and flood plain soils; current drainage channels; bodies of water; stormwater management facilities; utilities; other sensitive areas defined by the Agent. The Agent may require that a geotechnical report be submitted where warranted by soil or water conditions.

6-G-31 (1/20/09) If explosives are proposed to be used in conjunction with development shown on a site plan, a Blasting Plan shall be provided per Clarke County Code Chapter 86, Explosives, approved by the Board of Septic and Well Appeals.

6-G-32 Floor area ratio (FAR) and impervious surface coverage for all structures on the property.

6-G-33 Maximum number of employees anticipated, if industrial, commercial, or office; net density of dwelling units, if residential.

6-G-34 Anticipated daily and peak water demand and sewage flows for the site.

6-G-35 (6/15/04) Anticipated daily vehicle trips generated by the site development based upon data found in Trip Generation, by the Institute for Transportation Engineers, latest edition; capacity of existing and proposed streets; sight distances for all intersections based on Virginia Department of Transportation (VDOT), "Road Design Manual and Minimum Standard of Entrances" to state highways, latest edition; proposed improvements within existing street rights-of-way; and, further traffic studies as required by the Agent. If additional traffic studies are required, the applicant shall use the applicable criteria and methodologies found in the VDOT Design Manual, latest edition. The Agent may assign all or a part of the VDOT "Guidelines for a Traffic Impact Study" depending on the type, size, and location of the development.

6-G-36 A copy of all proposed homeowners' association bylaws, and other covenants or maintenance documents where common ownership is anticipated.

6-G-37 A copy of rezoning proffers, Special Use Permit conditions or variances granted for the property shall be submitted with the site plan.

6-G-38 Bond estimates for all required improvements.

6-G-39 Any necessary notes required by the Agent to explain the purpose of specific items on the plan.

6-G-40 Additional information as deemed necessary by the Administrative Body or the Agent.

6-H IMPROVEMENTS AND MINIMUM STANDARDS

(6/15/04)
(8/17/10)

To further the intent of this Section and to protect public safety and general welfare, no site plan shall be approved until the Administrative Body is assured that improvements will be made which meet the following minimum standards:

6-H-1 Streets and Rights-of-Way

(6/15/04) A traffic impact study is required when the proposed new development will generate traffic in excess of 1000 vehicles per day. If the proposed development generates less than 1000 vehicles per day, but the nearest intersection is known to be near its design capacity, or there is a high accident rate as determined by the Planning Commission, a traffic impact study may be required. The parameters of the traffic impact study will be decided by the Planning Commission, however, the methodology for preparing the study will be that found in the VDOT Design Manual.

6-H-1-a Streets, driveways, access roads and rights-of-way shall be constructed and dedicated, and existing streets widened and improved as necessary, when the need for such streets and improvements is generated by the proposed development, or is indicated in the Clarke County Comprehensive Plan and/or its Berryville Area Plan component.

6-H-1-b All street construction standards and geometric design standards shall be in accord with the standards of the Clarke County Subdivision Ordinance, the Virginia Department of Transportation, or other standards provided by the County of Clarke. However, the Authority or the Agent may modify standards for local, collector, and minor loop streets provided that off-street parking sufficient to accommodate required parking ratios are provided to complement the street system, and approval of the modifications is obtained from the Virginia Department of Transportation, where applicable.

6-H-1-c (6/15/04) All development must have direct access to public dedicated and State maintained roads. Lots, with less than 70 feet of frontage, shall not have a permanent single separate access to any primary road unless the physiography, shape or size of the tract precludes other methods of access. Common (joint) access shall be used where available. The site design of new commercial/industrial development, accessed by a primary highway shall include interconnection and shared driveways with adjoining commercial/industrial property (vacant or developed) and, if conditions warrant, frontage roads.

The Planning Commission may allow temporary access points if phased development is

occurring, as long as a plan is approved that guarantees the new commercial/industrial development shall design site access so that interconnection with an adjoining property, shared driveways, or a frontage road can be incorporated into the design. Except where impractical by reason of topography hardship, the area between the frontage road and the primary highway shall be sufficient to provide area for scenic planting and screening. The dimension of the area between the frontage road and the primary highway shall be determined after due consideration of traffic safety requirements. Driveway spacing and corner clearance with public highways (the distance from the nearest driveway travel lane centerline to the nearest street corner right-of-way) shall be:

Roadway	Driveway Spacing/Corner Clearance
Frontage	100 feet
Secondary	600 feet
Primary	600 feet where there is no median opening 1000 feet where there is a median opening

6-H-1-d Where traffic generated from an entire development exceeds 2,000 vehicle trips per day, such development shall provide connectors to existing public roads at two or more locations. Where only one connection is physically achievable, the connecting portion of the entrance road must be a four-lane divided road extending not less than 250 feet into the development. No internal vehicular connection shall be permitted on this entrance section.

6-H-1-e Streets and rights-of-way shall permit access to adjoining properties in conformance with the Clarke County Comprehensive Plan, the Berryville Area Plan, and to the satisfaction of the Administrative Body or the Agent.

6-H-1-f (6/15/04) On-site travel ways shall be designed with the following standards:
Turn Radius: Minimum turn radii shall be 25 feet (increased radii to be provided if site is to be used by large truck traffic);
Driveway Width: Maximum driveway width: 14 feet per lane if one-way in and one-way out; 11 feet per lane for multi-lane entrance/exit;
Driveway Throat Length: To be determined on a case by case basis; desired length will depend on vehicle peak hour demand and resultant expected queuing needs;
Right/Left Lanes: Required when right/left turn volume into or from the subject site exceeds 300 vehicles per lane; and
Taper Lane: The Planning Commission may require an on-site right turn taper when right turn traffic volumes are less than 300 vehicles per hour.

6-H-2 Cul-de-Sacs

Cul-de-sacs shall be designed and constructed in accordance with the street standards of the Clarke County Subdivision Ordinance, or with other standards provided by the County of Clarke. Cul-de-sacs may not be used as parking areas.

6-H-3 Parking

Parking bays shall be constructed to standards compatible with those of the adjoining public street, and shall be provided in quantity according to the schedule set forth in this Ordinance. Off-street parking spaces shall be accessed via private travel ways, and not directly accessed from public rights-of-way.

6-H-4 Sidewalks, Paths, and Walkways

(6/15/04) Sidewalks, paths, and/or walkways shall be provided to enable the public to walk safely and conveniently from one building to another on the site, to and from adjacent sites, and to and from sidewalks in the public right-of-way. The construction material to be used must meet the approval of the Administrative Body or the Agent. Where the Clarke County Comprehensive Plan designates a trail system and that system traverses commercial/industrial sites, the site plan shall incorporate the trail system into the design. All such sidewalks, paths, and walkways shall comply with the standards of the Americans with Disabilities Act.

6-H-5 Curb and Gutter

(8/17/10) Curb and gutter (CG-6 or approved equivalent) shall be required on all new public streets in the Highway Commercial (CH) Zoning District. The Administrative Body may require curb and gutter on off-street parking areas, service drives, private streets and around medians, where warranted by conditions. Upon recommendation from the Virginia Department of Transportation, the Administrative Body may waive the requirement for curb and gutter when in keeping with existing conditions on adjacent sites, and when safe travel and adequate stormwater management can be assured without curb and gutter. In the AOC, FOC, Rural Residential (RR) and Neighborhood Commercial (CN) Zoning Districts curb and gutter shall not be required unless site conditions warrant.

6-H-6 Utilities and Utility Easements

All utilities necessary to serve the proposed development shall be installed by the developer, and shall be installed underground in accordance with the appropriate facilities plans; provided however, that:

6-H-6-a Equipment such electric distribution transformers, switch gear, meter pedestals and telephone pedestals, which are normally installed aboveground, may continue to be so installed;

6-H-6-b Meters, connections, and similar equipment normally attached to outside walls, may be so installed;

6-H-6-c Dedications of right-of-way easements shall be made for all utilities and facilities that are intended to be publicly maintained. Easements shall be clearly defined for the purposes intended. Minimum easement widths shall be as specified by the Administrative Body, the Agent, or utility company.

6-H-7 Water and Sewer Systems

All water distribution and sewer collection systems shall be designed to accommodate normal and peak demand loads. All such systems shall be designed to meet or exceed the specifications of the Berryville Area Water and Sewerage Program. Regulations of the Virginia Department of Health and other state agencies shall also be met, as applicable.

6-H-8 Stormwater Management

6-H-8-a (11/21/00) (8/17/10) Stormwater management facilities shall be provided in conjunction with land development activities, which require the submission of a Site Plan. An evaluation shall be performed for each proposed land development project in accord with Clarke County Code Chapter 154.

Stormwater Management.

6-H-9 Soil Suitability

The U.S. Department of Agriculture, Soil Conservation Service, shall be referred to for commenting on the suitability of soils for intended development, and on any special measures that are recommended for development on a certain soil classification. The applicant shall provide a generalized mapping of on-site soils and their engineering characteristics.

6-H-10 Landscaping Design Standards

6-H-10-a Purpose and Intent

(10/25/99)

The purpose of this article is to:

1. Provide for the protection of ground water, improve air quality and stormwater management through the mitigating effects of trees;
2. Preserve property values and retain the character of an area in a way that is conducive to economic development;
3. Make incompatible land uses less disagreeable by requiring screening in order to minimize the harmful impact of noise, dust and vehicle headlight glare.
4. Require landscaping of parking lots to reduce the harmful effects of wind, heat, noise and vehicle headlight glare;
5. Improve the aesthetic appearance of commercial, industrial and residential areas to help create an attractive and harmonious community;
6. Provide for site development protecting the health safety and welfare of the public and in conformance with zoning regulations as allowed in §15.2-2283 & 15.2-2286 of the Code of Virginia; and
7. Provide for preservation, planting, and replacement of trees in the development process to meet the objectives of §15.2-960 & 961 of the Code of Virginia, as amended.

6-H-10-b Existing Trees

1. Existing trees, with the following characteristics, should be preserved, but may be replaced as noted in section 3 below;
   a. have a diameter of eight inches or greater (measured 4.5 feet above the ground) if large or medium canopy trees(see section 6-H-10-g);
   b. have a diameter of four inches or greater (measured 4.5 feet above the ground) if small canopy trees;
   c. be a native species;
   d. be in a healthy condition; and
   e. be located on the subject property within two years before site plan application.
2. Preservation shall be accomplished by maintaining current grade and installing a temporary four-foot high fence during site disturbance for the circular area centered on the tree with a diameter 1.5 times the canopy spread.
3. Replacement trees may be shown on the site plan for existing trees, as described above. Replacement trees shall be Large Canopy or Medium Canopy trees and meet the specifications of Section 6-H-10-g below. The total caliper of replacement trees shall equal or exceed the total caliper of existing trees being removed up to a maximum of four replacement trees per acre of the subject property. Existing or replacement trees

shall not be considered buffer or parking trees.

6-H-10-c Buffer-areas

Buffer-areas provide for plant material screening between adjacent land uses and along public rights of way. The buffer-areas are required to run the length of adjacent property boundaries and public rights of way. Buffer-areas shall not be used for buildings, the storage of materials, or vehicular parking. Except for mulched areas adjacent to plant material, buffer-areas shall have a living ground cover.

1. The minimum Buffer-area widths are provided in the matrix below:

Proposed Use / Existing Zoning

	Resid., AOC or FOC	Commercial & Institutional	Industrial	Public ROW
Residential	N/A	25 feet	25 feet	10 feet
Commercial & Institutional	25 feet	N/A	10 feet	10 feet
Industrial	25 feet	10 feet	N/A	10 feet
Public ROW	10 feet	10 feet	10 feet	N/A

2. Screening
   a. Quantity: Plant material is required per square foot of buffer-area as listed below:

	Buffer areas less than 25 feet wide	Buffer areas 25 feet and wider
Large Canopy Tree	1/500 square feet and	1/750 square feet or
Medium Canopy Tree	(none required)	1/750 square feet or
Small Canopy Tree	1/1000 square feet and	1/750 square feet and
Evergreen Tree	1/500 square feet and	1/250 square feet and
Shrub	1/50 square feet	1/50 square feet

   b. Utility Lines: Small Canopy Trees shall be substituted for Large Canopy Trees where buffer-areas are under and parallel to overhead utility lines. In other buffer-areas, Small Canopy Trees should be used whenever trees are placed under overhead utility lines.
   c. Screening of Parking Areas: Shrubs should be placed to screen parking areas from public rights of way.
   d. Commercial or Industrial Buffer-areas: Based on site characteristics, buffer-areas for commercial or industrial uses adjacent to Residential, AOC or FOC zoning districts may be required to include fences or walls with a minimum height of six feet.
   e. Screening of Outdoor Storage Areas: All outdoor storage areas shall be screened from all public streets and adjacent properties. Screening shall be comprised of fences or walls with a minimum height of six feet.
   f. Fence and Wall Materials: Fences and walls used for screening shall be solid and should be the same material as the primary site structure. Use of chain link, plastic, fiberglass, and plywood is discouraged.
   g. Additional Plant Material: Wherever possible, installation of additional plant material, including annuals and perennials, is encouraged to maximize the attractiveness and value of a property.

6-H-10-d Parking Trees

Trees shall be provided in parking areas, in addition to required buffer-area trees. The requirements of this section shall apply to the construction or enlargement of any parking lot containing eight or more spaces.

1. One large canopy tree or two medium canopy trees are required for every eight parking spaces.
2. A landscape island for each large canopy tree or two medium canopy trees shall be not less than three hundred square feet of permeable, unpaved area, and have a minimum width of nine feet.
3. Landscape areas within the parking lot shall be reasonably dispersed throughout the parking lot.
4. Except for mulched areas adjacent to plant material, landscape islands shall have a living ground cover.

6-H-10-e (1/20/09) Plant Material Type and Location Specifications

1. Schedule: All plans shall contain a schedule of plants proposed, indicating the number proposed, caliper or gallon size, and both common and botanical names.
2. Condition: All plant material shall comply with the American Standard for Nursery Stock (ANSI Z60.1-1996). All plants shall be well formed, vigorous, healthy and free of disease, sunscald, windburn and insects or their eggs.
3. Diversity: No single species of tree or shrub shall comprise more than 1/3 of the total number of trees or shrubs to be planted.
4. Sight Distance: No tree, shrub, hedge or existing vegetation shall be planted or maintained in a way that interferes with prescribed sight distances.
5. Size:

	Minimum Caliper/Size
a. Large Canopy Tree	Two inch caliper
b. Medium Canopy Tree	Two inch caliper
c. Evergreen Tree	Six feet tall
d. Small Canopy Tree	Six feet tall
e. All Shrubs	Eighteen inches tall

Caliper is measured six inches above the soil on trees up to three inches in caliper, and twelve inches above the soil on trees greater than three inches in caliper.

