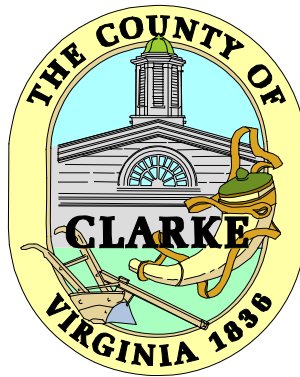


Clarke County
Board of Supervisors



May 24, 2011

Regular Meeting



Clarke County Board of Supervisors Regular Meeting Agenda

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

May 24, 2011

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Afternoon Session 1:00 PM	
1) Call To Order	5
2) Adoption Of Agenda	6
3) Clarke County School Board Update	7
4) People Inc. Update by Bryan Phipps	8
5) Approval of Minutes	
– April 19, 2011 Regular Meeting	20
6) Consent Agenda	83
– VACo Group Self-Insurance Risk Pool Line of Duty Coverage Member Agreement	84
– VRS Opt-Out Resolution	96
– Town of Boyce VDOT Revenue Sharing Withdrawal – Letter of Notification	100
– Brengle/Crocker/Osborne Easement Donation Authorization	102
– Letter of Support for Small Watershed Grant Application	104
7) VDOT	106
– Proposed 2035 VDOT Rural Long Range Transportation Plan	107
8) Citizen's Comment Period	110
9) Double Tollgate Planning Project Revised RFP	111
10) Discussion Staggered Terms for Board of Supervisors and School Board	138
11) Request to Consider Rescheduling July Board of Supervisors Regular Meeting to July 13, 14 or 15 from Tuesday, July 19, 2011	147
12) Board of Supervisors Personnel Committee	148
– Expiration of Term for appointments expiring through August 2011. Action: No recommendations were made at the time of the meeting.	150
– Appointee Information Feedback Update. Action: Recommendations made for staff follow up.	148
– Recommendation to Require Annual Audit or 990 filing. Action: See Finance Committee.	176
13) Board of Supervisors Work Session	157
– Historic Long Branch Rock N River Special Event Permit Application Request for Waiver	162

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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5/20/2011 9:26 AM



Clarke County Board of Supervisors Regular Meeting Agenda

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

May 24, 2011

Item	Packet Page
Action: On Monday, May 16, 2011, applicant withdrew request.	
– Double Tollgate Planning Project. Action: See Item 9.	111
– Additional Funds Mosby Project Action: Information only – Approved at Work Session.	164
– Request for Technical Adjustment to the boundary line dividing the 10th and 33rd House of Delegate districts in Clarke County to eliminate the split House district in the Millwood voting precinct. Action: Information only – Ratified at Work Session.	165
– Line of Duty. Action: See Consent Agenda.	84
– Closed Sessions Items. Action: No action was taken on matters discussed in closed session.	159
o Senior Center Update	
o Personnel Budget Matters	
– Fee for Service. Action: Information only.	160
– Proposed 2035 VDOT Rural Long Range Transportation Plan. Action: See Item 7.	107
14) Board of Supervisors Finance Committee	176
– Supplemental Appropriations. Action: The Finance Committee recommends approval:	176
o "Be it resolved that Animal Control budgeted expenditures be increased \$3,443, and the same appropriated, for the purpose of purchasing supplies for the care of cats, and be it further resolved that the same amount be transferred from the Animal Care Trust Fund to the General Fund. "	176
o "Be it resolved that the Joint Administrative Services Budget be increased \$5,000, and the same appropriated, for the purpose of covering an annual payout for the resignation of the Payroll and Benefits Coordinator; and be it further resolved that the fund balance designation for government savings be reduced in the same amount."	176
– Submission of Federal Form 990 with Annual Budget Submission. Action: Approve Finance Committee recommendation that such organizations submit federal form 990 with their budget request if they are required by the federal government to file this form.	176
– Animal Adoption Fee Increase. Action: Approve Finance Committee recommendation to increase adoption from \$10 to \$25 per animal on the recommendation of the Humane Foundation.	176
– School Board Supplemental for One-Time Employee Compensation. The School Board voted unanimously on May 4 to request a supplemental appropriation of \$246,486, the source for which would be unspent funds from FY 09, to be used to provide a one-time	178

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 Page 2 of 4

5/20/2011 9:26 AM



Clarke County Board of Supervisors Regular Meeting Agenda

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

May 24, 2011

Item	Packet Page
payment to employees, preferably in the current fiscal year, in the following manner: a. Salary less than \$25K: \$425. b. Salary greater than or equal to \$25K but less than or equal to \$60K: 1.7% of salary. c. Salary greater than \$60K: \$1,020. Action: The Finance Committee deferred discussion of this matter to the full Board of Supervisors.	
– Line of Duty. Action: See Consent Agenda.	84
– VRS Deferred Compensation Plan versus Nationwide Deferred Compensation Plan (FYI). Action: Advance notice. If recommended by JAS, there would be requests to: a. Terminate Nationwide Plan by BOS. b. Adopt VRS plan by BOS. c. Adopt VRS plan by SB.	177
– Acceptance of April 2011 Bills and Claims. Action: Finance Committee recommends acceptance.	178
– Standing Reports: Reconciliation of Appropriations, General Fund Balance, General Fund Expenditure Summary, Capital Projects.	181
– Maintenance Purchasing Card Limit. Requested Action: Be it resolved that the credit limit on the Maintenance Department purchasing card be increased to \$5,000.	177
15) Contract with Planet Footprint – Sole Source. Natural Resource Planner Recommendation: Approve contract for 1 year at \$1,500 with Planet Footprint. The expense will be paid out of the energy management budget.	184
16) Government Projects Update	185
17) Miscellaneous	186
18) Summary Of Required Action	187
19) Closed Session <i>[as necessary]</i>	188
20) Board Member Committee Status Reports	189
21) Adjournment	190

No Evening Session

Reports in May Packet:

1. Building Department	192
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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



Clarke County Board of Supervisors Regular Meeting Agenda

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

- | | |
|--------------------------------|-----|
| 2. Commissioner of the Revenue | 198 |
| 3. Cooperative Extension – 4-H | 204 |
| 4. Virginia Transit Report | 214 |

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

Page 4 of 4

5/20/2011 9:26 AM

Clarke County Board of Supervisors

Call To Order

Clarke County Board of Supervisors

Adoption of Agenda

Clarke County Board of Supervisors

Clarke County Public Schools School Board Update



People inc.

Building Futures, Realizing Dreams™

RECEIVED APR. 07 2011

peopleinc.net

April 1, 2011

David Ash
County Administrator
Clarke County
101 Chalmers Ct., Ste B
Berryville, VA 22611

Dear David,

I write to request time on the Agenda of the Clarke County Board of Supervisors meeting on May 17, 2011. My purpose would be to provide the Board of Supervisors with an update as to this agency's activities and accomplishments this past year. I will provide you with copies of our 2010 Annual Report, a fact sheet describing our activities in Clarke County and a PowerPoint presentation for inclusion in your agenda packet. Please let me know if this is acceptable to you and if so, your deadline for receiving agenda packet materials.

Thank you for your consideration of this request. It is part of our effort to be responsive to your needs and those of your citizens.

With kindest regards, I remain

Sincerely,

Robert G. Goldsmith
President and CEO

cs

People Incorporated of Virginia

Central Office 1173 West Main Street, Abingdon, VA 24210 Phone 276.623.9000 or 276.466.6527 Fax 276.628.2931 Email info@peopleinc.net

Bristol Office 800 Martin Luther King, Jr. Boulevard, Bristol, VA 24201 Phone 276.466.5587 Fax 276.466.0728 Email bristol@peopleinc.net

Clintwood Office P.O. Box 1439, Clintwood, VA 24228 Phone 276.926.5600 Fax 276.926.8244 Email dickenson@peopleinc.net

Grundy Office 20694 Riverside Drive, Grundy, VA 24614 Phone 276.935.4747 Fax 276.935.4368 Email buchanan@peopleinc.net

Lebanon Office 1241 S. Court of Super. Vis. Rm. 2036 Regular Meeting Room Phone 276.889.0117 Email russell@peopleinc.net

Woodstock Office 150 South Main Street, Woodstock, VA 22664 Phone 540.459.9096 Fax 540.459.8732 Email woodstock@peopleinc.net





Robert F. McDonnell
Governor

James S. Cheng
Secretary of Commerce
and Trade

COMMONWEALTH of VIRGINIA

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

William C. Shelton
Director

April 22, 2011

Mr. Douglas P. Stanley
County Administrator
Warren County
220 N. Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Re: 2011 CDBG Local Innovation Program
Warren and Clarke County Microenterprise
Assistance Program

Dear Mr. Stanley:

This letter is in response to the previously submitted proposal to the Local Innovation Fund for the Warren and Clarke County Microenterprise Assistance Program. This project will involve microloan and technical assistance services for small business in these two counties. Based on subsequent conversations, your proposal, and the information included therein, we invite you to submit a revised proposal for this request. Please follow the format described in the enclosed **Local Innovation Request for Proposals**. Additionally, please make sure to include the following items in your proposal:

- The option of \$300,000 for a regional local innovation project is only available when matching funds from local government is included in the project as at least a 25% match. While we recognize the partnership with People Incorporated Financial Services and the resources they bring to this project, either the two counties will need to provide an appropriate match or the grant will be subject to the typical maximum of \$200,000 allowed by the CDBG local innovation fund.
- Provide documentable outcomes in terms of specific numbers of business created and specific numbers of jobs created. CDBG assistance is generally available at a rate of \$10,000 per job created, which would mean the proposed 20 jobs to be created would allow the requested \$200,000 in CDBG funding. Of these 20 jobs, at least 51% would have to be LMI for the project to be eligible.
- Describe the process that will be used to combine CDBG funds and the matching funds to package loans for eligible borrowers. What terms and conditions will be placed on these loans to satisfy the conditions of the CDBG funding and alternative funding requirements? How will interest rates be determined?

