



Clarke County Board of Supervisors Special Meeting Agenda

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

Item

March 5, 2012

Morning Session - 9:00 am – Main Meeting Room

- 1) Call To Order
 - 2) Adoption Of Agenda
 - 3) Discussion Cool Spring Battlefield Park
-

Closed Session - 11:00 am – Meeting Room C

- 4) Closed Session §2.2-3711-A4 Privacy of individuals in personal matters
- 5) Adjournment

Note: The order in which Agenda items are considered may be changed to assure that public hearings are started as close as possible to the scheduled time

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3/2/2012 11:58 AM

CIVIL WAR TRUST

America's Largest Nonprofit Battlefield Preservation Organization

Henry E. Simpson
Chairman

James Lighthizer
President

VIA ELECTRONIC MAIL

March 2, 2012

The Honorable Michael J. Hobert
Chairman, Clarke County Board of Supervisors
101 Chalmers Court, Suite B
Berryville, VA 22611

Dear Chairman Hobert:

I am pleased to inform you that the Civil War Trust, the nation's largest battlefield preservation organization, has approved the acquisition of the 195-acre Textron Financial tract at the Cool Spring battlefield. Additionally, the Trust has approved a grant to Clarke County for the payment of a membership fee to the Northern Virginia Regional Park Authority (NVRPA), as well as a commitment to provide seed money for a newly-created organization to support the park.

Specifically, the Trust approved the following:

- The acquisition and transfer of the 195-acre Textron Financial tract to the NVRPA for the creation of the Cool Spring Battlefield Regional Park. The NVRPA will be subject to a conservation easement on the property that the Trust will grant to Virginia Department of Historic Resources when the property is acquired.
- A grant of \$37,500 to the County to assist in the payment of an annual membership fee in the NVRPA. The grant shall be made in a lump sum in 2012 or in equal installments over two-, three-, or four-year period, at the option of the County. This grant, together with a grant of \$37,500 from the Piedmont Environmental Council (for a total of \$75,000), is intended to defray the County's cost of membership in the NVRPA while that body implements its Operations and Facilities Management Plan for the park.
- A commitment to provide \$5,000 of seed money for the creation of a "friends of the park" group or foundation to support the park. It is intended that this newly-created non-profit organization would be a vehicle for the following:
 - 1) Raising money to put toward the County's annual membership fee to NVRPA.
 - 2) Establishing a network of volunteers to assist in the stewardship of the park.
 - 3) Coordinating with community organizations, local schools, and state and national history and tourism organizations (e.g. Virginia Tourism Corporation), to promote the use of the park.

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March 2, 2012
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Additionally, in order to promote the Cool Spring Battlefield Regional Park and a non-profit organization to support the park, the Trust will provide information about the park on its website, www.civilwar.org, which received more than over 1,000,000 unique visits in 2011, and its award-winning magazine, *Hallowed Ground*.

The Trust and its Board of Trustees views the creation of the Cool Spring Battlefield Regional Park as an opportunity of national significance. That the tract can become a fully-functional interpretive park for the benefit of local residents and heritage tourists is a landmark achievement for the County, as well as the Trust and its local partners.

Thank you again for the opportunity to work together on this important effort.

Sincerely,

A handwritten signature in black ink, appearing to read "O. James Lighthizer". The signature is stylized with a large initial "O" and a long, sweeping underline.

O. James Lighthizer, President

Proposed
Cool Spring Battlefield Regional Park
Operations and Facility Management Plan



Northern Virginia
Regional Park Authority

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Northern Virginia Regional Park Authority (NVRPA) Draft Operations and Facility Management Plan for the *Proposed Cool Spring Battlefield Regional Park*

Introduction

The Northern Virginia Regional Park Authority (NVRPA) has been operating some of the finest public park facilities in the country for more than 50 years. The Authority has extensive experience in the management of historically significant sites and the operation of both passive and active recreation public parks. Currently, the Northern Virginia Regional Park Authority preserves more than 11,000 acres of land throughout Northern Virginia, each with their own unique challenges and purpose. The Northern Virginia Regional Park Authority sees the addition of the Cool Spring Battlefield property into the NVRPA system as an opportunity to create a new and dynamic public space that offers both historic and natural interpretation along with a number of unique passive recreation options. Attached is a draft of the Operations and Facility Management Plan for the proposed Cool Spring Battlefield Regional Park. The intent of this plan is to provide the basic statement of policy and direction for the management of Cool Spring Battlefield Regional Park by the Northern Virginia Regional Park Authority. With the historic significance of Cool Spring and its proximity to the Shenandoah River, the Northern Virginia Regional Park Authority believes this proposed public park will quickly become a popular destination throughout the region.