6. Planting: All plant material shall be installed in accordance with good trade practices. Trees shall be planted at least ten feet apart. The Standardized Landscape Specifications for the Commonwealth of Virginia will serve as the basis for minimum acceptable plant installations (Plates 1 and 2). The Zoning Administrator or designee shall be notified seventy-two hours prior to plant installation. The Zoning Administrator will schedule a site visit to inspect all plant material to confirm minimum standards. Upon inspection the Zoning Administrator may reject any plant material due

to non-conformance.

7. Selection: Disturbed areas not covered by paving, stone, or other solid materials shall be revegetated with plant species that are compatible with the natural vegetation and tree cover and that have low water and nutrient requirements. Xeriscape practices (use of native plant materials and landscape materials that have low water and nutrient requirements) is encouraged. The landscape plan shall state the degree to which xeriscape practices are being applied. All trees and shrubs will be based on their listing in the Manual of Woody Landscape Plants, fifth edition.
   a. Large Canopy Trees shall:
      (1) have a mature height over forty-five feet as described in the Manual of Woody Landscape Plants;
      (2) be native to the region, if possible; non-native species are allowed if they will grow in this region's environmental conditions and are non-invasive;
      (3) be typical of, but not limited to Maples or Oaks;
      (4) not include: Female Ginkgo (Ginkgo biloba), Poplar (Poplus spp.), Silver Maple (Acer saccharinum), Tree of Heaven (Ailanthus altissima) or Black Locust (Robinia pseudoacacia).
   b. Medium Canopy Trees shall:
      (1) have a mature height between thirty and forty-five feet, with a spread of thirty feet as described in the Manual of Woody Landscape Plants;
      (2) be native to the region, if possible; non-native species are allowed if they will grow in this region's environmental conditions and are non-invasive;
      (3) be typical of, but not limited to Honeylocusts (Gleditsia triacanthos),Blackgums (Nyssa sylvatica) or American Hophornbeams (Ostrya virginiana)
   c. Small Canopy Trees shall:
      (1) have a mature height up to thirty feet, with an equal spread as described in the Manual of Woody Landscape Plants;
      (2) be native to the region, if possible; non-native species are allowed if they will grow in this region's environmental conditions and are non-invasive;
      (3) be typical of, but not limited to Flowering Crabapple (Malus sp.) or Redbud (Cercis canadensis);
      (4) not include Bradford Pear (Pyrus calleryana).

   d. Evergreen Trees shall:
      (1) have a mature height of at least ten feet as described in the Manual of Woody Landscape Plants;
      (2) be native to the region, if possible; non-native species are allowed if they will grow in this region's environmental conditions and are non-invasive;
      (3) be typical of, but not limited to American Arborvitae (Thujaoccidentalis), American Holly (Ilex opaca), or upright Juniper(Juniperus sp.).
   e. Shrubs shall:
      (1) include evergreen varieties for at least 50% of the shrubs planted;
      (2) have a mature height of at least three feet as described in the Manual of Woody Landscape Plants;
      (3) be native to the region, if possible; non-native species are allowed if they will grow in this region's environmental conditions and are non-invasive;

(4) be typical of, but not limited to Inkberry (Ilex glabra), Sweetshrub (Claycanthis floridus), Juniper (Juniperus sp.), and Cherrylaurel (Prunus caroliniana).

6-H-10-f Enforcement

The enforcement of this Ordinance shall be the responsibility of the Zoning Administrator or designee. The final Certificate of Occupancy shall not be signed until all trees, shrubs and screening material required by this Ordinance are installed and verified by the Zoning Administrator.

6-H-10-g Maintenance Standards
(1/20/09)

The owner or their agent shall be responsible for the general maintenance of all landscape areas as defined as such areas as parking lot landscape islands, screening and street trees.

1. These areas shall be annually mulched to prevent weed growth and to retain soil moisture.
2. Plant material shall be pruned to maintain healthy and vigorous growth. All pruning shall be performed in accordance with American National Standards Institute ANSI A300-1995, Tree, Shrub and Other Woody Plant Maintenance-Standard Practices, such that no trees are topped or large stub cuts are made.
3. All turf areas shall be mowed.
4. Watering shall be carried out as part of the initial installation of plant material to prevent plant loss. Public water or groundwater should not be used to water plant material more than one year after its installation. Permanent irrigation facilities may be installed, however rain catchment systems are strongly encouraged as the water source. Such a rain catchment system shall be adequately sized to provide the amount of water likely to be used (a function of site design and the projected length of time without rain),
5. The property owner or their agent shall maintain any plant material required by this Ordinance and any plant material that dies must be replaced in kind or with a suitable substitute as granted by Zoning Administrator. Preserved existing trees, that subsequently die, shall be replaced by new trees (as specified in the Existing Trees section 6-H-10-b).

6-H-10-h Protection of Public Trees

All publicly owned property that contains trees shall be protected from construction of any building, structure, or street work by maintaining current grade and installing a four foot high fence during site disturbance for the circular area centered on the tree with a diameter 1.5 times the canopy spread. Public trees that die because they were not protected from construction shall be replaced by the property owner with trees similar in size, variety, and location approved by the Zoning Administrator.

6-H-11 Outdoor Lighting Standards

(8/15/06)
(3/16/10)

The purpose and intent of this section is to establish outdoor lighting standards that reduce the impacts of glare, light trespass, and over-lighting, promote safety and security and encourage energy conservation.

6-H-11-a General Outdoor Lighting Standards

(8/15/06)
(3/16/10)

1. All exterior light fixtures shall be a full cut-off type. Such light fixtures shall have flat cut-off lenses. The lenses of lights mounted into eaves or canopies shall be mounted so as to be flush or recessed. The direct light from exterior light fixture elements shall not be visible off the subject property. No exterior light fixture shall be installed at a height greater than 25 feet above finished grade as measured from the bottom of the fixture.
2. Flashing, revolving, intermittent, or high intensity beams used for exterior lighting shall be prohibited.
3. Up-cast Lighting used to illuminate flags, signs, landscaping, buildings, or other objects and structures shall have directional control shields to prevent stray lighting and to ensure that no light source is visible from or causes glare on public right-of-ways or adjacent properties and shall be limited to 150 watts or less standard incandescent light elements or equivalent brightness (defined as 2500 lumens).
4. All exterior lighting shall be oriented not to direct glare or excessive illumination on streets in a manner that may distract or interfere with the vision of drivers on such roads and streets.
5. All canopy lighting shall be recessed and flush mounted. That portion of the canopy façade not included in the sign area shall not be illuminated.
6. Photometric Plan Requirements
   a. A photometric lighting plan shall be submitted and approved in conjunction with any required site plan. The photometric lighting plan shall be certified by the National Council on Qualifications for the Lighting Professions (NCQLP), or a Virginia licensed professional engineer, or architect.
   b. All such plans shall include the following:
      (1) Plans indicating the location on the premises of all lighting fixtures, both proposed and existing on the site, including a schematic layout of proposed outdoor lighting fixture locations that demonstrate adequate intensities and uniformity, and light coverage resulting from the proposed light layout.
      (2) Description of all lighting fixtures, both proposed and existing, which shall include but are not limited to catalog cuts and illustrations by manufactures that describes the equipment, including lamp types, wattage and initial lumen outputs, glare control devices, lamps, proposed placement of all fixtures, including engineering detail of fixtures, manufacturer, model and installation of same.
      (3) Photometric data, such as that furnished by manufacturers, or similar, showing the angle cut-off light emissions and glare control devices.
      (4) Lighting levels for exterior lighting shall not exceed the following standards:
         a. 2.5 foot-candles for parking lots;
         b. 5 foot-candles at entrances from local rural/urban road entrances;
         c. 10 foot-candles along fronts of buildings, at loading docks, and at entrances from primary highways and rural/urban arterials and collectors;
         d. A uniformity ratio of 4:1 shall be provided across all parking lots, travelways, and private/public streets and roads. The project site shall be modeled with all lighting (building, canopy, parking, etc.) in operation.
         e. Lighting levels shall not exceed 0.2 foot-candles at any common property line.
         f. The first three measurements shall be made at the ground surface. The

fourth measurement shall be made on a vertical face with the property line at five feet above the ground.

7. Lighting Definitions
   a. Candela – The system of luminous intensity. One candela is one lumen per candle (steradian).
   b. Foot-Candle – A measure of light falling on a surface. One foot-candle is equal to the amount of light generated by one candle shining on one square foot surface located one foot away. Foot-candle measurements shall be made with a photometric light meter with a specified horizontal orientation.
   c. Foot-Candle (Average Maintained) – The average of a number of points of foot-candle calculations or foot-candle readings in a given area which have been adjusted to account for maintenance which includes luminaire dirt depreciation and lamp lumen depreciation.
   d. Glare – The sensation produced y a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility. The magnitude of glare depends on such factors as the size, position, brightness of the source, and on the brightness level to which the eyes are adapted.
   e. Lighting Fixture – A complete lighting unit consisting of the lamp, lens, optical reflector, housing and electrical components necessary for ignition and control of the lamp, which may include ballast started and/or photo control.
   f. Lighting fixture, full cut-off – A lighting fixture from which a luminaire has zero candela intensity occurring at or above an angle of 90% above nadir.
   g. Light fixture, recessed canopy – An outdoor lighting fixture recessed into a canopy ceiling so that the light source is either completely flush or recessed within the underside of the canopy.
   h. Light Trespass – Unwanted light going beyond the property line and spilling over onto the adjacent or neighboring property. It can also represent the direct light (glare) that reduces a person's vision or ability to see.
   i. Luminaire – A complete lighting unit consisting of a lamp or lamps and the parts designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the power supply.
   j. Nadir – The angle pointing directly downward from the luminaire.

6-H-12 Monopoles for Telecommunication Antennae

6-H-12-a (11/20/01) (11/18/03) The visual impact of a monopole and any associated facilities (including attachments, security fencing, utilities, and equipment shelters) shall blend with the natural and built environment of the surrounding area using mitigation measures such as: architecture, color, innovative design, landscaping, setbacks greater than the minimum required, materials, siting, topography, and visual screening. The number of existing monopoles in an area shall also be considered when determining visual impact of a new monopole. Monopoles shall not be located along ridge lines, but down slope from the top of ridge lines.

At time of submission of a monopole site plan application, the applicant shall document that it considered at least two alternative sites, and set forth its reasons for selecting the site proposed. After a public hearing on an application, an applicant may be requested to

consider alternate sites that in the opinion of the reviewing body will better comply with the regulations and standards for monopoles.

6-H-12-b The monopole shall be located in a wooded area of dense tree cover. This dense tree cover shall have a minimum depth of 100 feet as a radius around the perimeter of the area to be cleared for the monopole. All trees within 100 feet of the perimeter of the area to be cleared for the monopole must be retained, unless specifically approved for removal on the site plan.

6-H-12-c The monopole shall have the minimum diameter necessary to support the proposed attachments. Attachments to the monopole shall be the same color as the monopole. Attachments to the monopole shall be flush mounted and have the minimum dimensions and protrusion for the monopole based on the best available technology or shall be enclosed within the pole. A lightening rod may be mounted as an extension of a monopole and shall be included in determining the height of the monopole.

6-H-12-d The area to be cleared for the compound containing the monopole and support facilities shall be the minimum necessary to accommodate the facilities and shall not exceed 2,500 square feet. The driveways accessing the compound shall be gated.

6-H-12-e A monopole shall be set back a distance equal to at least its height from any property line. A monopole shall be set back a distance equal to at least twice its height from any public right of way (except as noted below). A monopole shall not be located on and shall be set back a distance equal to at least four times its height from:

1. parcels comprising the Appalachian National Scenic Trail corridor,
2. parcels under permanent open space easement,
3. the State Arboretum of Virginia portion of the University of Virginia's Blandy Farm,
4. state designated Scenic Byways,
5. the Shenandoah River (a state designated scenic river), and
6. State Parks and Wildlife Management Areas.

6-H-13 Erosion and Sediment Control

An erosion and sediment control plan for the entire disturbed area of a development shall be prepared in accordance with the Clarke County Erosion and Sediment Control Ordinance, and must receive the approval by the Zoning Administrator/Code Enforcement Officer or the Plan Approving Authority as designated by the county.

6-H-14 Explosives

(1/20/09) If explosives are to be used in conjunction with the development of the site, the following note shall be included: "Explosives used in conjunction with the development of this property shall be done in accord with a Blasting Plan (per Clarke County Code Chapter 86, Explosives) approved by the Board of Septic and Well Appeals." If explosives are not to be used, the following note shall be included: "No explosives will be used in conjunction with the development of this property."

6-H-15 Sinkhole and Karst Features

6-H-15-a Purpose and Intent

(2/17/04) This section is to establish review procedures, use limitations, design standards, and performance standards applicable to land development activities that encompass or affect sinkholes or other karst features. The intent of this section is to protect the public health, safety and welfare by requiring the development and use of karst areas to proceed in a manner that promotes safe and appropriate construction and storm water management.

6-H-15-b Definitions

1. Geotechnical Engineer (GE): a Virginia Registered Professional Engineer engaged in the practice of geotechnical engineering or a Virginia-Registered Professional Geologist who is engaged in the practice of engineering geology.
2. Karst Feature: Karst topography is a landscape created by groundwater dissolving sedimentary rock such as limestone. Karst features include sinkholes, fissures enlarged by dissolution, and caves.

6-H-15-c Site Review:

Investigation by Geotechnical Engineer

Whenever an application is filed for development, the applicant will hire a Geotechnical Engineer (GE) to undertake an inspection of the subject area. The GE shall review available geologic and engineering date and air-photographs relevant to the site and shall make on-site observations, photographs, and measurements as appropriate. The GE shall provide written summary of the initial findings along with a recommendation to perform Fracture Trace Analysis, Electrical Resistivity, Cone Sounding, Core Samples, Microgravity, and/or other geophysical or intrusive studies as appropriate to determine if the action requested may have a negative impact. The examination for karst features by the engineer shall take place prior to any public hearing process applicable to the parcel in question. The engineer will report to the zoning administrator any findings as to whether there may be significant karst features that apply to the site.