Partners for Better Communities



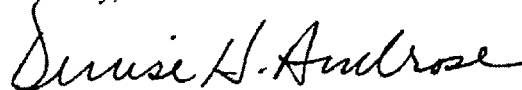
www.dhcd.virginia.gov

Mr. Douglas Stanley
April 22, 2011
Page 2 of 2

- Describe how the proposed Credit Analyst position will be incorporated into both this program and the existing micro lending program in Page and Shenandoah Counties. How will this and the Business Development positions be coordinated to provide even services across an increasingly broad service area?

Thank you for your interest in the Local Innovation program. Should you have any questions, please call Chris Thompson or Keith Sherrill at (804) 371-7061.

Sincerely,



Denise H. Ambrose
Associate Director

Enclosure

cc: Mr. David Ash, County Administrator, Clarke County
Robert G. Goldsmith, People Incorporated Financial Services
Jeff Sadler, DHCD
Chris Thompson, DHCD
Keith Sherrill, DHCD

Clarke**lwalburn@clarkecounty.gov**

± Font Size ±

Agenda Request Clarke County Board of Supervisors

From : Lora Walburn <lwalburn@clarkecounty.gov>

Tue, Apr 12, 2011 09:29 AM

Subject : Agenda Request Clarke County Board of Supervisors**To :** woodstock <woodstock@peopleinc.net>

Good Morning Mr. Goldsmith,

I am in receipt of your request for time on the May agenda of the Clarke County Board of Supervisors. Please note that due to a scheduling conflict, the May meeting shall be held on Tuesday, May 24, 2011 beginning at the normal time of 1 pm. Let me know if are available for the revised date; if so, I shall forward your request for consideration to Chairman Hobert.

Thank you - Lora Walburn

Lora B. Walburn
Deputy Clerk to the Board Supervisors
Executive Assistant - County Administration
County of Clarke
101 Chalmers Court, Suite B
Berryville, Virginia 22611
[540] 955-5175
[540] 955-5180 Fax
lwalburn@clarkecounty.gov

NATIONAL OBJECTIVES:

Please note the approximate amount of funds proposed in this project which can be attributed to each of the listed National Objectives (amount may be \$0).

<u>National Objective</u>	<u>Proposed Activity</u>	<u>Amount</u>
LMI Benefit	Create or retain businesses of low-to-moderate income persons or those who employ low-to-moderate income individuals. Create a minimum of 11 jobs for LMI individuals.	\$320,000
Slum/Blight		
Urgent Need		

POPULATION:

Please indicate the population of the applicant locality: 44,074

PREPARER:

Provide the name, phone number, and email address of the person who actually prepared this application.

Ellen Tolton, 276-623-9000 etolton@peopleinc.net

By checking these boxes the applicant is affirming the following statements:

- ✓ Applicant is currently eligible to receive the full amount that is being requested and if this project is awarded, this would not cause the applicant to exceed the multi-contract limitation of \$2.5 million in open, active contracts.
- ✓ Applicant agrees to send responsible parties, to include any relevant subcontractors, to all mandatory DHCD-sponsored training events, to include the Construction Management and Grant Management workshops, and to provide representation at all management team meetings

CERTIFICATION AND SIGNATURE:

To the best of my knowledge and belief, information in this proposal is true and correct and the proposal has been duly authorized by the local governing body.

Name: Douglas P. Stanley Title: Warren County Administrator

Signature: _____ Date: _____

Name : David Ash Title: Clarke County Administrator

Signature: _____ Date: _____

Project Budget

LINE ITEM	TOTAL BUDGET	CDBG BUDGET	NON-CDBG BUDGET	NON-CDBG SOURCE
ADMINISTRATION				
Execution of DHCD Contract	\$2,000.00	\$2,000.00		
Execution of Project Contract(s)	\$17,000.00	\$17,000.00		
Contract Monitoring	0.00			
Construction Completion	0.00			
Compliance Reviews	0.00			
Monthly Status Reports	0.00			
Administrative Project Closeout	\$1,000.00	\$ 1,000.00		
Subtotal	\$20,000.00	\$20,000.00	\$0.00	
PROJECT ACTIVITIES/TRAINING	\$60,000.00	\$60,000.00	\$0.00	
PERMANENT RELOCATION				
Owner-Occupied Households	0.00			
Renter-Occupied Households	0.00			
Relocation Specialist	0.00			
Subtotal	\$0.00	\$0.00	\$0.00	
ACQUISITION (Land/Improvements but not any easements)	\$0.00	\$0.00	\$0.00	
REVOLVING LOAN FUND	\$240,000.00	\$120,000.00	\$120,000.00	People Inc
HOUSING REHABILITATION				
Owner-Occupied Construction	0.00			
Renter-Occupied Construction	0.00			
Rehabilitation Specialist	0.00			
Temporary Relocation	0.00			
HMEP	0.00			
Subtotal	\$0.00	\$0.00	\$0.00	
SUBSTANTIAL RECONSTRUCTION				
Clearance & Demolition	0.00			
Owner-Occupied Construction	0.00			
Rehabilitation Specialist	0.00			
Temporary Relocation	0.00			
HMEP	0.00			
Subtotal	\$0.00	\$0.00	\$0.00	

HOMEOWNERSHIP CREATION				
Downpayment Assistance		0.00		
Closing Costs		0.00		
Principal Write Down		0.00		
Subtotal		\$0.00	\$0.00	\$0.00
SEWER/STORM DRAINAGE				
Architect/Engineer/Design		0.00		
Inspection		0.00		
Acquisition (Easements Only)		0.00		
Temporary Relocation		0.00		
Construction/Improvements		0.00		
Subtotal		\$0.00	\$0.00	\$0.00
WATER				
Architect/Engineer/Design		0.00		
Inspection		0.00		
Acquisition (Easements Only)		0.00		
Temporary Relocation		0.00		
Construction/Improvements		0.00		
Subtotal		\$0.00	\$0.00	\$0.00
STREETS				
Architect/Engineer/Design		0.00		
Inspection		0.00		
Acquisition (Easements Only)		0.00		
Temporary Relocation		0.00		
Construction/Improvements		0.00		
Subtotal		\$0.00	\$0.00	\$0.00
FLOOD DRAINAGE FACILITIES				
Architect/Engineer/Design		0.00		
Inspection		0.00		
Acquisition (Easements Only)		0.00		
Temporary Relocation		0.00		
Construction/Improvements		0.00		
Subtotal		\$0.00	\$0.00	\$0.00
TOTAL		\$320,000.00	\$200,000.00	\$120,000.00

Sources Budget

<u>Source</u>	<u>Amount</u>	<u>Percentage</u>	<u>Funding Source</u>
CDBG	\$ 200,000	63%	
State	\$	%	
Federal (Grant)	\$	%	
Federal (Loan)	\$	%	
Local	\$120,000	37%	People Incorporated
Private	\$	%	
TOTAL	\$320,000	100%	

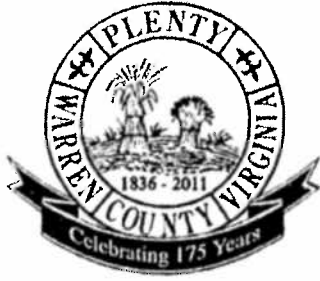
STATUS OF OTHER FUNDING:

What is the current status of non-CDBG funding? Provide a summary of the current level of commitment and availability of each source of non-CDBG funding identified above. Provide commitment letters, contracts, or similar documentation as well as a contact person for the source and contact information in **ATTACHMENT # 4**.

People Incorporated Financial Services has received a commitment of \$750,000 from the U.S. Small business Administration for loan funds. (Please see attached source information in Attachment #4.)

Be certain that the information in the letters and documentation correlate exactly to the figures listed above. If they do not, provide a clear explanation and break out.