Goals and Objectives for Natural and Cultural Resources

Development of the park as it relates to the existing natural and cultural resources will create the fundamental foundation for this public space moving forward. Each of the goals and objectives listed below represent the long-term intent of the Northern Virginia Regional Park Authority to manage a successful battlefield park. Methods used to achieve these will come in the form of budgeted capital and operating funds, seeking out potential grant funding, exploration of partnership opportunities and the development of a vibrant volunteer program.

Natural and Cultural Resources

- Placement of a conservation easement on the property, this easement will limit the amount and types of develop on the site preserving both the natural and cultural resources
- Manage the existing resources in such a way that the story of the battle is accurately told through tours, programming and exhibits
- Work to change the aesthetic appearance of the golf course, potentially maintaining a reasonable portion of the core battlefield as it would have appeared at the time of the battle in 1864
- Develop a complete interpretive plan for both natural and cultural resources with a focus on the use of technology to tell the story



Natural and Cultural Resources (Cont.)

- Work to minimize invasive plants, and replanting native species where appropriate
- Create a collection of objects either owned by or on loan to the park for public viewing
- Determine the appropriate use of the existing facilities to house collections or interpretive materials
- Develop guidelines and operational procedures for a potential reenactment event for 2014
- Determine if a comprehensive archaeological study is warranted
- Restore and enhance riparian buffers along the water
- Create where appropriate new and diverse habitat areas
- Identify areas of high sensitivity and protect as appropriate
- Provide quality outdoor interpretive programs
- Develop relationships with area school systems for annual field trip activities
- Work with local heritage organization
- Seek grant funding to expand interpretation of the site

Operations & Uses for Passive Recreation Options

While the main focus of this property will be as a battlefield park, there also exists the opportunity to provide the public with a number of unique passive recreation options. These uses will take into consideration the limitations and protection of the property and the available infrastructure already in place. Potable toilets will be available for use when the club house is not open.

- Creation of a trail network that will include both improved (paved/graveled) and natural surface trails. This network of trails would provide interpretive loop trails with signage and points of interest along the way, as well as exercise loops with defined distances and varied degrees of difficulty. This network will use parts of the existing cart path system and will accommodate walkers, runners and bicyclists both within the park and along the river. The installation of an equestrian loop is also planned
- Rental operations for kayaks and canoes
- Public boat launch operations: shore launch, carried craft only from existing beach area for the general public. Retreat residents will maintain their right to launch carried or trailered crafts from this same beach area. (no paved boat ramp) Retreat residents will also retain pedestrian access to the river.
- Use of the existing club house for a park office, small event rental space, office or community space or a visitor center. Portable restrooms will be made available if the club house building is closed
- Fishing both in the river and potentially in the existing ponds located on the golf course
- Family picnicking, using the existing shelter and additional picnic tables

Operations & Uses for Passive Recreation Options (Cont.)



- Special events such as:
 - Living history weekends
 - Scouting activities
 - Geo-caching and orienteering
 - A reenactment event, scale to be determined, of the 1864 battle
 - Paddle trips and tours for both natural and historic interpretation
 - Group and charity walks
 - Community events
 - Training space for local high school cross country

Park Management Staffing Structure

The goal in developing the park management staffing structure is to provide a level of coverage for the property during not only peak operating days but also during off peak times, evening and overnight hours. This will discourage improper behavior on park property and its potential effects on the surrounding communities. This will be achieved through the effective use of a combination of full-time and seasonal management staff. Full time management oversight will come from an offsite Park Manager or Site Supervisor already in the NVRPA system. This Manager or Site Supervisor will spend some period of time on property providing direction and oversight to the operations but will not be exclusively assigned to the site full time. To supplement the full time management oversight of the property, a structure of seasonal management personnel and the potential use of volunteer park hosts will be utilized. **This structure will provide consistent coverage of the property year round during both daylight and evening/overnight hours.** The following positions are proposed to support the park operations:

Offsite Full-Time Park Manager or Site Supervisor

- To provide complete management oversight of the property and direction to seasonal management staff

Seasonal Site Supervisor

- Hours allotted to provide coverage during daylight hours year round.
 - Responsibilities include: Management oversight of the property at the direction and supervision of the full-time offsite manager. Supplement the evening and overnight hours as needed. Maintenance responsibilities as needed

Park Ranger/Night Watch

- Hours dedicated to provide year round coverage after hours and overnight.
 - Responsibilities include: Assuming oversight of the property when the Seasonal Site Supervisor is not on site. Maintenance responsibilities as needed

Park Maintenance

- Hours allotted for 6 months of dedicated maintenance operations (peak season).
 - Responsibilities include: Basic upkeep of the site, such as mowing, litter pickup and facility maintenance



Park Management Staffing Structure (Cont.)