1. No Evidence of Karst Features
   If the engineer finds that the site has no evidence of karst features, they shall so indicate in a written report provided to the reviewing body.
2. Evidence of Karst Features
   In cases where the engineer finds evidence that karst features do exist, and which would be impacted by development, electrical resistivity testing, core drilling or microgravity tests, shall be required within a 100 foot radius for all locations on the property where karst features were identified and along any linear trend of at least three or more features. For sinkholes the 100 foot radius shall be measured from the discernable edge. At the conclusion of the tests the applicant shall submit a karst review plan to the Zoning Administrator and follow specific development procedures.
3. The presence of karst features on the site that are not impacted.
   At the discretion of the Zoning Administrator, the karst plan may be simplified if the environmental constraint found to be present on the site is not impacted by the

proposed site development.

6-H-15-d Karst Plan

A karst plan shall be developed for the property identified as having evidence of karst features (i.e., sites upon which sinkholes are fully or partially located and/or which drain to sinkholes). The burden of proof for establishing that there will be no significant impacts shall rest with the applicant. A karst plan shall include the following:

1. An engineering audit that identifies and maps karst features and the limitations that such features impose on site development. The audit shall include:
   a. The physical location and limits of the area of the sinkhole depression as determined by field survey, the "Soil Survey of Clarke County" (1982), or the "Map of Selected Hydrogeologic Components or Clarke County, Virginia" (1990), or other reliable sources as may be approved by the Administrator;
   b. locations of other karst features (fissures enlarged by dissolution and caves);
   c. topographic contours at maximum intervals of two feet, and spot elevations sufficient to determine low points and discernable edges; and
   d. setback distances of 25 feet and 100 feet from the discernable edge of each feature.
2. For structures proposed between 25 and 100 feet of the discernable edge of sinkholes or other karst features, engineering that ensures structural stability.

6-H-15-e Requirements and Restrictions
(8/17/10)

1. As identified in Section 6-H-14-d, no construction or land disturbance shall occur within a minimum buffer distance of 25 feet from the discernable edge of a sinkhole or other karst feature. Vegetation in the buffer area shall not be altered from predevelopment conditions. While vegetation should not be removed so as to disturb the soil, invasive species identified by the Virginia Department of Conservation and Recreation or dead plant material may be removed with the approval of the Zoning Administrator. Fertilizers, herbicides, and pesticides shall not be applied within the buffer area.
2. No construction shall take place between 25 and 100 feet of the discernable edge of a sinkhole or other karst feature unless a geological and geophysical survey (as described in Section 6-H-14-d) indicates that such construction or earth disturbance is appropriate.
3. Sinkholes or karst features identified during construction shall be mitigated as described in the Virginia Department of Transportation's Location and Design Division Instructional and Informational Memorandum 228 (IIM-LD- 228), or other applicable standard as recommended by a GE.
4. Stormwater runoff shall be addressed as outlined in the Chesapeake Stormwater Network (CSN) Technical Bulletin No.1 "Stormwater Design Guidelines for Karst Terrain in the Chesapeake Bay Watershed" Version 2.
5. Underground utilities located within 100 feet of karst features shall be laid out so that they do not intersect those features. Along all such underground utilities, a dike of clay or other suitable material shall be constructed across the trench of the transmission lines and pipelines at intervals of 20 feet or less, or as directed by a GE.
6. For any tests requiring boreholes, such as air track drilling, the boreholes must be grouted upon completion. Grouting should be done with a mixture of 50% bentonite

and 50% portland cement.

7. If air track drilling is used to determine the depth of overburden and continuity of bedrock, then these operations must be monitored full time by a GE to confirm the findings of the driller.
8. Geotechnical studies shall be conducted at each proposed structure site before issuance of a building permit to determine the existence of karst features. If karst features are found, remediation shall be done to protect the healthy, safety, and welfare of occupants of the structure.
9. Storage tanks shall have impervious secondary containment. Underground fuel storage tanks shall have interstitial monitoring of tanks and piping systems.
10. Where applicable, the following Consumer Disclosure Statement that provides information on what review occurred and what was discovered shall be included in the Deed of Dedication:
    This property is located in an area identified as having karst features. Karst features are created by groundwater dissolving sedimentary rock such as limestone. Features include sinkholes, fissures enlarged by dissolution, and caves. Geologic tests were conducted and one or more of these features were identified on this property. Karst features are unstable and collapse may occur. Measures have been taken to ensure structural stability in this area; however, karst areas are dynamic and geologic changes may cause future structural instability. Fertilizers, herbicides, and pesticides shall not be applied within designated buffer areas.
11. Measures to permanently protect karst features shall be identified on the site plan. These measures may include fencing and/or signage.

6-H-16 Miscellaneous Design Criteria

All other criteria and specifications shall be in accordance with County standards, where provided. Where County standards are not provided, the Administrative Body shall provide those standards or shall rule upon the standards proposed by the developer.

6-I CONSTRUCTION AND BONDING

6-I-1 No site improvement activities may occur unless all of the following have been met:

6-I-1-a Approval of final site plan and erosion and sediment control plan.

6-I-1-b Approval of erosion and sediment control bond, and installation of erosion and sediment control measures.

6-I-1-c Posting of construction bond.

6-I-2 All improvements required by this Section shall be installed at the cost of the developer, except where cost sharing or reimbursement agreements between the County and the applicant are appropriate; the same to be recognized by formal written approval prior to site plan approval.

6-I-3 The approval of a site plan and/or the installation of improvements shall not obligate the County to accept the improvements for maintenance, repair, or operation. Acceptance shall be subject to County and/or State regulations, where applicable, and dependent on the satisfactory nature

of the improvements.

6-I-4 The applicant is required to post a bond or other acceptable surety covering the construction and satisfactory completion of all required on-site and off-site public improvements.

6-J REVISIONS

The Agent may administratively approve changes to an approved site plan which the Agent determines are minor revisions, complying with all provisions of this Section and having no additional adverse impact on public facilities or adjacent properties. Major revisions are permitted with approval by the Administrative Body.

6-K TERMINATION AND EXTENSION

An approved site plan shall expire and become null and void if a building permit for approved development is not issued within five years from the date of site plan approval. The Administrative Body or the Agent may grant a one year extension upon written request.

6-L BUILDING PERMITS

For all properties and uses subject to this Section, no building permit shall be issued to construct or alter any structure, or authorization granted to improve land, until a site plan has been approved.

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TA-14-03 – PROPOSED ZONING ORDINANCE AMENDMENTS

8 AMENDMENTS

8-A GENERAL

Whenever the public necessity, convenience, general welfare, or good zoning practice require, the Board of Supervisors may amend, supplement, or change this Zoning Ordinance, including the Schedule of District Regulations and the official Zoning Map (Rezoning).

8-B METHOD OF INITIATING AMENDMENTS

Amendments to the Ordinance may be initiated by one of the following methods:

8-B-1 Petition of Property Owner

8-B-1-a (8/19/03)

Zoning Map Amendment (Rezoning)

1. A property owner may initiate a request for an amendment to the official Zoning Map (Rezoning) by filing a petition with the Board of Supervisors with the Zoning Administrator, on forms provided by the Zoning Administrator, and paying the applicable fee.

2. Pre-application Conference Requirement

No less than seven (7) days prior to filing an application for an amendment to the official Zoning Map (Rezoning), a pre-application conference shall be held between the Applicant and the Zoning Administrator. The Applicant shall provide the following items for review which shall be retained by the Zoning Administrator as the initial public record for the application:

a. A survey plat showing the subject property and the area(s) to be rezoned.

b. A conceptual or draft site plan showing the subject property, general site layout, and main elements to be proposed as part of the application.

c. A written description of any proposed development and use(s) including operational details such as the nature of the use, proposed physical improvements, and measures to mitigate impacts on surrounding properties.

d. A draft list of proffered conditions, if applicable.

3. The Zoning Administrator may require such other information to be submitted, as the Zoning Administrator deems necessary for a proper and intelligent consideration of the application. The Zoning Administrator may also establish regular filing deadlines to ensure that there is sufficient time to evaluate the application prior to the Planning Commission's initial review.

4. The Zoning Administrator shall determine when the petition is complete. After receipt of a complete petition, the Zoning Administrator, on behalf of the Board of Supervisors, shall refer the petition to the Planning Commission at their next regular monthly meeting for initial review.

~~8-B-1-b~~ ~~(9/19/89)~~

~~The Zoning Administrator, on behalf of the Board of Supervisors, shall refer the petition to the Planning Commission at their next regular monthly meeting for consideration. A recommendation shall be reported to the Board of Supervisors within 100 days after the first~~

~~meeting of the Planning Commission after the petition is referred to it.~~

8-B-1-~~c~~b Text Amendment.
(8/19/03) A property owner may request the Board of Supervisors or Planning Commission approve a resolution initiating a proposal to amend the text of the Zoning Ordinance (as described in sections 8-B-2 or 8-B-3, below). If the Board or Commission approves such resolution, the property owners shall pay the applicable fee.

8-B-2 Board of Supervisors Resolution
(9/19/89) The Board of Supervisors may initiate a proposal of an amendment to the Ordinance by the adoption of a resolution proposing the amendment. Such resolution, upon adoption, shall be referred to the Planning Commission at their next regular monthly meeting for consideration. A recommendation shall be reported to the Board of Supervisors within 100 days after the first meeting of the Planning Commission after the resolution is referred to it.

8-B-3 Planning Commission Resolution
The Planning Commission may initiate a proposal of an amendment to the Ordinance by the adoption of a resolution proposing the amendment.

8-B-4 Berryville Area Development Authority Resolution
(3/17/92) The Berryville Area Development Authority (BADA) may initiate a proposal of an amendment to the Ordinance by the adoption of a resolution proposing the amendment, for those portions of the Zoning Ordinance which regulate properties in Annexation Area "B" as indicated in the County/Town Annexation Agreement, December 1988.

8-C AMENDMENTS WITH PROFFERED CONDITIONS

(12/21/99)

8-C-1 Proffer of Conditions

Prior to any public hearing before the Planning Commission and/or the Board of Supervisors, any applicant for rezoning under Section 8-B-1 above may voluntarily proffer, in writing, reasonable conditions to be applied to such rezoning as part thereof. Such conditions shall comply with the provisions of Section 15.2-2298 of the Code of Virginia.

8-C-2 Effects of Conditions

Upon the approval of any such rezoning, all conditions so proffered and accepted by the Board of Supervisors shall be deemed a part thereof and nonseverable there from and shall remain in force until amended or varied by the Board of Supervisors in accordance with Section 15.2-2302 of the Code. All such conditions shall be in addition to the regulations provided for the district by the Ordinance. If the property should be annexed by a town and placed in the same or similar zoning district of the town upon annexation, the proffered conditions shall remain a part of the zoning regulations applicable to the property, with the town to administer the proffers.

8-C-3 Zoning Map Notation

Each rezoning shall be designated on the Zoning Map by an appropriate symbol designed by the Zoning Administrator. In addition, the Zoning Administrator shall keep and maintain the conditional zoning index which shall be available for public inspection and which shall provide ready access to the ordinance creating such conditions.

8-C-4 Authority of Zoning Administrator

The Zoning Administrator shall be vested with all necessary authority on behalf of the Board of Supervisors to administer and enforce conditions attached to a rezoning, including the ordering in writing the remedy of any noncompliance with such conditions; the bringing of legal action to insure compliance with such conditions, including injunction, abatement, or other appropriate action or proceeding; and requiring a guarantee, satisfactory to the governing body, in an amount sufficient for and conditioned upon the construction of any physical improvements required by the conditions, or a contract for the construction of such improvements and the contractor's guarantee in like amount and so conditioned, which guarantee may be reduced or released by the governing body, or agent thereof, upon the submission of satisfactory evidence that construction of said improvements has been completed in whole or in part. Failure to meet all conditions shall constitute cause to deny the issuance of any of the required use, occupancy, or building permits as may be appropriate.

8-C-5 Petition for Review of Decision

Any zoning applicant who is aggrieved by the decision of the Zoning Administrator pursuant to the provisions of Section 8-C-4 above may petition the governing body for a review of the decision of the Zoning Administrator.

8-C-6 Site Development Plan

(3/20/90) Every petition for zoning amendment which proposes conditions to be applied to the rezoning shall be accompanied by 15 copies of a site development plan prepared in accordance with the requirements of Article 6 of this Ordinance. In addition to the application forms and site development plan, each application for conditional rezoning shall include:

8-C-6-a A statement explaining the relationship of the development to the adopted Comprehensive Plan of the County.

8-C-6-b A statement or presentation setting forth the maximum number of dwelling units proposed for any residential development, and the density and open space calculations when required by this Ordinance.

8-C-6-c A statement certifying that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards. Any waiver, exception or variance sought by the applicant from such ordinances, regulations and standards shall be specifically noted on the development plan.

8-C-6-d A statement of those special amenities that are proposed within the development.

8-C-6-e A statement of the public improvements, both on and off-site, that are proposed for dedication and/or construction, and an estimate of the timing of providing such improvements.

8-C-6-f A statement setting forth the proposed approximate development schedule.

8-C-6-g Any additional information that the applicant may desire to proffer in the consideration of the application.

8-C-7 Statement Regarding Conditions

All petitions, statements, plans, and other materials submitted with an application for conditional zoning shall be annotated with the following statement signed by the applicant and the owner. The signed statement shall be made available prior to the public hearing before the Board.

"I hereby proffer that the development of the subject property of this application shall be in strict accordance with the conditions set forth in this submission."

8-C-8 Proffered Condition Regulations

Proffered conditions shall include written statements, development plans, and/or other materials proffered in accordance with the provisions of Section 8-C-1 above and approved by the Board in conjunction with the approval of an amendment to the Zoning Map. Proffered conditions shall be subject to the following procedures and regulations:

8-C-8-a Once conditions to be proffered are signed and made available, and the public hearing before the Board has commenced, no change or modification to any condition shall be made and no additional conditions shall be proffered at that public hearing.

8-C-8-b If the amendment to the Zoning Map is adopted subject to the conditions proffered by the applicant as set forth above, then the property in question shall be appropriately annotated on the Zoning Map and all other land records referencing the conditions as adopted.

8-C-8-c Such proffered conditions shall become a part of the zoning regulations applicable to the property in question, unless subsequently changed by an amendment to the Zoning Map, and such conditions shall be in addition to the specific regulations set forth in this Ordinance for the zoning district in question.