Please Note: If the amounts, status, and commitment of each other source of funds are not clearly listed, the funding MAY NOT be included when DHCD reviewers are calculating leverage and evaluating for credit of these funds.

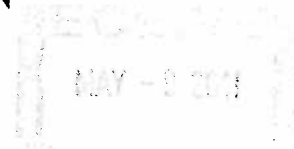


COUNTY OF WARREN

County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Phone: (540) 636-4600
FAX: (540) 636-6066
Email: dstanley@warrencountyva.net

Douglas P. Stanley
County Administrator



May 4, 2011

BOARD OF SUPERVISORS

CHAIRMAN
Archie A. Fox
Fork
District

VICE-CHAIRMAN
Glenn L. White
North River
District

Tony F. Carter
Happy Creek
District

Linda P. Glavis
South River
District


Richard H. Traczyk
Shenandoah
District

Mr. Robert Goldsmith
President and CEO
People Incorporated of Virginia
1173 West Main Street
Abingdon, Virginia 24210

Dear Mr. Goldsmith:

This is to confirm that the Warren County Board of Supervisors, at its regular meeting of May 3, 2011, authorized People, Inc. to move forward at the \$200,000 level for the Community Development Block Grant application filed by People, Inc. on behalf of the Clarke and Warren County Microenterprise Assistance Program.

Sincerely yours,


Douglas P. Stanley
County Administrator

JCS

cc: Carolyn W. Stimmel, Finance Director
David Ash, Clarke County Administrator

Clarke County Board of Supervisors



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

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

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

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

White Post Voting District
A.R. Dunning
(540) 837-1719

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

2011 Virginia Community Development Block Grant Citizen Participation Plan for Local Government Applicants RESOLUTION 2011-???

BE IT RESOLVED that, with two public hearings having been advertised and held in accordance with the standards set forth in the 2011 *Virginia Community Development Block Grant Citizen Participation Plan for Local Government Applicants*, the County of Clarke, in partnership with the County of Warren and People Incorporated Financial Services, is resubmitting a revised request for \$200,000 in Virginia Community Development Block Grant Local Innovation Program funds to support the *Warren and Clarke County Microenterprise Development Program*.

WHEREAS, additional funding in the amount of \$120,000 will be contributed to the project by People Incorporated Financial Services, and the proposed project will meet the National Objective of providing benefit to low to moderate income persons by creating at least 20 jobs (at least 51% will be low- to moderate income individuals) and by creating or sustaining 15 businesses that are either owned by or which employ or otherwise benefit low-income individuals.

BE IT FURTHER RESOLVED that Clarke County's Chief Administrative Official, David Ash, is hereby authorized to complete, sign and submit appropriate documents confirming Clarke County's participation in the Virginia Community Development Block Grant proposal referenced herein.

ADOPTED this the ____ day of _____, 2011.

ATTEST:

David Ash, Clerk

101 Chalmers Court, Suite B
Berryville, VA 22611

www.clarkecounty.gov
P:\admin\Lora B\Resolutions\2011\2011--
R_2011_VA_CDBG_Citizen_Participation_Plan_for_Local_Pe
ople_Inc.doc

Telephone: [540] 955-5175
Fax: [540] 955-5180

Clarke County Board of Supervisors



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

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

White Post Voting District
A.R. Dunning
(540) 837-1719

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

May 24, 2011

Draft

Virginia Department of Housing and Community Development
Project Management Office
600 East Main Street, Suite 300
Richmond, Virginia 23219

Attention: Denise H. Ambrose, Associate Director

RE: Revised Warren and Clarke County Microenterprise Assistance
Program

Clarke County is pleased to collaborate with Warren County and People Incorporated Financial Services to carry out the proposed Warren and Clarke County Microenterprise Assistance Program. We understand that minor changes to the original proposal submitted in the fall of 2010 were necessary, and that a revised proposal has been developed which requests \$200,000 in CDBG funds for this program. Clarke County has already carried out the prescribed public hearings to solicit citizen input into the development of the CDBG request, and did not receive any public comments regarding the application.

Small businesses are vital to the development of vibrant and stable local economies. The types of intensive microenterprise development and lending services offered by People Incorporated Financial Services are largely unavailable in our community. We in Clarke County understand the importance that small businesses play in creating jobs and fostering economic growth, and we look forward to participating in this needed and worthwhile project.

Regards,

David Ash
Clarke County Administrator

CLARKE COUNTY BOARD OF SUPERVISORS
April 19, 2011 Regular Meeting 1:00 p.m.
Main Meeting Room

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Main Meeting Room, 2nd Floor Berryville Clarke County Joint Government Center, 101 Chalmers Court, 2nd Floor, Berryville, Virginia on Tuesday, April 19, 2011.

Board Members Present

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

Board Members Absent

None

Staff Present

David Ash, Chuck Johnston, Tom Judge, Tony Roper, Lora B. Walburn

Others Present

John Friant, Jr., Mary Veillux, Bruce Conover, Barbara Lee, Robina Rich Bouffault, Barbara Bosserman, Franklin Robert, Geneva Jackson, Willis Nelson, Kay Gunter, Keith Dalton, Gem Bingol, Becky Lane, Ed Leonard and other citizens

Call to Order

Chairman Hobert called the meeting to order at 1:05 p.m.

Presentation of Proclamation In Memory of John Rector Friant, Senior 11-01P

Chairman J. Michael Hobert presented members of the Friant family, John Friant Jr., son, and Mary Veillux, daughter, with a proclamation in memory of their father, John Rector Friant, Senior adopted by the Board of Supervisors at their February 15, 2011 regular meeting. Mr. Hobert read the proclamation into the record:

PROCLAMATION IN MEMORY OF

Board of Supervisors Meeting Minutes For April 19, 2011 – Regular Meeting

John Rector Friant, Senior
December 3, 1919 to January 16, 2011

WHEREAS, John R. Friant, Sr., as a local business owner and employer, contributed to the economic stability of the community;

WHEREAS, Mr. Friant was an active participant in the Clarke County Chamber of Commerce and Ruritan Club. He further served the community on the boards of the Clarke County Library Advisory Council, The Barns of Rose Hill, Grafton School, original member of the Clarke County Industrial Development Authority, member and first Chairman of the Clarke County Planning Commission established in July 1956, and a founding board member of Heritage Child Development Center;

WHEREAS, his initiatives include Clarke County Recreational Center, the Route 7 Triangle Beautification Project, expanding and improving the Library by moving it to the Joint Government Center, Dictionary Project, development of the first County Zoning ordinances during his tenure on the Planning Commission, and the international guest program at the Annual Ruritan County Fair.

WHEREAS, in 1998 Mr. Friant was awarded The Clarke County Citizen of the Year.

NOW, THEREFORE BE IT RESOLVED, the Clarke County Board of Supervisors does hereby issue this proclamation in remembrance of John Rector Friant, Senior, a respected citizen of Clarke County and an active participant in civic affairs and in recognition of his excellent character, citizenship, and dedicated service to the citizens of the County.

IN WITNESS THEREOF, I have set my hand and caused the seal of the County of Clarke, Virginia to be affixed this 15th day of February 2011.

Attest:

J. Michael Hobert, Chair

Supervisor Dunning joined the meeting at 1:07 pm.

Adoption of Agenda

Chairman Hobert requested the addition to the VDOT Discussion Item 21 consideration of Draft Resolution Opposing Designation of a Northern Virginia North-South Corridor of Statewide Significance by the Commonwealth Transportation Board.

By consensus, the Board of Supervisors adopted the agenda as modified.

Rappahannock Electric Cooperative Update by Kent Farmer, Matt Faulconer, and John Crawford

Kent Farmer appeared before the Board to review progress since he first addressed the Supervisors and to see how well Rappahannock Electric Cooperative [REC] was meeting expectations. He introduced Chris Shipe, Board of Trustees; John Crawford, Front Royal District Manager; David Cooper, VP Customer Services; Casey Holland, Senior Writer Public Relations; and Matt Faulconer, Director of Governmental Affairs. He distributed a handout titled *"The Cooperative and Clarke County"* dated April 19, 2011 that listed improvement projects, explanation of terms, etc. Highlights of the presentation and comments include:

- Took over the distribution assets of Allegheny Power June 2009; and shortly thereafter, experienced significant equipment problems.
- REC is currently buying wholesale power from Allegheny.
- Some Allegheny employees have transferred to REC.
- As a cooperative, members own REC; therefore, REC's objective is to be a non-profit provider.
- November is the adjustment month when credits are given back to members for any margins made in the year. This credit is given back based on how the power was used by the member. For every \$100 spent for electricity in the last 7 months, members will get \$3 back.
- REC strives to be environmentally friendly and to provide low cost energy.
- Maintaining right-of-ways is a top priority. It is estimated that it will take three to five years to get the rights-of-ways up to REC preferred condition.
- Due to previous practice, REC is spending a great deal of money and time in this area on systems and equipment maintenance improvements.
- Rates have not increased. REC is billing under the same rates billed as Allegheny Power.
- An extremely hot summer in 2010 and an extremely cold winter in 2011 increased the number of kilowatt hours used resulting higher electric bills.
- Effective July 1, 2011, REC will be increasing rates approximately 7.5% in accordance with the agreement approved by the SCC when acquisition was approved.
- Part of the agreement allows for rate increase to be spread out over a 4-year period eventually reaching a combined 30% increase.
- Allegheny Power originally secured the 30% increase from the SCC.
- This area has been paying approximately 30% less than other areas in the Commonwealth.
- Picked up 50% new customers at a reasonable price – worked as a benefit to REC as a whole and a benefit to customers.
- REC offers member programs to help manage usage.