Park Attendant

- Attendant(s) hours to cover 6 months of operations (peak season).
 - Responsibilities include: Assisting management staff with daily operations

Volunteer Park Host

- Will live temporarily on site and provide basic park oversight in the absence of park management staff.
 - Responsibilities include: Assisting management staff, after hours park coverage and basic park maintenance.

Hours/Seasons of Operations

The park will remain open to the general public during daylight hours year round. The typical operating season for any organized, staffed park activities would be based on weather and consistent visitation during the months of April - November. Examples of seasonal activities would include boat rental operations, picnic shelter rentals and guided interpretive tours.

User Fees

At this time, entrance into the park itself is proposed to be free. Additional amenities and services such as rentals (picnic shelter, building space, boat rentals and special programs) may have a fee associated with their use. Fees and charges are established each fall for the following year and are approved by the NVRPA Board.

Park Access

The vehicular traffic within the park and on roads leading to the park is a serious concern with respect to the safety of both visitors and the surrounding community residents. Measures will be taken to ensure that park traffic is properly directed into and out of the park. Once inside the park, visitors will be informed of park boundaries through signage and other methods.

Traffic and Transportation

- NVRPA will work with VDOT to sign access to the park only via Parker Lane
- All printed and on-line materials created by NVRPA will only reference Parker Lane as the entrance road
- NVRPA will clearly sign exit routes to lead exiting visitors to Parker Lane

Park Entrance

- NVRPA will create a defined entrance to the park property. This entrance will provide the first point of control to limit access to the park when needed and discourage entry after hours. This will be done using posted signage or a gate system that would still allow access to the property by Retreat residents



Park Access (Cont.)

Park Boundaries

- NVRPA will clearly mark all park boundaries to discourage trespass onto private property by park visitors

Parker Lane and Shenandoah Retreat Roads

NVRPA will contribute the annual established road maintenance fee to the Shenandoah Retreat Land Corporation. In addition, in accord with the Shenandoah Retreat Land Corporation letter dated July 18, 2000 from then president Richard Small, responsibility for patching Parker Lane with anything other than gravel will be done by NVRPA as the owner of the former golf course property. NVRPA also commits to contract the initial repairs to Parker Lane in 2012, subject to the Cool Spring property transfer to NVRPA and Shenandoah Retreat Land Corporation approval.

Safety Issues and Concerns

NVRPA will work closely with local sheriff and fire officials to establish appropriate plans for the operation of a safe public park. These plans will include best practices with regard to emergencies within the park and on the water. Part of this process could include the creation of a safety audit program that would involve local officials, park staff, residents and user groups. This group would look at safety issues in the park and recommend improvements and also be involved in the design process of new features and development.

Fire Safety

- With an understanding of the potential fire risk to the Shenandoah Retreat, Cool Spring Battlefield Regional Park will have the following fire safety policies:
 - No brush burning will be done on site, unless it is coordinated with the Shenandoah Retreat and local fire officials. It may only be done in an area that is at least 250 feet from any wooded area, with park staff and fire suppression on hand
 - No regular overnight camping will be allowed. For any special event camping, fires will only be allowed in designated sites within metal fire rings. Such designated sites will not be within 250 feet of wooded areas. No special event camping with fires will be permitted during drought conditions
 - No prescribed burns will be permitted.

Maintenance Standards

NVRPA will establish a park maintenance manual for the park that ties together all elements of the park's maintenance needs. As part of this manual, a schedule of tasks and a calendar for completion of each task will be developed. Along with this, a system of replacement or repair will also be created.



Maintenance Standards (Cont.)