8-C-8-d Upon approval, any site plan, subdivision plat or development plan thereafter submitted for the development of the property in question shall be in substantial conformance with all proffered conditions and no development shall be approved by any County official in the absence of said substantial conformance.

8-C-8-e For the purposes of this Section, substantial conformance shall mean that conformance which leaves a reasonable margin for adjustment due to final engineering data but conforms with the general nature of the development, the specific uses, and the general layout depicted by the plans, and other material presented by the applicant.

8-C-8-f Once conditions have been approved, and there is cause of an amendment which would not be in substantial conformance with the proffered conditions, or there is a request to proffer conditions on a parcel not currently the subject of a proffered condition, then an application shall be filed for an amendment. If the amendment concerns an approved site development plan, such application shall include the submission requirements for a site development plan set forth in Section 8-C-6 above, except the Zoning Administrator may waive any submission requirement if such requirement is not necessary for an adequate review of the generalized development plan amendment application. Such amendment shall be the subject of public hearing in accordance with the provisions of Section 8-E-1 below.

8-D ACTION BY PLANNING COMMISSION

8-D-1 Public Hearing

(11/16/93) Upon a property owner petition or Board of Supervisors resolution being referred to it, or upon passage of a resolution by the Planning Commission, the Planning Commission shall hold a public hearing on the petition or resolution as provided by Section 15.2-2285, Code of Virginia, 1950, as amended, after publishing notice as required by Section 15.2-2204, Code of Virginia, 1950, as amended, and in accordance with the requirements of Section 10-E of this ordinance.

8-D-2 Recommendation by Commission

8-D-2-a Following the public hearing, the Planning Commission shall report to the Board of Supervisors its recommendation with respect to the proposed amendment.

8-D-2-b (9/19/89) Failure of the Planning Commission to report to the Board of Supervisors within 100 days after the first meeting of the Commission following the referral of the petition or resolution to it, shall be deemed a recommendation of approval by the Commission of the proposed amendment.

8-D-2-c (11/16/93) The Planning Commission, in making recommendations on the proposed amendment, may recommend appropriate changes in the proposed amendment; provided, however, that before recommending that land which was not included in the proposed amendment be rezoned or that land included in the proposed amendment be rezoned to a different use classification than proposed, the Commission shall hold a further public hearing after giving notice as required by Section 15.2-2204, Code of Virginia, 1950, as amended, and in accordance with the requirements of Section 10-E of this ordinance.

8-D-2-d (6/13/89) Before making a recommendation, the Commission may require the applicant to furnish such information as it may deem necessary in order to determine whether the proposed amendment is detrimental to the public health, safety, or general welfare. Such a determination shall be based on the specific findings listed in 8-E-2-c. The Commission may make any additional findings it may deem appropriate.

8-D-2-e Burden of Proof (6/13/89)
The burden of proof shall be on the applicant to show the reasonableness of the proposed amendment, the lack of adverse effect, and compliance with the elements of public health, safety, and general welfare as set forth in Section 8-E-3.

8-D-3 Recommendation by Berryville Area Development Authority
(3/17/92) The Berryville Area Development Authority (BADA) shall assume the responsibilities of the Planning Commission regarding recommendation to the Board of Supervisors, as detailed above, for proposed amendments to the official Zoning Map involving only properties within Annexation Area "B" as indicated in the County/Town Annexation Agreement, December 1988.

8-E ACTION BY BOARD OF SUPERVISORS
(1/21/97)

8-E-1 Public Hearing
(11/16/93) After receiving the recommendation of the Planning Commission, and before acting on a proposed amendment, the Board of Supervisors shall hold a public hearing, as provided in Section 15.2-2285, Code of Virginia, 1950, as amended, after giving public notice as required by Section 15.2-2204, Code of Virginia, 1950, as amended, and in accordance with the requirements of Section 10-E of this ordinance.

8-E-2 Action by Board

8-E-2-a After holding the public hearing, the Board of Supervisors shall act upon the proposed amendment. The Board may make appropriate changes or corrections in the proposed amendment; provided, however, that no land may be zoned to a different use classification than was contained in the public notice of the public hearing, without an additional public hearing after notice required by Section 15.2-2204, Code of Virginia, as amended.

8-E-2-b Amendments to this ordinance shall be enacted in the same manner by the Board as all other ordinances.

8-E-2-c Burden of Proof (6/13/89)
The burden of proof shall be on the applicant to show the reasonableness of the proposed amendment, the lack of adverse effect, and compliance with the elements of public health, safety, and general welfare as set forth in Section 8-E-3.

8-E-3 Criteria for Action on Proposed Amendment
(1/21/97) Before taking action, the Board may require the applicant to furnish such information, as it may deem necessary in order to determine whether the proposed amendment is detrimental to the public health, safety, or general welfare. Such a determination shall be based on the following specific findings.

8-E-3-a Will be consistent with the Comprehensive Plan of the County.

8-E-3-b	Will be consistent with the Purposes and Intent of this Ordinance.
8-E-3-c	Will not have an undue adverse impact on the short-term and long-term fiscal resources of the County for education, water, sewage, fire, police, rescue, solid waste disposal or other services, and will be consistent with the capital improvement goals and objectives of the Comprehensive Plan, to the end that growth of the community will be consonant with the efficient and economic use of public funds.
8-E-3-d	Will not cause an undue adverse effect on neighboring property values without furthering the goals of the Comprehensive Plan to the benefit of the County.
8-E-3-e	Will not cause an undue adverse effect on the preservation of agricultural or forestal land.
8-E-3-f	Will not cause unreasonable traffic congestion or unsafe conditions on existing or proposed public roads and has adequate road access.
8-E-3-g	Will not cause destruction of or encroachment upon historic or archeological sites, particularly properties under historic easement.
8-E-3-h	Will not cause an undue adverse effect on rare and irreplaceable natural areas, areas of outstanding natural beauty, state-designated scenic byways or scenic rivers or properties under open space easement.
8-E-3-i	Will not cause an undue adverse effect on wildlife and plant habitats.
8-E-3-j	Will have sufficient water available for its foreseeable needs.
8-E-3-k	Will not cause unreasonable depletion of or other undue adverse effect on the water source(s) serving existing development(s) in adjacent areas.
8-E-3-l	Will not cause undue surface or subsurface water pollution.
8-E-3-m	Will not cause an undue adverse effect on existing or proposed septic systems in adjacent areas.
8-E-3-n	Will not cause unreasonable soil erosion.
8-E-3-o	Will have adequate facilities to provide safety from flooding, both with respect to proposed structures and to downhill/downstream properties.
8-E-3-p	Will not cause undue air pollution.
8-E-3-q	Will not cause undue noise, light or glare, dust, odor, fumes, or vibration.

8-F PROCEDURES BEFORE PLANNING COMMISSION AND BOARD OF SUPERVISORS

8-F-1 Deadlines for Applicant Submission of Materials Prior to Public Hearing
Following the filing of a complete application, the Applicant shall provide any new or revised materials demonstrating compliance with required technical elements no less than 14 days prior to the first public hearing and no less than 10 days prior to any continued public hearing. Any new or revised materials provided after the deadlines referenced above shall not be considered by the Planning Commission or Board of Supervisors at the scheduled meeting.

8-F-2 Deferral of Application
An applicant may request that consideration of a special use permit application at a public hearing be deferred by submitting a written request for deferral to the Zoning Administrator.

1. If the deferral request is provided to the Zoning Administrator prior to finalizing the public hearing advertisement for consideration by the Planning Commission or Board of Supervisors, the Zoning Administrator shall determine whether to grant the deferral request. A request for deferral shall be approved only for good cause. If such request is approved by the Zoning Administrator, consideration of the application shall be deferred to the next regularly scheduled meeting of the Planning Commission or Board of Supervisors.

2. If the deferral request is provided after finalizing the public hearing advertisement, the request for deferral shall be placed on the public hearing agenda on the date the application is to be considered. The Planning Commission or Board of Supervisors, as applicable, may approve the request for deferral for good cause. The applicant shall be responsible for a re-advertising fee which shall be paid in full prior to the application being placed on an upcoming public hearing agenda.

8-~~F~~G WITHDRAWAL OF PETITIONS
A petition by a property owner proposing an amendment may be withdrawn at any time; provided, however, that if the petition is withdrawn at any time after the Planning Commission has commenced its public hearing on the petition, no new petition concerning any of the same land shall be filed by a property owner within 12 months of the withdrawal, unless the body before whom the petition is pending at the time specifies by resolution or motion that the time limit shall not apply or that a shorter time limit applies.

8-~~G~~H LIMITATION ON FILING NEW PETITION AFTER DENIAL

8-G-1 Upon denial by the Board of Supervisors of any petition for amendment filed by a property owner, no new petition shall be filed within 12 months of the date of denial. This limitation shall not apply to applications for conditional zoning.

8-G-2 Nothing in this Section or in Section 8-F above, shall be held to impair the right of the Planning Commission or the Board of Supervisors by resolution to propose any amendment at any time.

TA-14-03 – PROPOSED SUBDIVISION ORDINANCE AMENDMENTS

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4 PROCEDURE FOR SUBDIVISION APPROVAL

4-A ~~EXPLORATORY SKETCH PLAN~~ PRE APPLICATION CONFERENCE REQUIREMENT

No less than seven (7) days prior to filing an application, a pre-application conference shall be held between the Applicant and the Zoning Administrator. The Applicant shall provide for review a concept or draft subdivision plat showing the subject property, general lot layout, and the main elements to be proposed as a part of the application. The draft plat and any additional materials provided by the Applicant shall be retained by the Zoning Administrator as the initial public record for the application.

~~4-A-1~~ ~~All subdividers who intend to subdivide land into 10 or more parcels or who intend to subdivide land for commercial or industrial use, regardless of the number of parcels, shall be required to prepare and submit an Exploratory Sketch Plan to the Zoning Administrator. The Exploratory Sketch Plan may be submitted at any time during normal office hours and shall be considered as submitted for informal discussion between the subdivider and the Zoning Administrator. This step does not require formal application fee or filing of a plat with the Planning Commission.~~

~~4-A-2~~ ~~The Zoning Administrator shall then review the subdivision and offer comments relating to County standards and requirements or provide suggestions for modifications or changes to be incorporated on the Preliminary Plat.~~

~~4-A-3~~ ~~Following review by the Zoning Administrator of the Exploratory Sketch Plan and a meeting with the subdivider to discuss same, the subdivider may prepare the Preliminary Plat for formal submittal in accordance with the following terms of this Article.~~

4-B APPLICATION

(12/17/91) ~~A complete application for subdivision approval shall be filed with the Zoning Administrator at least 30 days prior to the date of the Commission meeting at which consideration thereon is desired. In the event notice of public hearing is required pursuant to Section 4-F-2-(a) herein, such application shall be filed at least 30 days prior to the Commission meeting at which such hearing may be scheduled. In the event streets are proposed for acceptance into the Virginia Department of Transportation's Road System, all plats, plans, maps and profiles in conformance with the specifications and requirements of the Department and this Ordinance shall be submitted for referral to the Resident Engineer at least 60 days prior to the date of the Commission meeting at which action on the application for subdivision approval is desired.~~ A complete application for subdivision approval shall contain at least the following:

4-B-1 The applicant's name and address, and, where the applicant is not an individual, the form, date, and place of formation of the applicant.

4-B-2 Environmental Inventory and Impact Statement.

4-B-3 Consumer Disclosure Statement.

4-B-4 Preliminary Plat.

4-B-4-a (3/20/90) (10/18/11) Twenty-one blue line or black line prints (fifteen copies on 11 by 17 inch paper and six copies on 24 by 36 inch paper), a digital or electronic copy of the plat (Portable Document Format (PDF), and digital files (as described below) shall be submitted. For digital data standard transfer media will be accepted including CD, DVD, email or ftp.

1. The digital files shall be provided in one of the following formats:
   DXF (AutoCAD ASCII Drawing Exchange File)
   ArcGIS shapefile
   ArcGis Personal geodatabase
2. The digital files shall provide individual layers for the following features:
   Site boundary
   Parcel lot lines
   Lot numbers
   Tax Map numbers
   Streets and Roads
   Road Right of Ways
   Road names
   Building footprints
   Utilities and Lines
   Easements
3. The digital files shall be submitted in the following projection:

Projected Coordinate System:	NAD 1983 State Plane Virginia North FIPS 4501 Feet
Projection:	Lambert Conformal Conic
False Easting:	11482916.66666666
False Northing:	6561666.66666667
Central Meridian:	-78.50000000
Standard Parallel:	1:38.03333333
Standard Parallel:	2:39.20000000
Latitude Of Origin:	37.66666667
Linear Unit:	Foot US
Geographic Coordinate System:	GCS North American 1983
Datum:	D North American 1983
Prime Meridian:	Greenwich
Angular Unit:	Degree

   A minimum of two property corners shall be identified by xy coordinates in order to "tie to" existing GIS layers.
   A Statement indicating the source of the northern meridian and amount of declination used.

The Zoning Administrator may modify the number of paper prints or digital copies and may modify the format and features for such digital information based on unique circumstances.

4-B-4-b The preliminary plat and all required supporting documents submitted shall conform in all ways with the requirements set forth in Article 7, Section B of this Ordinance.

4-B-5 Payment of Fee.

4-B-6 Plans for Water and Sewerage Facilities.

4-B-6-a (5/18/93) Report from the Clarke County Health Department evidencing suitability of soils on any lot less than 40 acres, for individual on-site septic systems with subsurface disposal.

4-B-6-b If public water and/or sewerage is to be provided by a town or by the Clarke County Sanitary Authority, a certificate from an authorized agent or the governing body thereof. Said certificate may require that certain specifications be met as a condition to furnishing or operating such public water and/or sewerage.

4-B-6-c If privately owned and operated central water and/or sewerage facilities are to be provided, a certificate from the Clarke County Health Department evidencing conformance of plans for such facilities with all applicable requirements and specifications of the Virginia Department of Health.

4-B-6-d If central water and/or sewerage facilities are to be accepted by a town or by the Clarke County Sanitary Authority for purposes of operation and maintenance of such facilities, for public use, a certificate from the Clarke County Health Department evidencing conformance of plans for such facilities with all applicable requirements and specifications of the Virginia Department of Health, as well as a certificate from an authorized agent or the governing body of the town or of the Sanitary Authority evidencing agreement to accept such facilities and setting forth all conditions of the agreement for such acceptance.