- REC continues to see a growth in energy demands. Ten years ago the average kwh use per month was 800 to 1,000; now, the average use is 1,400 kwh per month.
- Areas to improve energy efficiency include better insulation in homes; more energy efficient appliances. Of note due to the features of big-screen television, they use 5 to 7 times more power.
- The demand response program allows REC to turn off water heaters during peak demand for period of one to three hours. Last year, this program saved in excess of \$5 million in wholesale energy costs. It was noted that Allegheny Power did not invest in this program for this area.
- Another service available to members with smart meters is individual outage notification at a cost of \$3 per month. Chairman Hobert put forth that this benefits REC and they are supposed to provide – please reconsider charging for this.
- REC plans to change over to smart meters and hopes to be complete by November 2011. The new meters will allow them to gather more nearly accurate data on energy usage.
- REC is investigating the purchase of a power plant. Currently, they own 30% of Dominion Electric Cooperative – a wholesale provider of electric. They also own a percentage in a coal-fire generating facility in Halifax County; three peaking facilities; and simple cycle facilities in Louisa and Fauquier Counties, as well as Cecil County, MD; and nuclear generating facilities. All of these sources combined generate about 50% of the energy needs.
- Wholesale energy market is volatile.
- REC, serving a rural area, is not particularly affected by gas providers / usage.
- REC continues to explore ways to provide internet service to members; however, at this time it has not worked as well as hoped. It is recognized that to fully take advantage of many services REC offers requires internet access.
- REC Board of Trustees is looking at boundaries to redistrict. While members do serve at large, districts serve to ensure representation from all service areas. The next annual meeting will be held in August at Liberty High School in Fauquier County so that members in this area will have an opportunity to attend. To get on the ballot, a member must secure 25 signatures of other cooperative members. All cooperative members are given the opportunity to vote that can be done by proxy.
- Mr. Shipe, area representative, described his personal experience of selection, review and election process to the Board of Trustees.
- REC tries to be good a citizen and they are willing to participate at fairs or other civic events.

Clarke County Public Schools Update

Board of Supervisors Meeting Minutes For April 19, 2011 – Regular Meeting

Barbara Lee, Chair Clarke County School Board, appeared before the Supervisors to provide the monthly update from the Clarke County public schools. Highlights include:

- On behalf of the School Board, expressed appreciation for passage of the FY2012 budget.
- The School Board is requesting a \$94,028 supplement to cover operating expense of which over \$57,000 was to cover annual leave payouts.
- 20 students less than the September count.
- Kindergarten enrollment remaining at the same level.
- Teacher contracts were offered by established deadlines.
- RIF'ing 8.7; 6 positions through attrition; 1.7 positions through reduction in the number of classes taught.
- 4.5 in new positions in IT were added with approximate savings of \$200,000.
- Supervisor Dunning urged the School Board to hold spending in this tough economy.
- Robina Rich Bouffault New High School...
 - Excessive rain has impacted the construction schedule.
 - Stormwater ponds being well used in current rainy conditions.
 - Cutting bike path that will remain open during construction.
 - Roof anchor bolts and concrete almost finished.
 - Bearing walls going up in section C and second floor classroom wing.
 - Roof up second to third week of May
 - Joist are up, as well as bevel decking.
 - Roof is on the gymnasium.
 - Jon Erikson shall be present when curbs are poured as weather permits.
 - Paving of parking lot has slowed due to rain.
 - Ductwork is going up in the classroom wing and auditorium.
 - Electrical work proceeding normally.
 - Moseby Boulevard / VDOT:
 - While street lighting is not required, if chosen, it must meet specific requirements. It was put forth that the required lights are very high and unattractive.
 - Neither option [with or without lights] is fully funded.

- There may need to be substantial changes to the roundabout and road configuration.
- Project to go out for bid Jan 2012 per the current schedule.
- Construction start, at best, would begin May 2012 and will not be ready for the new high school opening;
- Phased road construction was suggested to lessen the congestion during the school year in an area where three schools are located.

Chairman Hobert thanked the School Board for the update and expressed appreciation for the job they were doing. He further thanked Mrs. Bouffault for her circulation of meeting memorandums that kept the Supervisors informed.

Northwestern Regional Jail Authority Request for Approval of Resolution Of The Board Of Supervisors Of Clarke County Virginia, Consenting To The Issuance Of Revenue Obligations By The Northwestern Regional Jail Authority Pursuant To The Second Amended And Restated Regional Jail Agreement And Other Matters In Connection Therewith

Major Bruce Conover appeared before the Supervisors to explain the request of the Northwestern Regional Jail Authority that was seeking an issue of money to upgrade heating and cooling system at jail and outdated lighting. Siemens, a state-approved contractor, will be performing the proposed upgrades that are guaranteed to save \$55,000 the first year and up to \$85,000 by the fifteenth year – the end of the payback period. He further explained that all other participates had voted for the project that is part of a Frederick County initiative to improve energy efficiencies.

Supervisor Staelin commented that Clarke County had pursued similar energy savings but found that they had been poorly implemented.

Robina Rich Bouffault added that the Clarke County Public Schools were in the process of doing RFP for alternate energy company. She stated that TAC's performance over the years had been faulty; and while Snider has subsequently taken over, Robert Levi, Maintenance Director, found the lack of control at the local level problematic and, with charges for each local system adjustment made at the Texas location, costly.

Supervisor Dunning expressed doubt noting the County's less than satisfactory results with similar providers that promised results that had not been realized. He did state that Siemens was a reputable company but energy efficiency outfits were questionable with extended pay back periods.

Tom Judge interjected that in his experience reports were difficult to challenge because the providers use their own model that are so complicated that it is difficult to tell whether the system is truly providing the promised energy savings.

Chairman Hobert asked Major Conover to provide a progress report next year.

Supervisor Byrd moved to adopt the Resolution Of The Board Of Supervisors Of Clarke County Virginia, Consenting To The Issuance Of Revenue Obligations By The Northwestern Regional Jail Authority Pursuant To The Second Amended And Restated Regional Jail Agreement And Other Matters In Connection Therewith 2011-08r. The motion carried as follows:

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

**RESOLUTION OF THE BOARD OF SUPERVISORS OF CLARKE COUNTY VIRGINIA,
CONSENTING TO THE ISSUANCE OF REVENUE OBLIGATIONS BY THE NORTHWESTERN
REGIONAL JAIL AUTHORITY PURSUANT TO THE SECOND AMENDED AND RESTATED
REGIONAL JAIL AGREEMENT AND OTHER MATTERS IN CONNECTION THEREWITH
2011-08R**

WHEREAS, the Counties of Clarke, Fauquier and Frederick, Virginia, and the City of Winchester, Virginia (collectively, the "Participating Jurisdictions"), have created the Northwestern Regional Jail Authority (the "Authority") pursuant to Chapter 3, Article 3.1 of Title 53.1 (the "Act") of the Code of Virginia, 1950, as amended (the "Code"), for purposes of owning and operating the Northwestern Regional Adult Detention Center (the "Regional Jail");

WHEREAS, the Participating Jurisdictions and the Authority have entered into a Second Amended and Restated Regional Jail Agreement dated as of June 1, 2005 (the "Jail Agreement"), providing for the ownership, operation and financing of the Regional Jail;

WHEREAS, the Authority proposes to undertake certain capital improvements to the Regional Jail, consisting of various energy conservation and performance improvements (the "Project");

WHEREAS, to finance the Project, the Authority proposes to issue an additional series of Obligations (as defined in the Jail Agreement) (the "2011 Obligations") payable from and secured by amounts derived from the below-described Participating Jurisdiction Obligations in accordance with the terms of the Act and the Jail Agreement;

WHEREAS, pursuant to Sections 4 and 6.F. of the Jail Agreement, the Participating Jurisdictions have each agreed to pay to the Authority amounts sufficient to pay when due its respective share of the principal of and interest on the Obligations, including the 2011 Obligations, based upon the "Allocation Formula" set forth in Section 4.A. of the Jail Agreement as such Allocation Formula may be adjusted pursuant to Section 6.F. in the event the Authority lacks sufficient funds to pay scheduled debt service on the Obligations or certain other costs (the "Participating Jurisdiction Obligations");