Initial areas of focus include:

- Proper inspection and repair of property septic systems and drain fields
- Determine the location of off-site septic systems located on park property and ensure that future development has no impact
- Gain a complete understanding of the existing wells and well systems
 - It is understood that one of the Retreat wells is on the golf course property next to the existing maintenance shop and an existing Retreat well is used to supply water to the current golf course maintenance shop with some restrictions on water usage. The well system that supplies the current club house is owned by the current golf course owners.
- Inspection of bridges and culverts throughout the property
- Inspection of internal systems (HVAC, Plumbing)
- Any existing safety hazards for park visitors
- Location of any underground holding tanks, such as heating oil or propane
- Complete electrical inspections of existing buildings
- Overall evaluation of existing structures
- Establishment of a litter and trash control system
- Complete general cleanup of site from previous owners

Capital Improvements Program (CIP)

Design and construction projects are implemented through NVRPA's Capital Improvement Program (CIP) in order to provide sufficient Regional Park lands and facilities to meet the growing needs of Northern Virginians. Typically, the CIP involves a five-year plan for development projects throughout the Regional Park system. Additional elements of the CIP include land acquisition, development of interpretive and educational displays, and providing park features to meet the needs of the disabled.

Citizen input from within the NVRPA's member jurisdictions regarding future development at all parks in the system is obtained through multiple public hearings. The hearings are completed prior to the adoption of a CIP. The conservation easement to be placed on the battlefield property will preclude the development of new permanent buildings.

Compliance with Law

The Northern Virginia Regional Park Authority requires full compliance with all federal, state and local laws and all regulations and orders of the Park Authority affecting events and activities at Cool Spring Battlefield Regional Park. Accordingly, no one may be excluded from participating in, nor denied the benefits of those activities and opportunities afforded by the park, or otherwise be subjected to discrimination because of a person's race, color, sex, religion or national origin. All programs and facilities at the park will provide reasonable accommodation for persons.



Rules and Regulations

Cool Spring Battlefield Regional Park will be governed by the official Park Authority Regulations and the Northern Virginia Regional Park Authority Rules (full copy available upon request). A violation of any of these regulations or rules is punishable as a Class 4 misdemeanor pursuant to the Code of Virginia §15.2-5705. Within these rules and regulations are provisions that address fire safety for the general public stating that: *No person shall start or use a fire within a park except in facilities provided or approved by the Park Authority for this purpose.* At this time NVRPA does not foresee that we would permit fires by the general public within the park.

Cool Spring Battlefield Regional Park will operate as a No Alcohol park which will be strictly enforced by staff and local law enforcement.

Modifications to the Plan

The *Cool Spring Battlefield Regional Park Operations and Facility Management Plan* is subject to review and fine tuning as park conditions and needs change with time and use. The Park Authority will continue to review and amend the plan to better serve public and community interests. Modifications of significance will only be made after consultation with Clarke County staff.



Clarke

lwalburn@clarkecounty.gov

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FW: Cool Spring Park Project

From : KJ Johnson <kjroundhill@hotmail.com>

Mon, Feb 27, 2012 12:04 AM

Subject : FW: Cool Spring Park Project

To : info@clarkecounty.gov

Please forward to Board of Supervisors.

Thank you.

From: kjroundhill@hotmail.com

To: amweiss@visuallink.com; bjb1971@verizon.net; lawyers1@verizon.net; jstaelin@earthlink.net

Subject: Cool Spring Park Project

Date: Mon, 27 Feb 2012 00:00:09 -0500

Greetings,

Thank you for the time and attention you have given the residents of the county and Shenandoah Retreat regarding this proposal. I was a life long resident of Loudoun County until 10 years ago when I moved to Shenandoah Retreat. As such, I have no interest in turning Cool Spring into a Loudoun County park.

I was pleased to hear at the Feb. 21st meeting that NVRPA will provide security. The residents of Shenandoah Retreat may seem hyper-focused on security. We have good reason to be so. There have been many thefts and burglaries in our community over the past two years. The day before the meeting, my own home had an attempted break-in that was fortunately thwarted by my monitored alarm system.

I am agreeable to a compromise proposal in which there is no public water access/recreation in the park. Water access would liken Cool Spring more like the Algonkian Park in Loudoun vs. the Balls Bluff park frequently referenced in the discussion. Algonkian has water access. Algonkian has become a place that many people feel uneasy at the very least. My friends who live in the Algonkian Park area and she will not allow their teenage children to go the park without an adult. In addition to the safety concerns, the expanded water access will also decrease Retreat property values.

Lastly, I would caution any hasty decisions. If this offer is good for Clarke now, it will be good for Clarke later. Therefore, there is no reason to rush a decision to meet an artificial deadline.