4-B-7 Certificate signed by the Resident Engineer of the Virginia Department of Transportation evidencing approval of the proposed design and construction of all streets, as defined in Section 2-B-42 herein. Said certificate shall also verify that all streets will be accepted into the state highway system for maintenance at such time that criteria for establishment of genuine public need is satisfied, provided such streets are constructed in accordance with the approved plans and profiles and are in good condition.

4-C ACCEPTANCE FOR FILING

4-C-1 The Zoning Administrator may require such other information to be submitted as the Zoning Administrator deems necessary for a proper and intelligent consideration of the application. The Zoning Administrator may establish regular filing deadlines to ensure that there is sufficient time to evaluate the application prior to the Planning Commission's initial review.

~~4-C-1~~ ~~The Zoning Administrator shall review the Preliminary Plat and other documents submitted with the application to determine if they conform to the technical requirements of this Ordinance. If in conformance, the application will be accepted for filing.~~

4-C-2 The Zoning Administrator shall determine when the application is complete. After receipt of a complete application, the Zoning Administrator shall refer the matter to the Planning Commission for initial review at its next regular meeting.

~~4-C-2~~ ~~(10/17/89)~~ ~~Applications for the same or substantially similar subdivision shall not be accepted or considered for all or any part of property for which a Preliminary Plat or Record Plat has~~

~~been disapproved by the Planning Commission during the 12 months immediately preceding the application. Such application shall address, at a minimum, those criteria that were sited as the basis of denial.~~

4-C-3 The Zoning Administrator shall forward copies of the plat for all applicable agencies and officials to provide written comments and recommendations. After receiving such comments and recommendations, the Zoning Administrator shall prepare a report for the Planning Commission.

4-C-4 The subdivision plat and accompanying materials shall be available for public review in the County Planning Department.

4-C-5 In addition to the fee set by the Board of Supervisors, the Planning Commission may require the Applicant to bear the costs of any extraordinary professional services employed by the Planning Commission in reviewing the subdivision plat.

4-D PUBLIC DISCLOSURE

The Preliminary Plat and other documents comprising an application shall be available for public viewing in an office designated by the Zoning Administrator.

4-E REPORT TO PLANNING COMMISSION

4-E-1 Copies of the Preliminary Plat shall be distributed to all members of the Planning Commission and to any or all of the following agencies that may exist, and any other agencies, as deemed necessary by the Zoning Administrator:
Clarke County Engineer
Clarke County Sanitary Authority
Clarke County Soil Scientist
Clarke County Health Department
Clarke County Department of Parks and Recreation
Lord Fairfax Soil and Water Conservation District,
Virginia Department of Transportation
District Agent Soil Conservation Service
Towns bordering on, or close to, the proposed subdivisions.

4-E-2 After the Zoning Administrator has received review comments from the agencies and officials to which the Preliminary Plat has been referred, a report shall be prepared and submitted to the Planning Commission.

4-F PUBLIC HEARING

4-F-1-a (11/16/93) (8/19/03) A public hearing shall be required for any proposed major subdivision, and the Planning Commission shall give notice of a public hearing in accordance with Section 4-F-2 of this ordinance. No public hearing shall be required for a minor subdivision.

4-F-1-b Deadlines for Applicant Submission of Materials Prior to Public Hearing.
Following the filing of a complete application, the Applicant shall provide any new or revised materials demonstrating compliance with required technical elements no less than 14 days prior to the first Public Hearing and no less than 10 days prior to any continued

Public Hearing. Required technical elements include any regulations governing site development such as lot dimensions and plat requirements. Any new or revised materials provided after the deadlines referenced above shall not be considered by the Commission at the scheduled meeting.

4-F-2 (11/16/93) Public hearings held by the Planning Commission shall be held in accordance with Section 15.2-2204 of the Code of Virginia, 1950, as amended. In accordance with Section 15.2-2206 of the Code of Virginia, 1950, as amended, the subdivision applicant shall be responsible for providing the notice required in Section 4-F-2-(b); and shall bear the cost of said notice. The applicant shall be required to supply the names of those persons that were required to be notified and certify that said notice was sent. The certification of notice and a listing of the persons to whom notice was sent shall be supplied by the applicant to the zoning administrator at least five days prior to the public hearing. Any person entitled to notice may waive such right in writing. In accordance with applicable regulations, before such hearings, the following is required:

4-F-2-a (11/16/93) (8/19/03) Notice of the intended action shall be published once a week for two successive weeks in some newspaper publishing or having general circulation in Clarke County. Such notice shall specify the time and place of the hearing at which persons affected may appear and present their views, not less than five days nor more than twenty-one days after the second advertisement shall appear in such newspaper.

4-F-2-b (11/16/93) Written notice shall be given at least five days before the hearing to the owners (as shown on the current real estate assessment records of Clarke County) of all abutting property and property immediately across the street or road from the property to be subdivided. If such notice is sent by an applicant other than a representative of the Planning Commission, it shall be sent by registered or certified mail. If such notice is sent by a representative of the Commission, the notice may be sent first class mail; provided that the representative make affidavit that such mailings have been made and file such affidavit with the records of the case.

4-F-2-c (11/16/93) (8/19/03) At least 15 days preceding the hearing, the applicant shall erect on the parcel to be subdivided, a sign or signs, indicating the nature of the request and the body reviewing the request. If the public hearing concerns more than five parcels, the number and location of signs to be posted shall be determined by the Zoning Administrator. The Zoning Administrator may require a reasonable deposit for each sign furnished to the applicant. The sign shall be erected by the applicant within 10 feet of whatever boundary line of such land abuts a public road and shall be so placed as to be clearly visible from the road with the bottom of the sign not less than one foot above the ground. Such sign shall not be erected in the public right-of-way. If more than one such road abuts the property, or if no public road abuts thereon, then the number and location of signs shall be determined by the Zoning Administrator. If no public road abuts thereon, then signs shall be placed in the same manner as above on at least one (or as many as is deemed necessary by the Zoning Administrator) boundary of the property abutting land not owned by the applicant. Any sign erected as required by this Section shall be maintained at all times by the applicant up to the time of the hearing. It shall be unlawful for any person, except the applicant or the Zoning Administrator, or authorized agent of either, to remove or tamper with a required sign during the period it is required to be maintained under this Section. All signs erected under this Section shall be removed by the applicant within 15 days following the public hearing for which it was erected. Failure to return the undamaged sign or signs within the prescribed time period will result in the forfeiture of the sign deposit.

4-F-2-d (11/16/93) At the hearing, the applicant shall submit an affidavit that he/she has fully complied with the requirements of this Section as to provision of written notice and posting of the property.

4-F-2-e (11/16/93) If any hearing is continued, to an unspecified date, written notice shall be re-mailed for the notification of the date of continuation to those parties that received notice of the previous hearing, in accordance with Sections 4-F-2-(b) and 4-F-2-(d) of this Ordinance.

4-F-2-f Deferral of Application.
An Applicant may request that consideration of a subdivision application at a public hearing be deferred by submitting a written request for deferral to the Zoning Administrator.

1. If the deferral request is provided to the Zoning Administrator prior to finalizing the Public Hearing advertisement for consideration by the Planning Commission, the Zoning Administrator shall determine whether to grant the deferral request. A request for deferral shall be approved only for good cause. If such request is approved by the Zoning Administrator, the application shall be advanced to the next regularly scheduled meeting of the Planning Commission.

2. If the deferral request is provided after finalizing the Public Hearing advertisement, the request for deferral shall be placed on the public hearing agenda on the date the application is to be considered and acted upon by the body. The body may approve the request for deferral for good cause. The Applicant shall be responsible for a re-advertising fee which shall be paid in full, prior to the application being placed on an upcoming public meeting agenda.

4-G ACTION ON PRELIMINARY PLAT

(6/10/97)

4-G-1 Within 60 days of the date of the meeting of the Planning Commission at which a complete application is submitted to the Commission, the Commission shall approve, conditionally approve, or disapprove the Preliminary Plat.

4-G-2 The Commission shall approve the Preliminary Plat provided that the Commission finds the Plat and all required supporting documents meet the requirements of this Ordinance, any other applicable ordinances and regulatory requirements, including the requirements of Section 4-G-2-(b), below. Otherwise, the Commission shall disapprove the Preliminary Plat.

4-G-2-a In making its determination, the Commission shall consider, where applicable, the Comprehensive Plan, the Zoning Ordinance, the Erosion and Sediment Control Ordinance, the Well and Septic Ordinance, the Environmental Inventory and Impact Statement, the Consumer Disclosure Statement, Virginia Department of Transportation requirements and regulations, agency comments pursuant to Section 4-E of this Ordinance, and any other applicable statutes, ordinances, or regulations.

4-G-2-b In order to approve the Preliminary Plat, the Commission, in considering the matters set forth in Section 4-G-2-(a), above, shall determine, without limitation, that the subdivision as set forth in the Preliminary Plat:

1. Will not cause unreasonable soil erosion or reduction in the capacity of the land or water so that a dangerous or unhealthy condition may result.
2. Will not cause unreasonable highway congestion or unsafe conditions with respect to the use of the highways existing or proposed, and has adequate road access. In making this determination, it shall consider the width and grade stability, and whether or not the increase in traffic volume that would be generated by the proposed subdivision would create a hazard to public safety or seriously aggravate an already hazardous condition.
3. Has adequate drainage. In making this determination, it shall consider whether or not the surface or subsurface water retention and/or runoff is such that it constitutes a danger to the structural integrity of proposed dwelling units or other proposed on site structures, and whether or not proposed site grading and development will create harmful or damaging effects from erosion and siltation on downhill or downstream land.
4. Will not have an undue adverse effect on existing or proposed septic systems or water supply systems in adjacent areas.
5. Will not have an undue adverse impact on the environment as described in Section 5 of this Ordinance.

4-G-3 If the Commission disapproves or conditionally approves the Preliminary Plat, the reasons for such action shall be stated in writing.

4-G-3-a (9/18/90) If the Commission conditionally approves the Preliminary Plat, the conditions shall be set forth in writing.

4-G-3-b (9/18/90) If the Commission disapproves the Preliminary Plat, the reasons for the disapproval shall be set forth in writing, and if there are specific corrections or modifications which will permit approval of the Preliminary Plat, such corrections or modifications shall be set forth in writing. ~~Any Preliminary Plat that is disapproved shall be subject to the provisions of Section 4-C-2.~~

4-G-4 Approval of the Preliminary Plat may be conditioned upon, among other things, the subdivider including in the Deed of Dedication of the property, and/or in the deed of conveyance for each lot within the subdivision, restrictive covenants required by this Ordinance and agreed to by the subdivider in hearings before the Commission. In the event any lot or lots within a proposed subdivision are to be served by one or more private access easements, restrictive covenants as required by Section 7-B-5-(c) of this Ordinance shall be included in the Deed of Dedication of the property and in the deed of conveyance for each lot so served.

4-G-5 Additional time may be granted the applicant for submission of revised plans, or the Commission may require additional time for review of a Preliminary Plat stating its reasons for doing so in writing.

4-G-6 Conditional approval by the Commission shall not obligate the Commission to approve the Record Plat.

4-G-7 (11/16/10) Term of Validity of Preliminary Plats

4-G-7-a (11/16/10) Once a preliminary subdivision plat is approved, it shall be valid for a period of five years,

provided the subdivider (i) submits a final subdivision plat for all or a portion of the property within one year of such approval, and (ii) thereafter diligently pursues approval of the final subdivision plat. "Diligent pursuit of approval" means that the subdivider has incurred extensive obligations or substantial expenses relating to the submitted final subdivision plat or modifications thereto. However, no sooner than three years following such preliminary subdivision plat approval, and upon 90 days' written notice by certified mail to the subdivider, the Zoning Administrator may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat.

4-G-7-b (11/16/10) Once an approved final subdivision plat for all or a portion of the property is recorded, the underlying preliminary plat shall remain valid for a period of five years from the date of the latest recorded plat of subdivision for the property. The five-year period of validity shall extend from the date of the last recorded plat.

4-G-8 No property shall be transferred or offered for sale, nor shall a permit to build be issued, on the basis of an approved Preliminary Plat.

4-G-9 The Commission, upon being requested to do so by the applicant, and upon finding that the plan submitted conforms to the requirements of this Ordinance for a Record Plat, and upon finding that all necessary supporting documents have been filed, may act upon the plat submitted as a Preliminary Plat and as a Record Plat, in accordance with the criteria provided in this Article for actions on the Preliminary and Record Plat.

4-H SUBMISSION OF PLANS AND PROFILES

4-H-1 The following items shall, when necessary, be submitted to the Commission after final approval of the Preliminary Plat and before submission of the Record Plat:

4-H-1-a Five copies of the complete Construction Plans and Profiles, including storm sewer design computations and storm water inlet computations.

4-H-1-b Five copies of the Construction Specifications and Plans for structures such as pedestrian underpasses or overpasses, parking areas, drainage systems and/or structures, or any special structures or systems the Planning Commission may decide warrant individual engineering review.

4-H-1-c Five copies of Traffic Control Plan, including all signs, signals, street signs or other devices for traffic control.

4-H-2 Copies of the above items shall be distributed by the Commission to the Virginia Department of Highways and Transportation or any other agency deemed necessary for review of said documents.

4-H-3 No Record Plat shall be accepted for review by the Planning Commission until all the aforementioned items have been reviewed and approved by the appropriate authorities.

4-I SUBMISSION OF RECORD PLAT

4-I-1 (3/20/90) (10/18/11) After approval of the Preliminary Plat, paper copies, a digital or electronic copy of the plat (Portable Document Format (PDF), and digital files (See section 4-B-4-(a) 1 thru 4) of the Record Plat shall be submitted to the Zoning Administrator not less than 15 days prior to the Commission meeting at which consideration thereon is desired.

1. A total of twenty-one paper copies shall be submitted, fifteen copies on 11 by 15 inch paper and six copies on 18 by 24 inch paper. These six copies shall evidence original signatures for all required certificates and approvals.
2. For digital data standard transfer media will be accepted including CD, DVD, email or ftp.

The Zoning Administrator may modify the number of paper prints or digital copies and may modify the format and features for such digital information based on unique circumstances.

4-I-2 Upon receipt of the Record Plats and all documents and requirements as specified in Article 7 of this Ordinance, the Zoning Administrator shall determine that the Record Plat and documents comply with all applicable rules and regulations, all applicable decisions of the Commission, and all conditions imposed at the time of conditional approval, if any, of the Preliminary Plat.