WHEREAS, the Authority has determined it is in the best interest of the Authority to sell the 2011 Obligations to the Virginia Resources Authority ("VRA"); and

WHEREAS, the Authority has requested the consent of the Participating Jurisdictions to the issuance of the 2011 Obligations as provided in Section 3 of the Jail Agreement and VRA has required the Participating Jurisdictions to enter into certain agreements and to acknowledge certain matters as conditions to VRA's purchase of the 2011 Obligations;

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

1. The Board approves and consents to the undertaking of the Project, the issuance of the 2011 Obligations by the Authority in a principal amount not to exceed [\$575,000] in accordance with Section 3 of the Jail Agreement, the use of the proceeds of the 2011 Obligations to finance the Project and the costs of issuance related to the 2011 Obligations and the sale of the 2011 Obligations to VRA.
2. The Board (i) acknowledges that the 2011 Obligations will be payable from and secured by amounts derived pursuant to the Participating Jurisdiction Obligations, (ii) acknowledges that VRA would not purchase the 2011 Obligations without the security and credit enhancement provided by the Participating Jurisdiction Obligations, (iii) acknowledges that both the 2011 Obligations and the Participating Jurisdiction Obligations are "local obligations" within the meaning of Section 62.1-199 of the Code, (iii) agrees that VRA is a third party beneficiary of the Jail Agreement, and (iv) agrees that the Jail Agreement may not be modified or amended without VRA's prior written consent.
3. For purposes of Section 265(b)(3)(C)(iii) of the Internal Revenue Code of 1986, as amended, the County irrevocably agrees that the amount of the 2011 Obligations shall be allocated to each Participating Jurisdiction in the same proportion that each Participating Jurisdiction has been allocated payment responsibilities under the "Allocation Formula," determined for Fiscal year ending June 30, [2012], under the Jail Agreement with respect to the 2011 Obligations.
4. The County Administrators hereby authorized and directed to execute and deliver such other documents as are necessary to enable the Authority to finance the costs of the Project, including, but not limited to, any agreements or certificates requested by VRA. Any other County official so designated by the County Administrator is hereby similarly authorized and directed to execute and deliver such other documents.
5. All other acts of the officers of the County, heretofore or hereafter taken, that are in conformity with the purposes and intent of this Resolution and in furtherance of the issuance and sale of the 2011 Obligations by the Authority and the undertaking of the Project, are hereby approved, ratified and confirmed.
6. Nothing in this Resolution or in the Jail Agreement is or shall be deemed to be a lending of the credit of the County or other Participating Jurisdictions to the Authority or to any holder of any of the 2011 Obligations or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County or the other Participating Jurisdictions within the meaning of the Constitution of Virginia.

7. This Resolution shall take effect immediately.

Members of the Board of Supervisors voted as follows on the adoption of this resolution on this 19th day of April 2011: Byrd-Aye, Dunning-Nay, Hobert-Aye Staelin-Aye Weiss-Aye

Attest:

David Ash, Clerk

Approval of Minutes

Supervisor Staelin moved to approve the March 1, 2011 Budget Work Session minutes as presented. The motion was approved by the following vote:

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

Supervisor Staelin moved to approve the March 15, 2011 Regular Meeting minutes as corrected on Page 570 changing the vote of Supervisor Dunning from Aye to Absent. The motion was approved by the following vote:

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

Supervisor Byrd moved to approve the April 5, 2011 FY2012 Budget and Calendar Year 2011 Tax Rate Public Hearing minutes as presented. The motion was approved by the following vote:

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

Supervisor Dunning moved to approve the April 12, 2011 Budget Work Session minutes as presented. The motion was approved by the following vote:

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

Consent Agenda

Request for Easement Purchase approval for Karel Wennick, Arnold Rexroad, Lawrence and Jane Wood, Lawrence Buckner

MEMORANDUM

TO: Board of Supervisors, David Ash
 FROM: Alison Teetor
 DATE: April 12, 2011
 SUBJECT: Request for Easement Purchase approval

The Clarke County Easement Authority has approved the following easements for purchase. 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.

DUR PURCHASE

Karel Wennick: There are two parcels for consideration. The properties are located in Blue Ridge Downs subdivision on the east side of Kennel Road at the end of Burch Lane. Tax Map# 30-((1))-11 is 5.06 acres of vacant land with 1 DUR, the property resource score is 40.75. The parcel adjoins a conservation easement and the owner would like to retire the DUR and merge the parcel with his other property. Tax Map# 30-((A))-12 is 11.09 acres has an existing pre-1980 house and an extra DUR. The applicant would retire the remaining DUR. The property resource score for this property is 37.97. The properties meet the easement criteria by scoring over 35 and retiring a DUR. The smaller parcel is also adjacent to an existing easement.

Purchase offer \$40,000, County - \$20,000, VDACS - \$20,000

Arnold Rexroad: The parcel is located on the east side of Auburn Road 3/10ths of a mile north of the intersection with Castleman Road. The parcel is 13.02 has an existing house which was built in 1997. The applicant would like to retire the remaining DUR. The property resource score is 39.14, the parcel is not over 40 acres and is not adjacent to an existing easement.

Purchase offer \$20,000, County - \$10,000, VDACS - \$10,000

Lawrence and Jane Wood: There are two parcels for consideration. The properties are located on the west side of Lockes Mill Road approximately 1.4 miles east of the intersection of Parshall Road. The application includes Tax Map# 24-((A))-34D, 40.72 acres, with an

existing house and no remaining DUR's. This parcel had a property resource score of 38.85. The second parcel is Morgan Island, Tax Map# 24-((A))-34C, 5 acres, and does have a DUR. The property resource score is 48.69. The applicants would like to retire the DUR on the island and place both properties in easement. The parcels front on the Shenandoah River.

Purchase offer \$20,000, County - \$10,000, VDACS - \$10,000

Lawrence Buckner: The parcel is located on the east side of Howellville Road (Route 658) approximately $\frac{3}{4}$ miles south of Route 50. The parcel is long and narrow, consisting of 14.78 acres of wooded vacant land with 1 DUR. In reviewing the parcel 3 out of 4 criteria have been met. The parcel is adjacent to the Idlewild Easement. The remaining DUR will be retired and the property resource score was 53.14. Approximately half of the property has slopes over 25% and Mr. Buckner has owned it since 1970. The parcel has 225 feet of frontage on Howellville Road, a State Scenic Byway and is visible from the River.

Purchase offer \$20,000, County - \$10,000, VDACS - \$10,000

Agreement Between Clarke County and Shenandoah Farms Sanitary District

AGREEMENT TO ALLOW OPERATION AND MAINTENANCE

This Agreement to Allow Operation and Maintenance ("Agreement") made and entered into this day of , 2011 by and between the SHENANDOAH FARMS SANITARY DISTRICT, a political subdivision of the Commonwealth of Virginia acting by and through the Board of Supervisors of Warren County, Virginia, its governing body (hereinafter the "Sanitary District") and the BOARD OF SUPERVISORS OF CLARKE COUNTY, VIRGINIA, a political subdivision of the Commonwealth of Virginia.

WITNESSETH:

WHEREAS, the Sanitary District was created and its boundaries defined by entry of orders of the Circuit Court of Warren County, Virginia on June 19, 1996 and March 5, 1997, and by Virginia law the Board of Supervisors of Warren County, Virginia serves as the governing body of the Sanitary District; and

WHEREAS, the Sanitary District encompasses certain defined portions of the Shenandoah Farms Subdivision within Warren County, including the roads and common properties and recreational facilities therein; and

WHEREAS, the Shenandoah Farms Subdivision as a whole also includes parcels and properties within Clarke County; and

WHEREAS, several such parcels within Clarke County, located generally at 6401 Howellville Road, serve as the community center, meeting hall, and business office of the Property Owners of Shenandoah Farms (POSF), a property owners association organized under the laws of Virginia, together with an outdoor amphitheater, a playground and river access lot (herein collectively referred to as "Community Center"); and

WHEREAS, the Sanitary District has recently assumed the responsibility for the maintenance of the roads and common properties of the Sanitary District, and also desires to assume responsibility for the operation and maintenance of the Community Center, located in Clarke County, for use as a sub-station or office for the Sanitary District for the location within its parking lot of vehicles, equipment, and supplies appropriate for road maintenance and snow removal, and for recreational use; and

WHEREAS, Section 21-118.4 of the Code of Virginia does not permit the expenditure of public funds of the Sanitary District for maintenance of a community center or recreational facility located outside the boundaries of the Sanitary District unless the Sanitary District enters into an Agreement with the political subdivision in which the facility is located, pursuant to Section 15.2-1300 of the Code of Virginia ; and

WHEREAS, the Sanitary District and Clarke County now desire to enter into such an Agreement to allow the Sanitary District to expend its public funds for the maintenance and operation of the Community Center.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$ 1.00) and the mutual covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Clarke County agrees that the Sanitary District may operate and maintain the Community Center for the purposes of use as a sub-station or office for the Sanitary District; for the location of vehicles, equipment, and supplies; for recreational use; and for any other lawful and appropriate use by the Sanitary District.
2. The purpose of this Agreement is for Clarke County to agree for the Sanitary District to operate and maintain the Community Center, located in Clarke County, and by this Agreement Clarke County does not assume any responsibility, financial or otherwise, for the operation and/or maintenance of the Community Center, or any liability related thereto.
3. The duration of this Agreement is perpetual.
4. Clarke County may terminate this Agreement by ninety (90) days written notice to the Sanitary District.