Sincerely,

Kelly Johnson

kjroundhill@hotmail.com

40 Holly Lane

Bluemont, VA 20135

Phone Home (540) 955-9099

Dear Board of Supervisor Member,

I wanted to write to you as a citizen of Clarke County to explain why I think establishing the Cool Spring Battlefield Park will not adversely impact the citizens or the budget but in fact be a positive project for the County as a whole.

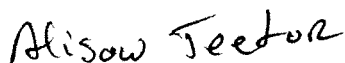
- 1) The Park Authority Operations Plan addresses many if not all of the concerns of the Retreat and other residents.
- 2) The Park Board has agreed to forgo \$20,000 from their capital budget to help offset the annual membership fee.
- 3) The Easement Authority has agreed to donate \$25,000 from their annual appropriation to help offset the membership fee. Both of these entities have agreed to help with the Park as they see it as fulfilling their goals and objectives.
- 4) The Civil War Trust and PEC have agreed to provide a minimum of \$75,000 and maybe twice that amount to aid with the membership fee and this can be spread out over a period of years, such that the membership fee could be covered for 4-6 years or more.
- 5) A foundation can be established to raise funds to offset the membership fee and by the time the CWT and PEC money runs out, the foundation will have raised enough to offset those funds. I feel confident that the foundation can raise substantial funds because the Easement Authority has successfully raised a minimum of \$20,000 per year for the last 5 years through fundraising efforts, and most of that money is coming from local citizens. The foundation for a Battlefield Park will draw from a much larger region.
- 6) The Golf Course is out of business and the likely use is for a private residence which would bring in roughly \$5,000/year in taxes.
- 7) There are enormous benefits to establishing this Park – the least of which is the protection of 2 miles of frontage on the Shenandoah River – a cause I believe we have all put a lot of time and energy into protecting.
- 8) I thought Bob Stieg put it well with regards to recognizing the benefits of working with a regional entity. I think developing a partnership with the Authority will open doors to improving and promoting Clarendon and other facilities in the County at minimal cost to the County. If we don't do it the potential is gone. You all know that we have a fifty acre property on the mountain, to be gifted to the County, Mr. Kohn's property for use as parkland, how are we going to pay to develop and manage that facility? I am certain it will cost at least \$50,000 a year to manage. I believe that in time there is potential for the Park Authority to manage those areas in addition to the Battlefield, all for \$65,000 a year? We can't afford not to do this.

Based on items 2 through 6 I don't think the funding is as big a problem as the general public perceives it to be, this will not adversely impact the County budget. NRVPA's formula fee works in our favor in that if they want to raise dues it will apply to all member municipalities. This minimizes the likelihood that dues will increase significantly and certainly protects Clarke from facing any disproportionate fee charges in the future.

As you know, I can go on and on about the benefits of this park. I think much of the public sentiment against the Park is based on non-factual information regarding the funding or fear of the unknown and the people that have spoken in favor of the proposal see the long-term benefits of the project. Will we look back in twenty years and regret the establishment of the Park?

I hope you will consider these comments and the countless other positive endorsements prior to voting on this project. If you have any questions or would like clarification on any of the above points please do not hesitate to contact me.

Sincerely,



Alison Teetor
(540) 336-5567

February 29, 2012

To: The Supervisors of Clarke County

Fr: Sylvia J. Wilson 

Re: Proposed Cool Spring Park

I urge each member of the Board of Supervisors to vote FOR the implementation of the Cool Spring Battlefield Regional Park. This is a beautiful property in Clarke County and deserves to be enjoyed by all citizens.

Important organizations are joining in their efforts to make this Park a reality for the county. The Civil War Trust has the passion and the financial resources while the Northern Virginia Regional Park Authority has the management expertise. The Piedmont Environment Council has stated its willingness to financially help offset startup costs.

In addition, the Clarke County Conservation Easement Authority has the knowledge to preserve the land; the Parks Department is willing to transfer funds to expand recreational opportunities in the area; and the new structure provides an opportunity to meet some of the requirements for watershed compliance.

Due to the financial help from these organizations, you, as a member of the Board of Supervisors will maintain your notable fiscally responsible position while providing for the addition of a future asset to Clarke County.

Please consider the long term value of a well managed park available to citizens and visitors to the county. Again, I urge you to vote FOR the development of the Cool Spring Battlefield Regional Park.