4-J ACTION ON RECORD PLAT

4-J-1 (9/18/90) Within 60 days of the date of the meeting of the Planning Commission at which the Record Plat and all other required items are submitted to the Commission, the Commission shall approve, conditionally approve, or disapprove said Record Plat.

4-J-2 (9/18/90) The Commission shall approve the Record Plat, provided:

4-J-2-a The Commission finds that the Record Plat is substantially in accordance with the approved Preliminary Plat and the requirements and provisions of this Ordinance, and that all supporting documents and other items required by this Ordinance and/or the Commission are satisfactory;

4-J-2-b The Commission finds that all certificates and approvals by other public officials and the performance bond, check, or other acceptable surety required by Clarke County and/or other political subdivisions and public agencies are adequate; and

~~4-J-2-c~~ ~~The Commission finds that nothing has come to the attention of the Commission subsequent to its approval of the Preliminary Plat which indicates that the proposed subdivision is materially adverse or contrary to the requirements and purposes of this Ordinance, or is detrimental to the public health, safety, or general welfare as set forth in Section 4-K-2.~~

4-J-3 (9/18/90) If the Commission disapproves the Record Plat, the specific reasons for disapproval shall be provided in writing, either in a separate document or on the Record Plat itself. The reasons for disapproval shall identify the deficiencies in the plat that caused the disapproval by reference to specific duly adopted ordinances, regulations, or policies, and shall identify, to the greatest extent possible, modifications or corrections that would permit approval of the plat.

~~Otherwise, the Commission shall disapprove the Record Plat.~~

4-J-4 (9/18/90) If the Commission conditionally approves the Record Plat, the conditions shall be set forth in writing.

4-K RECORDATION OF PLATS

(11/16/10)

4-K-1 Any owner or proprietor of any tract of land within Clarke County, Virginia, who subdivides the same as herein provided, shall cause a plat of such subdivision to be made in accordance with the regulations set forth in this Ordinance and in the Virginia Land Subdivision and Development Act, and shall further cause a copy of said plat evidencing approval as required herein and a copy of a Deed of Dedication, as may be required herein, to be recorded in the Office of the Clerk of the Circuit Court of Clarke County, Virginia.

4-K-2 No subdivision plat shall be recorded unless and until it shall have been submitted to and approved by the Planning Commission of Clarke County as herein provided and is in full accordance with the regulations set forth in this Ordinance.

4-K-3 No subdivision plat shall be recorded unless all the monuments shown and described on the Record Plat are in place as evidenced by the certificate of a licensed surveyor endorsed on said Plat.

4-K-4 A Record Plat shall become null and void if it is not submitted to the Clerk of the Circuit Court of Clarke County for recordation within six months from the date evidencing approval by the Planning Commission. The Commission may approve a longer period before recordation is required. The owner of the property being subdivided must submit a written request to the Zoning Administrator for such a longer period within six months of the date of the Commission's original approval. In any case where construction of facilities to be dedicated for public use has commenced pursuant to an approved plan or permit with surety approved by Planning Commission, or where the developer has furnished surety to the Planning Commission by certified check, cash escrow, bond, or letter of credit in the amount of the estimated cost of construction of such facilities, the time for plat recordation shall be extended to one year after final approval or to the time limit specified in the surety agreement approved by the Planning Commission, which ever is greater.

4-K-5 Recordation of the Record Plat of a subdivision shall not be deemed to be the acceptance by the County of any street or road or other public place shown on the plat for maintenance, repair or operation thereof.

4-L BURDEN OF PROOF

The burden of proof shall be on the applicant to show that the subdivision and the plats submitted meet the requirements of this Ordinance, including the provisions of Sections 4-G-2 and 4-J-2.

2015 SCHEDULE OF LAND USE APPLICATION DEADLINES
PLANNING COMMISSION REVIEW

NOTE:
The filing deadline for land use applications to be reviewed by the Planning Commission and Board of Supervisors is the **first Friday of each month**. In the event the first Friday of the month is a holiday, the deadline will be the following Friday. Complete land use applications filed by the monthly deadline will be forwarded to the Planning Commission the following month to set public hearing one month later.

The deadlines and meeting dates below are subject to change in the event of inclement weather or other unexpected closing of the Planning Department.

January

- Pre-application meeting deadline for January filing – Wednesday, December 31
- Monthly Filing Deadline – Friday, January 9 (County offices are closed Friday January 2)
- Planning Commission briefing meeting – Tuesday, January 6
- Planning Commission regular meeting – Friday, January 9
- February Public Hearing advertisement deadline – Thursday, January 15 (ad dates 1/22 and 1/29)
- Deadline for final application materials submission for February public hearing – Friday, January 23 for initial public hearing; Wednesday, January 28 for continued public hearing

February

- Pre-application meeting deadline for February filing – Friday, January 30
- Monthly Filing Deadline – Friday, February 6
- Planning Commission briefing meeting – Tuesday, February 3
- Planning Commission regular meeting – Friday, February 6
- March Public Hearing advertisement deadline – Thursday, February 12 (ad dates 2/19 and 2/26)
- Deadline for final application materials submission for March public hearing – Friday, January 23 for initial public hearing; Wednesday, January 28 for continued public hearing

March

- Pre-application meeting deadline for March filing – Friday, February 27
- Monthly Filing Deadline – Friday, March 6
- Planning Commission briefing meeting – Tuesday, March 3
- Planning Commission regular meeting – Friday, March 6
- April Public Hearing advertisement deadline – Thursday, March 12 (ad dates 3/19 and 3/26)
- Deadline for final application materials submission for April public hearing – Friday, March 20 for initial public hearing; Wednesday, March 25 for continued public hearing

April

- Pre-application meeting deadline for April filing – Friday, March 27
- Monthly Filing Deadline – Friday, April 3
- Planning Commission briefing meeting – Tuesday, March 31
- Planning Commission regular meeting – Friday, April 3
- May Public Hearing advertisement deadline – Thursday, April 9 (ad dates 4/16 and 4/23)
- Deadline for final application materials submission for May public hearing – Friday, April 17 for initial public hearing; Wednesday, April 22 for continued public hearing

May

- Pre-application meeting deadline for May filing – Friday, April 24
- Monthly Filing Deadline – Friday, May 1
- Planning Commission briefing meeting – Tuesday, April 28
- Planning Commission regular meeting – Friday, May 1
- June Public Hearing advertisement deadline – Thursday, May 14 (ad dates 5/21 and 5/28)
- Deadline for final application materials submission for May public hearing – Friday, May 22 for initial public hearing; Wednesday, May 27 for continued public hearing

2015 SCHEDULE OF LAND USE APPLICATION DEADLINES
BOARD OF SUPERVISORS REVIEW

The following schedule applies to applications that have been reviewed and forwarded to the Board of Supervisors for review by the Planning Commission.

January

- Board of Supervisors regular meeting – Tuesday, January 20
- Public Hearing advertisement deadline – Tuesday, December 30 (ad dates 1/6 and 1/13)
- Deadline for final application materials submission for January public hearing – Tuesday, January 6 for initial public hearing; Friday, January 9 for continued public hearing

February

- Board of Supervisors regular meeting – Tuesday, February 17
- Public Hearing advertisement deadline – Tuesday, January 27 (ad dates 2/3 and 2/10)
- Deadline for final application materials submission for February public hearing – Tuesday, February 3 for initial public hearing; Friday, February 6 for continued public hearing

March

- Board of Supervisors regular meeting – Tuesday, March 17
- Public Hearing advertisement deadline – Tuesday, February 24 (ad dates 3/3 and 3/10)
- Deadline for final application materials submission for March public hearing – Tuesday, March 3 for initial public hearing; Friday, March 6 for continued public hearing

April

- Board of Supervisors regular meeting – Tuesday, April 21
- Public Hearing advertisement deadline – Tuesday, March 31 (ad dates 4/7 and 4/14)
- Deadline for final application materials submission for April public hearing – Tuesday, April 7 for initial public hearing; Friday, April 10 for continued public hearing

May

- Board of Supervisors regular meeting – Tuesday, May 19
- Public Hearing advertisement deadline – Tuesday, April 28 (ad dates 5/5 and 5/12)
- Deadline for final application materials submission for May public hearing – Tuesday, May 5 for initial public hearing; Friday, May 8 for continued public hearing

June

- Board of Supervisors regular meeting – Tuesday, June 16
- Public Hearing advertisement deadline – Tuesday, May 26 (ad dates 6/2 and 6/9)
- Deadline for final application materials submission for June public hearing – Tuesday, June 2 for initial public hearing; Friday, June 5 for continued public hearing

Adjournment

Monthly Reports:

1. Building Department
2. Commissioner of the Revenue

RESIDENTIAL CONSTRUCTION

NEW SINGLE FAMILY

Owner/Address	Description/Parcel ID	Estimated Value
JASON BURNS 241 EBENEZER RD. BLUEMONT 20135	NEW RESIDENCE SINGLE 26A 104	395,672
JUSTIN RICHMOND 240 ASHLEY WOODS LN., BLUEMONT, VA 20135	NEW RESIDENCE SINGLE 336H	577,223
TOTALS:	2	972,895
TOTAL NEW RESIDENTAL CONSTRUCTION:	2	972,895

RESIDENTIAL RENOVATIONS

Owner/Address	Description/Parcel ID	Estimated Value
DAVID & KATHLEEN SALTER 203 S. BUCKMARSH ST. BERRYVILLE 22611	ADDITION/REMODEL SINGLE 14A4A59	9,150
GILLIAM, A. CATHERINE 1681 MILLWOOD RD. BOYCE, VA 22620	ADDITION RESIDENCE 30AA83	13,879
RVF LLC (ANNE CALDWELL) 400 RIVERVIEW FARM LANE, BLUEMONT 20135	ADD/REM RESIDENCE SINGLE 25 A 23	23,133
RANDALL S. COOKE 2929 KIMBLE RD. BERRYVILLE 22611	ADDITION RESIDENCE 8A 8A	7,560
ALBERT MOY 437 WINDWOOD LANE, PARIS, VA 20130	REMODEL-MINIMUM FEE 40B 1 6	3,750
TERRY HOUSE 171 ALLEGHENY RIDGE LN., BERRYVILL 22611	ADDITION RESIDENCE 3A 34C	25,920
TOTALS:	6	83,392

COMMERCIAL CONSTRUCTION

COMMERCIAL RENOVATIONS

Owner/Address	Description/Parcel ID	Estimated Value
COUNTY OF CLARKE (SHERIFF'S DEPT.) 100 N. CHURCH ST. BERRYVILLE 22611	REMODEL COMMERCIAL	25,000
ONE EAST MAIN ST., LLC 1 E. MAIN STREET, BERRYVILLE 22611	REMODEL COMMERCIAL	175,297
TOTALS:	2	200,297

OTHER BUILDING PERMITS

Owner/Address	Description/Parcel ID	Estimated Value
RANDY ORNDORFF 109 ACADEMY ST., BERRYVILLE 22611	REMODEL-MINIMUM FEE	1,500

WALTER ZALENSKI AND SANDRA AISTARS 185 ROSE AIRY LANE, BOYCE 22620	DECK/PORCH	8,250
KEVIN DENISON 98 EARHART LANE BERRYVILLE 22611	SWIMMING POOL/SPA	60,000
KEVIN DENISON 98 EARHART LANE, BERRYVILLE 22611	ACCESSORY BLDG	81,764
JOYCE JESSELL 328 TADPOLE LANE, BLUEMONT, VA 20135	ACCESSORY BLDG	72,000
CLARICE BARR 56 RIDGEWOOD LANE, FRONT ROYAL 22630	DECK/PORCH	12,000
KEIM, JOHN & KERRY 118 BEYDLER LANE, BERRYVILLE 22611	REMODEL-MINIMUM FEE	20,000
CHET ERICKSON 715 DUKE LANE 20135	AGRICULTURAL-NO PERMIT	5,000
KENT MCCLENAHAN 3460 CRUMS CHURCH RD., BERRYVILLE 22611	ACCESSORY BLDG	66,370
DOROTHY ROYSTON 112 RICE STREET, BERRYVILLE, VA 22611	RE-ROOFING/SIDING	5,000
ED BUSER 2400 MORGANS MILL RD. BLUEMONT 20135	FOUNDATION PERMIT	500
TOTALS:	11	332,384

TOTAL # OF BUILDING PERMITS / VALUE:	21	1,588,968

CERTIFICATES OF OCCUPANCY

DATE ISSUED	ADDRESS	TYPE
NO C/O's ISSUED		

TOTAL PERMIT & INSPECTION FEES COLLECTED:	12,975.50
TOTAL OTHER REVENUE COLLECTED:	0.00
STATE SURCHARGE COLLECTED: COLLECTED:	198.31
TOTAL REVENUE COLLECTED:	13,173.81

OTHER PERMITS ISSUED:

TYPE	RES	COMM	FEES	VALUE
ELECTRICAL PERMIT	18	1	1,285.00	19,800
GAS PERMIT	8	2	500.00	13,800
MECHANICAL PERMIT	8	1	515.00	12,000
PLUMBING PERMIT	7	1	480.00	15,000
TOTALS:	41	5	2,780.00	60,600

PROJECT CODE RECAP

PERMITS BY TYPE	# OF PERMITS	ESTIMATED VALUE
ACCESSORY BLDG RESIDENTIAL	3	220,134
AGRICULTURAL-NO PERMIT REQ'D	1	5,000
ADDITION RESIDENCE SINGLE CARP	3	47,359
ADDITION/REMODEL SINGLE FAMILY	1	9,150
ADD/REM RESIDENCE SINGLE GARA	1	23,133
DECK/PORCH	2	20,250
ELECTRIC PERMITS	19	19,800
FOUNDATION PERMIT	1	500
GAS PERMITS	10	13,800
MECHANICAL PERMITS	9	12,000
NEW RESIDENCE SINGLE FAMILY	2	972,895
PLUMBING PERMITS	8	15,000
SWIMMING POOL/SPA	1	60,000
REMODEL COMMERCIAL	2	200,297
REMODEL-MINIMUM FEE	2	21,500
REMODEL-MINIMUM FEE (RES)	1	3,750
RE-ROOFING/SIDING	1	5,000
TOTALS	67	1,649,568