WITNESS the following signatures:

SHENANDOAH FARMS SANITARY DISTRICT
Board of Supervisors of Warren County,
Virginia, its governing body

CLARKE COUNTY, VIRGINIA

By: _____
Archie A. Fox, Chairman
Board of Supervisors of Warren County, VA

By: _____
J. Michael Hobert, Chairman
Board of Supervisors of Clarke County, VA

**Supervisor Byrd moved to approve the items on the Consent Agenda as presented.
The motion was approved by the following vote:**

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

Citizens Comment Period

David Boyce signed up to speak during the comment period however he deferred to the scheduled discussion for the special event permit application for Rock N River at Historic Long Branch.

Special Event Permit: Historic Long Branch Rock N River Festival June 4, 2011

David Ash briefly reviewed the application from Historic Long Branch for Rock N River scheduled for June 4, 2011. He advised that the application was before the Board because it was submitted as a small event that would typically be reviewed administratively by staff; however, the number of event days already permitted for activities at Long Branch have moved it into the medium category that requires Board approval and a decision as to whether the Board will require a public hearing:

Chairman Hobert clarified that this matter was before the Board for consideration because of the number of event days in the year associated with that entity.

David Ash made the Board aware that representatives from Long Branch were present. He put forth that to better define the conversation the first question would be whether Long Branch agrees or disagrees with this assessment. He referenced ongoing emails with Long Branch that have lead him to believe that they disagree with his interpretation of the ordinance.

Chairman Hobert invited Long Branch representatives to speak to the matter and to make a brief presentation.

David Boyce, Director Historic Long Branch, addressed the Supervisors. He stated that the request was simple that they had an event that is going to take place, or they would like it to take place, at Long Branch – a one-day event from 11 am until 9 pm tentatively scheduled for June 4. He stated that he had obtained approval from seven of the eight necessary endorsing bodies: the Virginia State Police, Virginia ABC, Clarke County Sheriff's Office, Clarke County Building Department and a number of other groups. He continued that this is way he was before the Supervisors being the last entity to allow Long Branch to have the event.

David Boyce then distributed to each of the Supervisors a piece of paper listing outlining and detailing the events at Long Branch of which there are a total of 15 over half of which last about half an hour. He stated that they were gearing up this coming week for the Boyce Baptist Sunrise service at 6:30 am that will be for about 60 people. He said that it was his understanding that this was not the concern the concern was when you have events that are in excess of 149 of which they have 6.

1. Shenandoah Valley Runners
2. Easter Egg Hunt
3. Proposed Rock N River
4. Old Dominion Kennel Club
5. Balloon, Wine and Music Festival
6. Blue Ridge Hunt Stirrup Cup

Mr. Boyce stated that it was very important to note the following that only five of these six events cited maintain a crowd in excess of 149. He said that the only one that does is the Shenandoah Valley Runners because everyone must be there at once. He said that events like the Easter Egg Hunt might attract 200 to 250 people staggered throughout the day. Mr. Boyce, noting the Blue Ridge Point to Point, said that these events are weather driven; so if it is a wet, damp, soggy Saturday, it is unlikely they will see 250 people. He said that they were never there all at once and that the same could be certainly true for the Blue Ridge Hunt Stirrup Cup, whereas the Balloon, Wine and Music Festival attendance is a little heavier than some of the other smaller event; but it is the only event that really is a big fundraiser.

Supervisor Staelin asked if the Blue Ridge Hunt gave Historic Long Branch any money for the Stirrup Cup.

David Boyce responded yes stating that there is a contract that is written, as you know.

Supervisor Staelin interjected that he did not know, which was why he asked the question.

David Boyce said that, yes indeed; and the donation is forthcoming. He further explained that it was a contractual event with a written contract that he believed was signed by all three of the masters.

Supervisor Dunning said that this was not unusual and asked how much the Hunt paid.

David Boyce responded that he believed it was a donation of about \$100. He opined that this was his point that Long Branch was not making a lot of money with the Baptist Church, Shenandoah Valley Runners, the Blue Ridge Hunt Point to Point. He said that they were a benevolent, loving association that likes to be part of the community and gives the community an opportunity to have these wonderful events. He opined that non-profits were suffering and it was tough. Mr. Boyce went on to say that they had a wonderful facility and a great resource that they were anxious to share with everyone.

Supervisor Byrd said that as she was reading through the event application that two other groups would be sharing the funds that are made from this event including Down Stream Project and Friends of the Shenandoah River.

David Boyce said that he was glad Supervisor Byrd caught that saying that these were two great non-profit organizations. He said that Long Branch was named for the stream that passes through its property that is a tributary of the Shenandoah River. He stated that it was their feeling that they wanted to become a little more conservation minded and bring awareness to the community and the region at large that the tributaries count and you have to think down stream.

Mr. Boyce said that he actually applauded and somewhat supported the Code section on special events.

Vice Chairman Weiss put forth that what was being referred to was determined by the Special Event Committee and then the Board of Supervisors that the length was not the determining fact or that it was non-profit for it was not the purpose of the ordinance therefore it had no relevance. He continued that doing a good deed does not change the fact that an event is being held that impacts neighbors that is why the Special Event Committee wanted to limit the maximum number of events allowed on one property because it becomes a burden to the neighbor.

Chairman Hobert clarified that under five event days was considered a small event.

Supervisor Staelin confirmed adding that with six or more days it would become the equivalent a medium event that has to be processed.

David Ash added that with six or more event days an application must be processed as a medium event and must come to the Board of Supervisors for approval since it is no longer administratively approvable.

Vice Chairman Weiss interjected that even medium and large events had limits to the number that could be had in a year.

David Boyce concurred and said that he believed the threshold was anything over 149 people and up.

Supervisor Staelin said that was correct. He added that it was also for out door events therefore the lecture series would not be affected.

Supervisor Staelin explained that indoor events are limited in size by the building and that there were very few buildings that can hold over 150 people.

David Boyce said that, again, the point he wanted to share with the Supervisors for consideration was that, yes, they had what seemed to be many events; yet, the Cub

Scouts Cubmobile race, the Boyce Baptist Sunrise service, the Easter Egg Hunt, these events, collectively, last maybe three hours.

Note: at 2:45 pm the Government Center lost power and transferred to generator.

David Boyce stated if he worked for an hour he would not bill for eight hours and that was how he was interpreting this requirement. He opined that if they did the math, that in his mind, he had some availability that they would easily allow them to be able to host the Rock N River event.

Chairman Hobert stated that Mr. Boyce was jumping to the substantive issue when in fact the first question is what is the procedure; is it an event that has to be approved by Mr. Ash after looking at everyone else's comments or is it an event that this Board approves because it falls into the six or more category. He asked Mr. Boyce if he agreed.

Mr. Boyce expressed agreement. He put forth that he was glad Mr. Hobert brought the point up because we've had the application with the County since February. He again said that he had obtained approval from the Clarke County Sheriff's Department, Clarke County Health Department, Clarke County Building and Zoning Department, Boyce Fire and Rescue, Virginia ABC, Virginia Department of Transportation and the Virginia State Police. He stated that he had had these approvals for months.

Supervisor Dunning said that agency reviews were necessary but ultimately the Board of Supervisors must approve.

Supervisor Staelin put forth that he believed the issue referred to the Board also included "event attendance." He noted that Mr. Boyce had said that attendance would be less than 500.

David Boyce confirmed stating that this was an estimate based on the fact that this was a first time event. He said that he had also looked at Harvfest at Clermont that has roughly the same attendance going into its third year. He concluded that the short answer was that he didn't really know and that it could be 1,000 instead of 500, weather depending.

David Ash stated that the event could not be 1,000.

Vice Chairman Weiss concurred with Mr. Ash.

Supervisor Staelin put forth that if Long Branch did not want to turn people away when they get to the 499th person it would behoove them have the event reviewed by the Board of Supervisors allowing for the medium event maximum.

David Boyce said that this was true but at first it was just the number of events.

Vice Chairman Weiss asked for clarification that the application was for 475 attendees.

David Boyce responded that he had just picked a small event.

Supervisor Staelin explained there were two things here: a frequency and a size issue; and the reason that the ordinance involved the Board in events over 500 people or for six or more events was because such things impacted neighbors. He reminded Mr. Boyce that Long Branch sought specific Board approval for the Balloon Festival and the Kennel Club, both of which had already been approved for a certain number of event days.

Mr. Boyce said that they had sought Board approval for those events. He continued stating that the Kennel Club was a three-day event because there was a two-hour show on Friday night. He said that the Balloon Fest was a three-day event because that first day was only an hour and a half not a full eight hours. He said that if the Board of Supervisors did this mathematical and compare apples to apples they would find that they weren't full days.

Supervisor Staelin commented that very few events go all day and named the Balloon Festival as one such event. He said he understood what Mr. Boyce was saying but that the ordinance was a set of rules even though they may not be perfect.

Vice Chairman Weiss noted that the ordinance keeps the County out of making subjective decisions such as how they might make determinations based on event hours and what constituted a day that could be endless.

Supervisor Staelin stated that it appeared to him that this was something the Board needed to decide.

Supervisor Dunning commented that Mr. Boyce had a tough job and noted that Long Branch had had a great year with good weather. He cautioned Mr. Boyce about having too many events and suggested Long Branch seek events tied to farming, open space, AOC, animals, etc.

Chairman Hobert recapped the discussion calling for a consensus that the matter did in fact belong in front of the Board of Supervisors and not Mr. Ash. The Board of Supervisors unanimously agreed.

Chairman Hobert stated that the next step was consideration of the event by the Board of Supervisors and invited Mr. Boyce to explain why the event was being proposed and why it would be good for the community and his organization.

David Boyce said that he thought this was a great proposal; and as they had already learned, they had received approvals from all the other supporting entities. He asked the Board of Supervisors to trust that Long Branch would put out a quality product. He said that they would be aligning themselves with the Friends of the Shenandoah River and with the Downstream Project. He said that Dr. Burl would be doing a hawk release. He opined

that he was trying to be totally transparent here and that they had nothing to hide. Mr. Boyce said that he was new at Long Branch and was learning. He said that he had walked through with his staff all of the events they had that were in the range of 149 and above and all the other events as well that lead to the creation of the list of 15 events presented to the Board of Supervisors. He said that some of the events really did not generate any revenue.

Mr. Boyce said that Mr. Dunning had alluded to the revenues generated by the gratuitous weather at the last Balloon Festival and that had been lucrative. He opined that this does not always happen.

Supervisor Byrd asked Mr. Boyce to describe what would be going on at the event restating the intention to release a hawk.

David Boyce said that they would have food and bands. He said he would briefly run through the event:

- Starts 11 am;
- Three bands are all water oriented [Pan Masters, Parrott Head and The Golden Butter Band]
- Hawk release
- Three food vendors [Mr. B's and two others all approved through the Health Department]
- Ten environmental/ecological crafters
- This is not to be a rock and roll event but would deal with the environment.
- Speeches will be given in favor of the environment and saving the Shenandoah River and promoting good management of tributaries.

Supervisor Dunning asked Mr. Boyce roughly how much he had tied up in the bands.

Mr. Boyce said it was less than \$10,000 in the bands.

Supervisor Dunning asked how they would make a profit.

Mr. Boyce restated that he believed it was approximately \$4,000.

Supervisor Byrd asked if Piedmont Environmental Group was going to be in attendance.

Mr. Boyce said that Long Branch had been approached and that there would be an enormous amount of synergy with a lot of the local, regional and state groups. He said that in recent conversation with the Virginia Outdoor Foundation they were very excited.

Chairman Hobert asked Mr. Boyce to speak to the issue of the easement since that had come up in consideration.

Mr. Boyce opined that this was somewhat of a red herring but for years Bob Lee, Director VOF, has repeatedly said this type of activity at Long Branch does not conflict with or violate its conservation easement. He said that he had retrieved a letter dating back to 2007 that the Balloon Fest activity was not in conflict with the easement.

Supervisor Dunning interjected that he had not been successful in his attempts to contact Mr. Lee over the past few days.

David Boyce offered to provide Mr. Dunning Mr. Lee's telephone number.

Supervisor Dunning declined stating that he had the information. He said that he wanted to ask Mr. Lee about the scenic easement and had left a message with him that if he did not hear back he would assume that Mr. Lee would not be approving the event. He concluded that Mr. Lee had not called him back.

David Boyce restated that he had a letter from 2007 from the Virginia Outdoor Foundation specific to the Balloon Fest that he provided to Chairman Hobert. He read into the record the following, "the letter is in response to your inquiry regarding the Balloon Festival's compliance with regards to the covenants and conservation easements. VOF does not perceive the activity as a violation."

Supervisor Staelin said that he had spoken to Bob Lee in the past and from what he recalled frequency and intensity of use was a factor and that sporadic events were not a violation but ancillary to the principal purpose of the property. He opined that at some point there is a line that is too much.

Supervisor Dunning then asked Mr. Boyce how many tickets he was going to sell.

David Boyce responded that Long Branch would be selling between 500 and 1,000 tickets.

Supervisor Dunning stated that Mr. Ash had not given him that information yesterday.

David Ash replied that the number of tickets to be sold was not stated in the application.

Vice Chairman Weiss added that the estimate was 475.

Supervisor Dunning opined that if Long Branch had spent \$4,000 and was selling 475 tickets – it would take more than 475 tickets to justify the \$4,000 unless they were going to lose money.

David Boyce said that he could always jettison some events they currently have to repair that. He said that they could get rid of Boy Scouts Derby Day, Blue Ridge Hunt Stirrup Cup, and Shenandoah Valley Runners, to get it within the time frame the Board wanted.

Supervisor Dunning interjected that all the events just mentioned were 100 to 200 people.

David Boyce said that Long Branch did not make any money off of these events.

Supervisor Dunning said that he understood that.

David Boyce said that this event was no different.

Vice Chairman Weiss said that the Board of Supervisors is not there to consider whether the event makes money or not for that is not the point of the ordinance. He continued that the ordinance tries to set reasonable limits on use of properties. Mr. Weiss said that it appears that Long Branch is reaching the threshold of activity and that he wasn't certain whether this activity pushed it over the edge.

Vice Chairman Weiss put forward that a letter from Bryan Conrad, Boyce Volunteer Fire and Rescue, mentioned that he believed that there were going to be a whole lot more than 475 people.

Supervisor Dunning stated that for Mr. Boyce to throw up his arms was unacceptable. He opined that Mr. Boyce had no handle on the number of people they were going to have at the event.

David Boyce said that he believed that was an unfair assessment. He went on to say that they had been doing events there, had talked to enough people and that they knew what the market would attract in terms of events such as that with the type of musicians that they had for the event. He provided additional detail about the bands stating that it wasn't like they were getting the Rolling Stones or a big bluegrass act.

Supervisor Byrd said that she saw what Long Branch needed to do to maintain this open land and to make it pay for itself. She said that they had to make it so that it would not be obtrusive to neighbors. She said that if they had an event with environmental things going on such as the promotion of locally grown food, agriculture, releasing a hawk or bands that are relaxing that this is a good way to make money to keep Long Branch open. Supervisor Byrd opined the larger events helped to pay for the smaller events. She said that she believed the Board should say yes as long as Long Branch does not go over board. She said that the event could be turned down next year reminding that the Board had almost turned down the Balloon Festival any number of times. She said that there were high restrictions on it that had been worked through to make it happen and allow Long Branch to maintain its financial ability to run a gorgeous piece of land.

Chairman Hobert asked Supervisor Dunning that since Long Branch was thinking of transitioning what did he think of allowing the event on a trial basis to see the reaction.

Supervisor Dunning responded that this event was not like the Balloon Fest. He opined that Long Branch had not done their work.

Chairman Hobert said that he thought Long Branch was trying to find another path to support their activities.

Supervisor Dunning stated that Long Branch was not going to give up the Balloon Festival.

Supervisor Dunning said Long Branch did not know how many people were coming. He said that the event had to be better planned than this reminding that it ranged from 500 to possibly thousands depending on the weather.

Vice Chairman Weiss addressed Mr. Boyce asking if he understood that if more people came than what had been applied for, currently 475 or up to 500, these persons would have to be turned away.

David Boyce responded that he did not know how they would do that.

Vice Chairman Weiss stated that Mr. Boyce needs to know.

Mr. Boyce added that it was like the Blue Ridge Hunt with a spread of 1,500 to 2,000.

Vice Chairman Weiss responded that Blue Ridge Hunt would have to make appropriate application that would cover that eventuality.

Mr. Boyce said that he had tried to do the same but it was simply a numbers game.

Vice Chairman Weiss stated that what happens is that if more persons show up than planned and the County receives a complaint than the Sheriff is sent out.

Mr. Boyce interjected that the Sheriff would already be there.

Vice Chairman Weiss continued that the Sheriff would shut the event down and that is how it works.