PERMITS BY AREA

DESCRIPTION	# OF PERMITS	ESTIMATED VALUE
GREENWAY DISTRICT	5	36,929
CHAPEL DISTRICT	8	1,500
BATTLETOWN DISTRICT	18	0
LONGMARSH DISTRICT	13	25,920
BERRYVILLE DISTRICT	19	0
BOYCE DISTRICT	2	5,000
TOTALS	65	69,349

INSPECTIONS BY TYPE

PERMIT TYPE	# OF INSPECTIONS	RES	COMM
BUILDING PERMIT	86	81	5
ELECTRICAL PERMIT	44	43	1
GAS PERMIT	12	10	2
MECHANICAL PERMIT	28	27	1
PLUMBING PERMIT	29	28	1
TOTALS	199	189	10

Building Dept. - Clarke County

New Single Family Dwellings 2014

	Battletown	Berryville	Boyce	Chapel	Greenway	Longmarsh	TOTAL	COMMENTS
January	0	0	1	1	0	1	3	
February	0	0	0	2	1	1	4	1 in LM is Mobile Home
March	1	0	0	1	2	0	4	
April	1	2	0	0	0	0	3	
May	1	0	0	1	0	0	2	
June	0	0	0	0	1	2	3	1 in LM replaces Dwelling that burned down
July	0	3	0	0	1	0	4	
August	1	5	0	2	0	0	8	
September	1	0	1	0	0	0	2	
October	2	0	0	0	0	0	2	
November							0	
December							0	
TOTAL	7	10	2	7	5	4	35	

COUNTY OF CLARKE CIRCUIT COURT
MONTH END DEEDS OF PARTITION AND CONVEYANCE
LOCAL TAXATION DEPARTMENT
COUNTY
FOR OCTOBER, 2014

RECORDED	INSTRUMENT	GRANTOR	(X)	GRANTEE/ADDRESS	(X)	CONSIDERATION	TYPE	PERCENT
10/01/14	14-1481	ATLANTIC TRUSTEE SERVICES LLC	N	FEDERAL NATIONAL MORTGAGE ASSO	Y	371,160.33	DTF	100%
	RECORDED TIME: 02:15			14221 DALLAS PARKWAY SUITE1000 DALLAS, TX. 75254				
	DESCRIPTION 1: LOT 3 - 5.077 ACRES			LONGMARSH DISTRICT				
	DATE OF DEED : 08/26/14 BOOK: 581 PAGE: 276			MAP: 7-3-3		PIN:		
	NUMBER PAGES : 0							
10/01/14	14-1482	COONEY, GERARD MARTIN & ANGELA	N	CROSON, DALE A & CAROLYN R	N	275,000.00	DBS	100%
	RECORDED TIME: 02:25			7171 HOWELLSVILLE RD BOYCE, VA. 22620				
	DESCRIPTION 1: LOT 3, SECT 1, WHITE HORSE PARK			GREENWAY DIST WR/S				
	DATE OF DEED : 09/30/14 BOOK: 581 PAGE: 281			MAP: 37A2-7-3		PIN:		
	NUMBER PAGES : 0							
10/03/14	14-1492	THOMPSON, BERNARD E,JR	N	SCHWANDT, DAVID G & YORLY L	N	275,000.00	DBS	100%
	RECORDED TIME: 03:00			2363 MORGANS MILL RD BLUEMONT, VA. 20135				
	DESCRIPTION 1: 1.7884 ACRES - CHAPEL DIST			WR/S (SYSTEM DOWN ON 10/2/14)				
	DATE OF DEED : 09/30/14 BOOK: 581 PAGE: 316			MAP: 32-A-73		PIN:		
	NUMBER PAGES : 0							
10/03/14	14-1497	BURGENER, DEBORAH ANN	N	BENEKE, ARTHUR; IV ET AL	N	150,000.00	DBS	100%
	RECORDED TIME: 04:16			332 HEMLOCK LANE BLUEMONT, VA. 20135				
	DESCRIPTION 1: BATTLETOWN DISTRICT, SHEN RET							
	DATE OF DEED : 10/03/14 BOOK: 581 PAGE: 348			MAP: 17A2-2-110		PIN:		
	NUMBER PAGES : 0							
10/06/14	1401499	HALSEY, KRISTIN TR OF LOVELESS	N	VIRTS, KEVIN	N	149,000.00	DBS	100%
	RECORDED TIME: 01:20			110 RUSSEL RD BERRYVILLE, VA. 22611				
	DESCRIPTION 1: 3.0001 ACRES - LONGMARSH DIST							
	DATE OF DEED : 10/01/14 BOOK: 581 PAGE: 369			MAP: 7-A-26		PIN:		
	NUMBER PAGES : 0							
10/06/14	14-1501	SCHUTTE, JOHN D AND SMI LLC	N	LANGHORNE & LANGHORNE LLC	N	700,000.00	DBS	100%
	RECORDED TIME: 03:06			5210 SHORES ROAD PALMYRA, VA. 22963				
	DESCRIPTION 1: CHAPEL DISTRICT, LOT 2, 8.1936 AC							
	DATE OF DEED : 10/06/14 BOOK: 581 PAGE: 393			MAP: 22-A-96		PIN:		
	NUMBER PAGES : 0							
10/07/14	14-1512	FRAZIER, DONN ALAN	N	COLE, ANGELA V & ROBERT A	N	250,000.00	DBS	100%
	RECORDED TIME: 09:00			184 CLARKE LN BERRYVILLE, VA. 22611				
	DESCRIPTION 1: LOT 7, BLK C, SECT 2 OF BRADFIELD SUBD			BATTLETOWN DIST WR/S				
	DATE OF DEED : 10/03/14 BOOK: 581 PAGE: 433			MAP: 15A-2C=7		PIN:		
	NUMBER PAGES : 0							
10/07/14	14-1514	BAUHAN, HOBART B, ET ALS	N	BAUHAN, HOBART B, ET ALS	N	.00	OPM	100%
	RECORDED TIME: 10:20			N/A				
	DESCRIPTION 1: CHAPEL DIST							
	DATE OF DEED : 00/00/00 BOOK: 11 PAGE: 64			MAP: 21-A-9		PIN:		
	NUMBER PAGES : 1							

COUNTY OF CLARKE CIRCUIT COURT
MONTH END DEEDS OF PARTITION AND CONVEYANCE
LOCAL TAXATION DEPARTMENT
COUNTY
FOR OCTOBER, 2014

RECORDED	INSTRUMENT	GRANTOR	(X)	GRANTEE/ADDRESS	(X)	CONSIDERATION	TYPE	PERCENT
10/07/14	14-1515	BAUHAN, HOBART B, ET ALS	N	CLARK, ELIZABETH L & THOMAS L CLARKE CO VA, .	N	.00	DBS	100%
	RECORDED TIME: 10:22							
	DESCRIPTION 1: 50.9779 ACRES - CHAPEL DIST			BOUNDARY LINE ADJUSTMENT				
	DATE OF DEED : 10/07/14 BOOK: 581 PAGE: 448			MAP: PORTION 21-A-20		PIN:		
	NUMBER PAGES : 0							
10/08/14	14-1527	GOERING, KENT L & DOLORES JUNE	N	MASUCCI, GREGORY E & MAYA N WE 73 PROVIDENCE LN BLUEMONT, VA. 20135	N	473,900.00	DBS	100%
	RECORDED TIME: 01:45							
	DESCRIPTION 1: TRACT 7A, 23.4169 ACRES			CHAPEL DIST				
	DATE OF DEED : 10/03/14 BOOK: 581 PAGE: 510			MAP: 32-12-7A		PIN:		
	NUMBER PAGES : 0							
10/08/14	14-1523	SMALLWOOD, GARY A	N	TRENT, CRAIG & KAREN 128 ROCK GATE LANE WHITE POST, VA. 22663	N	169,000.00	DBS	100%
	RECORDED TIME: 10:35							
	DESCRIPTION 1: GREENWAY DISTRICT, W/RS							
	DATE OF DEED : 10/07/14 BOOK: 581 PAGE: 487			MAP: 28-A-49		PIN:		
	NUMBER PAGES : 0							
10/10/14	4143	PEGGY ANN HARDESTY JONES	N/A	N/A		.00	REA	00%
	RECORDED TIME: 10:17							
	DESCRIPTION 1: LOT 1 - 2 ACRES			JONES SUBD LONGMARSH DISTRICT				
	DATE OF DEED : 10/10/14 BOOK: 95 PAGE:			MAP: 9-A-37H		PIN:		
	NUMBER PAGES : 0							
10/10/14	14-1534	SHEIKH, M YOUSAF & SAMINA	N	SKEIKH, IQRA YOUSAF 10544 LORD FAIRFAX HWY BOYCE, VA. 22620	N	300,000.00	DBS	100%
	RECORDED TIME: 12:36							
	DESCRIPTION 1: LOT 3 - 1.2662 ACRES			CHAPEL DIST				
	DATE OF DEED : 00/00/00 BOOK: 581 PAGE: 541			MAP: 21-4-3		PIN:		
	NUMBER PAGES : 0							
10/10/14	14-1543	PERRY, ROBERT B	N	BLICK, RICHARD W 227 E MAIN ST BERRYVILLE, VA. 22611	N	174,900.00	DBS	100%
	RECORDED TIME: 12:55							
	DESCRIPTION 1: TOWN OF BERRYVILLE							
	DATE OF DEED : 00/00/00 BOOK: 581 PAGE: 590			MAP: 14A5-A-95		PIN:		
	NUMBER PAGES : 0							
10/10/14	14-1545	UNGER, ROGER & JUDITH	N	LLOYD, DAVID B & REBECCA J 2893 LORD FAIRFAX HWY BERRYVILLE, VA. 22611	N	133,510.00	DBS	100%
	RECORDED TIME: 12:58							
	DESCRIPTION 1: 2.14 ACRES IN BATTLETOWN DISTRICT			WR/S				
	DATE OF DEED : 00/00/00 BOOK: 581 PAGE: 602			MAP: 8-A-59		PIN:		
	NUMBER PAGES : 0							
10/14/14	14-1558	KELLEHER, THOMAS A,JR & ANDREA	N	BAYVIEW LOAN SERVICING LLC 18521 BLUERIDGE MTN RD BLUEMONT, VA. 20135	N	728,290.25	DTF	100%
	RECORDED TIME: 01:35							
	DESCRIPTION 1: LOT 4 - 5 ACRES - PROSPERITY ACRES			BATTLETOWN DIST				
	DATE OF DEED : 09/10/14 BOOK: 581 PAGE: 696			MAP: 26-A-68B		PIN:		
	NUMBER PAGES : 0							

COUNTY OF CLARKE CIRCUIT COURT
MONTH END DEEDS OF PARTITION AND CONVEYANCE
LOCAL TAXATION DEPARTMENT
COUNTY
FOR OCTOBER, 2014

RECORDED	INSTRUMENT	GRANTOR	(X)	GRANTEE/ADDRESS	(X)	CONSIDERATION	TYPE	PERCENT
10/14/14	14-1559	MCALLISTER, MAUREEN B & JOHN W	Y	MCALLISTER, MAUREEN ET AL CO-T 100 TAYLOR ST BERRYVILLE, VA. 22611	Y	.00	DBS	100%
	RECORDED TIME: 01:40 DESCRIPTION 1: 1.045 ACRES - TOWN OF BERRYVILLE DATE OF DEED : 10/03/14 BOOK: 581 PAGE: 705 MAP: 14A4-A-64 NUMBER PAGES : 0					PIN:		
10/15/14	14-1565	VANCE, WYNONA R	N	HUDSON, FLOYD O & TERRI L 29 BYRD AVE BERRYVILLE, VA. 22611	N	154,000.00	DBS	100%
	RECORDED TIME: 01:16 DESCRIPTION 1: 0.351 ACRE - TOWN OF BERRYVILLE DATE OF DEED : 10/15/14 BOOK: 581 PAGE: 744 MAP: 14A5-7-2A NUMBER PAGES : 0					PIN:		
10/16/14	14-1574	BAKER, JOHNNIE M & PATRICIA S	N	FISHER, EUGENE J & CATHERINE A 105 SWIMLEY ROAD BERRYVILLE, VA. 22611	N	525,000.00	DBS	100%
	RECORDED TIME: 01:25 DESCRIPTION 1: LONGMARSH DISTRICT, CONT. 14.043 ACRES MORE OR LESS DATE OF DEED : 10/14/14 BOOK: 581 PAGE: 820 MAP: 3-A-18A NUMBER PAGES : 0					PIN:		
10/16/14	14-1577	LEHNING, DALE; ET AL	N	KONOPA, MICHAEL & RENEE 205 TAYLOR ST BERRYVILLE, VA. 22611	N	381,000.00	DBS	100%
	RECORDED TIME: 02:05 DESCRIPTION 1: TOWN OF BERRYVILLE DATE OF DEED : 10/10/14 BOOK: 581 PAGE: 835 MAP: 14A8-1-34 NUMBER PAGES : 0					PIN:		
10/16/14	14-1583	CITIMORTGAGE INC	N	BURT, JUDITH A 408 PINE GROVE ROAD BLUEMONT, VA. 20135	N	195,900.00	DBS	100%
	RECORDED TIME: 02:37 DESCRIPTION 1: BATTLETOWN DISTRICT DATE OF DEED : 09/04/14 BOOK: 581 PAGE: 859 MAP: 26-A-1-6 NUMBER PAGES : 0					PIN:		
10/16/14	14-1585	SWANK, BLAINE R	N	IRREVOCABLE LARSEN FAMILY TRUS 933 WILDCAT HOLLOW RD BOYCE, VA. 22620	N	315,900.00	DBS	100%
	RECORDED TIME: 03:38 DESCRIPTION 1: GREENWAY DISTRICT DATE OF DEED : 10/15/14 BOOK: 581 PAGE: 872 MAP: 39-6-2 NUMBER PAGES : 0					PIN:		
10/17/14	14-1586	MCLARNEY, RETTA C	N	HUMMER, JAMES R,III 284 HORSESHOE LN BLUEMONT, VA. 20135	N	255,000.00	DBS	100%
	RECORDED TIME: 01:50 DESCRIPTION 1: LOT 2, ASHBY RUN SUBD CHAPEL DIST DATE OF DEED : 10/15/14 BOOK: 581 PAGE: 877 MAP: 32-1-2 NUMBER PAGES : 0					PIN:		
10/17/14	14-1589	FFC PROPERTIES, LLC	N	BLACKWELL, AARON K & PAMELA G 42 LAMP POST DR REDDING, CT. 06896	N	680,000.00	DBS	100%
	RECORDED TIME: 02:36 DESCRIPTION 1: CHAPEL DISTRICT, 10.000 ACRES DATE OF DEED : 10/14/14 BOOK: 581 PAGE: 900 MAP: 40-A-20 NUMBER PAGES : 0					PIN:		

COUNTY OF CLARKE CIRCUIT COURT
MONTH END DEEDS OF PARTITION AND CONVEYANCE
LOCAL TAXATION DEPARTMENT
COUNTY
FOR OCTOBER, 2014

RECORDED	INSTRUMENT	GRANTOR	(X)	GRANTEE/ADDRESS	(X)	CONSIDERATION	TYPE	PERCENT
10/20/14	14-1592	KELLEHER, THOMAS; JR ET UX	N	KELLEHER, THOMAS; JR	N	.00	DBS	100%
	RECORDED TIME: 12:00			2801 SALEM CHURCH ROAD BERRYVILLE, VA. 22611				
	DESCRIPTION 1: BATTLETOWN DISTRICT, 3.0 ACRES, LOT 5							
	DATE OF DEED : 10/20/14 BOOK: 581 PAGE: 930			MAP: 26-A-107		PIN:		
	NUMBER PAGES : 0							
10/21/14	14-1604	STICKEL, EARL E EXECUTOR ET AL	N	RESENDIZ, MARCIAL S & MINERVA	N	305,000.00	DBS	100%
	RECORDED TIME: 01:20			415 TREADWELL ST BERRYVILLE, VA. 22611				
	DESCRIPTION 1: 2 PARCELS - TOWN OF BERRYVILLE			LOTS 23 & 24, CROWN SUBD				
	DATE OF DEED : 09/29/14 BOOK: 581 PAGE: 965			MAP: 14A1-1-23		PIN:		
	NUMBER PAGES : 0							
10/22/14	14-1609	JONES, PHILIP W	N	ALLEN, ROBERT & BETH	N	500,000.00	DBS	100%
	RECORDED TIME: 12:41			4455 & 4451 RIVER ROAD BLUEMONT, VA. 20135				
	DESCRIPTION 1: CHAPEL DISTRICT, LOT 1C			15.0372 ACRES				
	DATE OF DEED : 10/21/14 BOOK: 582 PAGE: 01			MAP: 24-A-16B		PIN:		
	NUMBER PAGES : 0							
10/23/14	14-1619	MILLER, JESSE & CLARE	N	MCSHANE, PATRICIA; ET AL	N	286,000.00	DBS	100%
	RECORDED TIME: 02:51			84 BALSAM LANE BLUEMONT, VA. 20135				
	DESCRIPTION 1: BATTLETOWN DISTRICT, SHEN RET							
	DATE OF DEED : 10/19/14 BOOK: 582 PAGE: 70			MAP: 17A4-29-2M-10		PIN:		
	NUMBER PAGES : 0							
10/23/14	14-1621	COMMONWEALTH TRUSTEES LLC	N	MORTGAGE EUIETY CONVERSION ASS	N	250,000.00	DTF	100%
	RECORDED TIME: 02:56			P O BOX 91322 SEATTLE, WA. 98111				
	DESCRIPTION 1: BATTLETOWN DISTRICT							
	DATE OF DEED : 10/03/14 BOOK: 582 PAGE: 87			MAP: 25-A-27B		PIN:		
	NUMBER PAGES : 0							
10/23/14	4145	CONWAY, KAREN L		N/A		.00	COPY	00%
	RECORDED TIME: 09:35			N/A				
	DESCRIPTION 1: REAL ESTATE IN SHEN RET LOT 75;			43 --- 48 D/B 500 PG 964				
	DATE OF DEED : 10/23/14 BOOK: 95 PAGE: 238			MAP: 17A2-12-75; 17A2-43+		PIN:		
	NUMBER PAGES : 0							
10/23/14	14-1618	HEILMAN, W STRICKLAND	N	HEILMAN, FAY S	N	.00	DBSHW	100%
	RECORDED TIME: 12:28			776 KENNEL ROAD BOYCE, VA. 22620				
	DESCRIPTION 1: GREENWAY DISTRICT, LOTS 2 & 3							
	DATE OF DEED : 10/21/14 BOOK: 582 PAGE: 68			MAP: 30-A-53		PIN:		
	NUMBER PAGES : 0							
10/24/14	14-1624	CRIM, GARY C	N	CRIM, GARY C & LENORA T	N	.00	DG	100%
	RECORDED TIME: 09:05			220 TRIPLE OAK LANE BERRYVILLE, VA. 22611				
	DESCRIPTION 1: 30 ACRES			LONGMARSH DIST		WR/S		
	DATE OF DEED : 00/00/00 BOOK: 582 PAGE: 124			MAP: 8-A-13A		PIN:		
	NUMBER PAGES : 0							

COUNTY OF CLARKE CIRCUIT COURT
MONTH END DEEDS OF PARTITION AND CONVEYANCE
LOCAL TAXATION DEPARTMENT
COUNTY
FOR OCTOBER, 2014

RECORDED	INSTRUMENT	GRANTOR	(X)	GRANTEE/ADDRESS	(X)	CONSIDERATION	TYPE	PERCENT
10/27/14	4146	BURNS, MARGARET L		N/A		.00	COPY	00%
	RECORDED TIME: 12:47			N/A				
	DESCRIPTION 1: COPY OF WILL FROM ANNE ARUNDEL CO, MD			LOT 25,BL 2M,SHEN.RET 95/417				
	DATE OF DEED : 10/27/14 BOOK: 95 PAGE: 259			MAP: 17-A4-29-2M-25		PIN:		
	NUMBER PAGES : 12							
10/28/14	14-1641	VEDA LLC	N	WILSON, JAMES T & JESSIE S	N	2,760,500.00	DBS	100%
	RECORDED TIME: 01:16			1200 FAIRFAX ST STEPHENS CITY, VA. 22655				
	DESCRIPTION 1: 2 PARCELS - BATTLETOWN DIST							
	DATE OF DEED : 03/01/10 BOOK: 582 PAGE: 200			MAP: 25-A-2,24A-34A,32,48		PIN:		
	NUMBER PAGES : 0							
10/28/14	14-1642	WILSON, JAMES T & JESSIE S	N	WILSON, JAMES T	N	.00	DG	100%
	RECORDED TIME: 01:17			CLARKE CO VA, .				
	DESCRIPTION 1: RE-RECORD DEED - D/B 580 PG 3							
	DATE OF DEED : 08/20/14 BOOK: 582 PAGE: 206			MAP: 25-A-2+		PIN:		
	NUMBER PAGES : 0							
10/28/14	14-1643	WILSON, JAMES T	N	KKR 2 LC	N	2,760,500.00	DBS	100
	RECORDED TIME: 01:18			P O BOX 703 BERRYVILLE, VA. 22611				
	DESCRIPTION 1: BATTLETOWN DIST							
	DATE OF DEED : 10/24/14 BOOK: 582 PAGE: 213			MAP: 24-A-34A+		PIN:		
	NUMBER PAGES : 0							
10/28/14	14-1646	BURNS, JASON E & REBECCA J	N	LICKING VALLEY CONSTRUCTION CO	N	120,000.00	DBS	100%
	RECORDED TIME: 01:50			1035 SHEN. RIVER LN BOYCE, VA. 22620				
	DESCRIPTION 1: LOT 2 - 3 ACRES - BATTLETOWN DIST							
	DATE OF DEED : 10/24/14 BOOK: 582 PAGE: 245			MAP: 26-A-104A		PIN:		
	NUMBER PAGES : 0							
10/28/14	14-1639	AULT, MARY KATHLEEN	N	BOBRIK, MICHAEL A	N	213,700.00	DBS	100%
	RECORDED TIME: 12:46			2819 21ST RD SOUTH ARLINGTON, VA. 22204				
	DESCRIPTION 1: TOWN OF BERRYVILLE, LINCOLN AVE							
	DATE OF DEED : 10/27/14 BOOK: 582 PAGE: 170			MAP: 14A4-A-16		PIN:		
	NUMBER PAGES : 0							
10/29/14	14-1651	KINFIELD ESTATES	N	WAYNE S & SHJARON D WARFIELD	N	.00	OPM	100%
	RECORDED TIME: 10:45			N/A				
	DESCRIPTION 1: LOTS 6 & 7, SECT 2							
	DATE OF DEED : 00/00/00 BOOK: 11 PAGE: 65			MAP: 9-5-6,7		PIN:		
	NUMBER PAGES : 1							
10/30/14	14-1657	THE BANK OF NEW YORK TR	N	BSM PROPERTIES LLC	N	138,000.00	DBS	100%
	RECORDED TIME: 09:36			502 REMOUNT RD FRONT ROYAL, VA. 22630				
	DESCRIPTION 1: GREENWAY DIST			WHITE POST RD D/B 572 PAGE 514				
	DATE OF DEED : 10/22/14 BOOK: 582 PAGE: 309			MAP: 28A-A-43		PIN:		
	NUMBER PAGES : 0							

COUNTY OF CLARKE CIRCUIT COURT
MONTH END DEEDS OF PARTITION AND CONVEYANCE
LOCAL TAXATION DEPARTMENT
COUNTY
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RECORDED	INSTRUMENT	GRANTOR	(X)	GRANTEE/ADDRESS	(X)	CONSIDERATION	TYPE	PERCENT
10/30/14	4147	CATHER, RAY N		N/A		.00	PROBATE	00%
	RECORDED TIME: 11:23			N/A				
	DESCRIPTION 1: 2 PARCELS IN LONGMARSH DIST			191.07 ACRES & 25.51 ACRES				
	DATE OF DEED : 10/30/14 BOOK: 95 PAGE: 282			MAP: 7-A-7, 7E		PIN:		
	NUMBER PAGES : 0							
10/30/14	14-1659	HUNTFISH COMPANY, LC	N	HUNTFISH COMPANY, LC	N	.00	OPM	100%
	RECORDED TIME: 12:26			N/A				
	DESCRIPTION 1: CHAPEL DISTRICT							
	DATE OF DEED : 00/00/00 BOOK: 11 PAGE: 66			MAP: 31-A-20,20A,20B		PIN:		
	NUMBER PAGES : 1							
10/31/14	14-1666	GALBREATH, CAROL JEAN	N	GALBREATH, CAROL JEAN, TR OF G	N	.00	DG	100%
	RECORDED TIME: 01:40			406 PYLETOWN RD BOYCE, VA. 22620				
	DESCRIPTION 1: 23.99 ACRES - CHAPEL DIST							
	DATE OF DEED : 10/14/14 BOOK: 582 PAGE: 327			MAP: 21-A-21		PIN:		
	NUMBER PAGES : 0							
10/31/14	14-1671	CALIGIURI, ANTHONY P & LYNN A	N	RAPHAEL, VICTOR G,TR OF VICTOR	N	195,000.00	DBS	100%
	RECORDED TIME: 02:02			1333 FELTNER RD BLUEMONT, VA. 20135				
	DESCRIPTION 1: 5.5596 ACRES			BATTLETOWN DIST				
	DATE OF DEED : 10/30/14 BOOK: 582 PAGE: 348			MAP: 32-A-14		PIN:		
	NUMBER PAGES : 0							
10/31/14	14-1672	DOW, RICHARD MELVIN TR OF RITA	N	SORENSEN, ERIC R & SUSAN S	N	240,000.00	DBS	100%
	RECORDED TIME: 02:05			44057 RIVER POINT DR LEESBURG, VA. 20176				
	DESCRIPTION 1: LOT 3 - 23.1646 ACRES			BATTLETOWN DIST				
	DATE OF DEED : 10/27/14 BOOK: 582 PAGE: 351			MAP: 25-A-19B		PIN:		
	NUMBER PAGES : 0							
10/31/14	14-1673	YODER, PATRICK L & LISA TOBIAS	N	HUDSON, TIMOTHY J & KATHERINE	N	312,000.00	DBS	100%
	RECORDED TIME: 02:08			313 JACKSON DR BERRYVILLE, VA. 22611				
	DESCRIPTION 1: LOT 192A, PHASE 6 BATTLEFIELD EST			TOWN OF BERRYVILLE				
	DATE OF DEED : 10/30/14 BOOK: 582 PAGE: 353			MAP: 14A7-7-192A		PIN:		
	NUMBER PAGES : 0							
10/31/14	14-1662	BEILER, ROBERT L TR	N	BEILER, JOHN W	N	.00	DBS	100%
	RECORDED TIME: 11:10			1316 JOHN MOSBY HWY BERRYVILLE, VA. 22611				
	DESCRIPTION 1: CHAPEL DISTRICT (1/2 INTEREST)							
	DATE OF DEED : 10/23/14 BOOK: 582 PAGE: 323			MAP: 39-A-68		PIN:		
	NUMBER PAGES : 0							
10/31/14	14-1664	RAGAN, RAYMOND & PATRICIA	N	DAVENPORT, HENRY B; IV ET UX	N	475,000.00	DBS	100%
	RECORDED TIME: 12:41			1065 WICKLIFFE FARM LANE BERRYVILLE, VA. 22611				
	DESCRIPTION 1: BATTLETOWN DISTRICT, 60.7272 ACRES							
	DATE OF DEED : 10/31/14 BOOK: 582 PAGE: 325			MAP: 16-A-66		PIN:		
	NUMBER PAGES : 0							

COUNTY OF CLARKE CIRCUIT COURT
MONTH END DEEDS OF PARTITION AND CONVEYANCE
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RECORDED	INSTRUMENT	GRANTOR	(X)	GRANTEE/ADDRESS	(X)	CONSIDERATION	TYPE	PERCENT
10/31/14	14-1663	DAVENPORT, HENRY B; IV	N	DAVENPORT, HENRY B; IV N/A	N	.00	OPM	100%

RECORDED TIME: 12:57
DESCRIPTION 1: BOUNDARY LINE ADJUSTMENT BATTLETOWN DISTRICT
DATE OF DEED : 00/00/00 BOOK: 11 PAGE: 67 MAP: PIN:
NUMBER PAGES : 1

TOTAL COUNTY DEEDS OF PARTITION AND CONVEYANCE: 46
TOTAL NUMBER OF COUNTY DEEDS OF CORRECTION : 0
TOTAL NUMBER OF COUNTY WILL/FIDUCIARY : 3