Supervisor Staelin stated that all the plans for the Health Department, the Fire Department and others have all been based on a smaller group. While the smaller group may not be an issue, if they knew it was going to be a larger group, they would ask for more information and there would be more issues.

Chairman Hobert asked if the evaluation was made on the basis of 475.

David Boyce responded that was roughly 500 and 1,000 because it is so difficult.

Chairman Hobert asked Mr. Boyce what was communicated to the reviewing agencies.

Supervisor Dunning stated that the application showed 475.

Supervisor Staelin also noted the 475 figure.

David Boyce responded that they had read Bryan Conrad's note that he could handle up to 2,000. He said the other organizations, as long as Long Branch always does what they have always done before, were not as concerned as the Board of Supervisors as to whether it was 499 or 1,000.

Supervisor Byrd asked if Mr. Boyce was talking about the number of cars or the number of individual people.

David Boyce said he was talking about both. He said that they could park roughly about 88 cars per acre. He said that he had car parkers on board and had a sufficient number of Johnny Blues.

Vice Chairman Weiss interjected that that was the point "a sufficient number of Johnny Blues" based on what number.

David Boyce said that he would have to consult with Angie Anderson to get that answer.

Vice Chairman Weiss replied that the way the ordinance is set up the thresholds set in motion what an applicant would need, for example, the number of Johnny Blues. He said that a whole lot more Johnny Blues would be needed for 1,000 people than for 500.

David Boyce responded that the rule was one Johnny Blue per one hundred people.

Vice Chairman Weiss said that this is where the number is important; and if he thought he was going to have an event that was successful and large, than, even though it required Board approval rather than just administrative approval, Mr. Boyce would be better off to take the larger number. He said his understanding was that Long Branch had brought to David Ash a smaller event under 500 people and it was to be administratively approved until the frequency of the events triggered it to come to the Supervisors. David Weiss opined that he did not think the plans submitted were for enough people if Mr. Boyce felt he was going to get between 500 and 1,000 people.

David Boyce said that he believed Mr. Ash could answer that question. He said that he believed they had really made accommodation for the event if they have more than 475. He asked David Ash if he knew how many Johnny Blues Long Branch had ordered, guessing that it was over 20 some.

Supervisor Byrd said that they would have to turn people away so they could encourage people to come early.

Jim Edwards told the Supervisors that he would be leaving the meeting to attend the executive committee meeting. He said that a couple of things were evident to him and that they had gone over this understanding what the cost were going to be knowing, that up

front there was going to be some cost and knowing that if there wasn't a large enough turn out that this might in fact be another money loser. He said that the executive committee was now ready to go forward; so, if they have to cut back and limit the number of tickets that are sold, so be it. Mr. Edwards said that the way this thing came about was that for three years, due to the generosity of one of their board members, they had tried to do a combination fishing day and turn it into an environmental day that was one big loser noting that someone donated the trout for the fishing day. He said that the thought was why would they run a program that no one shows up for and have environmental people there with no one to talk to. He said that they were looking for a way to bring in a crowd other than come have a picnic and taking the children fishing. He said that the first year was not intended to be a big money maker that is obvious and it may or may not turn into something else. He said that as the man that runs the Balloon Festival for the last several years he took it down to eight balloons and the balloons were not coming from Front Royal but from neighbors.

Jim Edwards said that it was very likely that the Balloon Festival was not going to be a balloon festival for the fall event because he was not going to run it; and unless someone had done something that he did not know about, if there was anything there would be a tethered balloon or two.

David Boyce assured Mr. Edwards that his understanding was correct.

Jim Edwards said that the Balloon Festival may not work out to be a three-day event. He said that he had been working for years to try to come up with a plan that spread out events. He said that he hoped they would be able to do this on a trial basis this year; and if it turns out to be a good event and they do not lose money and grows into something bigger, so be it – it would be good but something, obviously, must go in exchange. He alluded to how his vote would go in the executive committee meeting scheduled for this afternoon with regard to the number of events.

David Boyce said that he wanted to mention that Long Branch has since obtained a cash sponsorship from WFTR for advertisement.

Vice Chairman Weiss stated that while he likes Long Branch, he did not feel that it was the Supervisor's job to help make it money but to protect the health and safety of the surrounding community; therefore, if Long Branch made money, that was great but it had absolutely nothing to do with what the Board was trying to figure out today.

David Boyce said that this is why they obtained the permits from all the others to ensure safety and his mantra is safety first. He added that he has been doing events for over twenty years of all sizes. He concluded that he believed this would be a wonderful event for the County and a great opportunity for economic development. He said that he apologized profusely for not getting the numbers mixed up and he said that he did not believe that was Mr. Ash's fault but he really did not think it was all Long Branches' fault. He said that there was a lapse of time and they were on parallel tracks and obtaining all

the other permits. Mr. Boyce said that Mr. Ash could show that some of the approvals came in late February and that he had been on this for a long time contrary to what Supervisor Dunning was saying.

Supervisor Dunning responded that he had heard nothing about this event until Mr. Ash had told him that he had turned it over to the Supervisors.

David Boyce opined that this was because the application had been over at the County. He went on to say that he had been scrutinizing this and drilling down on it.

Vice Chairman Weiss said that according to what he was reading there were 30 Johnny Blues 27 regular and 3 handicap.

David Boyce responded that this should take care of a crowd.

Vice Chairman Weiss said that this answered one question.

Supervisor Dunning added that Long Branch was anticipating a larger crowd and that Mr. Boyce was too professional to come in before the Supervisors and say that it was going to be under 500 but have 30 Johnny Blues. He opined that he believed there were comparable organizations that must be treated equally. He restated that he did not believe the event had been well planned. Mr. Dunning also informed Mr. Boyce that he had only found out about the event application on Monday and had individually called members of the Board about the matter.

David Boyce said that he thought Supervisor Dunning had been informed by his friends at Friends of the Shenandoah River and the Downstream Project putting forth that he believed that Mr. Dunning had lunch with them over a month ago at the Battletown Inn with George Ohrstrom.

Supervisor Dunning, again, maintained that he knew nothing about the event until Monday, April 18. He asked David Ash if he had called him.

David Ash responded that Supervisor Dunning had called him.

Chairman Hobert asked a question for clarification stating that it sounded like Mr. Boyce had gone in with an event that was stated for under 500 people but ultimately . . .

David Boyce interjected 'originally.'

Chairman Hobert continued but ultimately Mr. Boyce became aware that this was going to be a bigger event and he wanted to plan for a bigger event. He continued that Mr. Conrad indicated that he had reviewed it with the idea that it was going to be for substantially more than 500 people. Further, it would appear that the Health Department had suggested an certain number of port-a-potties if it was going to be a bigger event.

David Boyce stated that this was correct.

Chairman Hobert asked if the other departments . .

David Boyce interjected that yes they did.

Chairman Hobert continued that they all reviewed it as an event of more than 500.

David Boyce responded that for some of the other events like the ABC and the building and zoning.

Supervisor Byrd asked about Harvest Fest at Clermont. She said that he had mentioned that it was in its third year and asked how many people they had had at their utmost.

David Boyce said that he believed they had had 500 and some at the last event.

Supervisor Byrd asked if it went all day.

David Boyce said that it did.

Chairman Hobert said that they do not bill it as a music event and is not quite the same since the Long Branch event is planned more for music. He said that what the Supervisors were hearing was that the application was in fact for a medium event.

David Ash responded that the Supervisors were not hearing that because Long Branch had not given a number of attendees.

David Boyce said that this is what started this because David Ash's paper says 499.

David Ash said that 499 was a small event.

David Boyce opined that David Ash had this information since February.

David Ash responded that 500 to 999 was a medium event and anything larger is a large event and requires a public hearing.

Supervisor Byrd said that if Long Branch went for a medium event that would be up to 1,000 people they could do that now.

Chairman Hobert asked if Mr. Boyce could tell the Supervisors now what Long Branch would be applying for.

David Boyce said that they would be applying for 500 to 999 and would be fine. He continued stating that he thought it got kicked up to that number already.

David Ash stated that no, the number of attendees had not been changed. He said that it got kicked into the review process because of the number of event days not on the size; but the problem was the size anticipated is substantially over the 499 number. Mr. Ash put forth that since the Board of Supervisors was considering the matter where the size is indicated in the application there is no number but to be determined. He further stated that the right of access to the property had been modified.

Chairman Hobert asked Mr. Ash to explain the right of access.

David Ash said that the ordinance requires a release that allows County employees to enter the property for the purposes of enforcing the ordinance and have a form for this release. He further stated that this release must be on the County's form and that the form provided by Long Branch is not the County's form and is a modified release that allows the County to be on the property but only while accompanied by one of their officials.

Chairman Hobert asked Mr. Boyce for an explanation of the right of access.

David Ash stated that he had no explanation other than a rewritten form had been submitted.

Supervisor Dunning stated that the application was a mess.

Vice Chairman Weiss said that the Supervisors do not want to plan Long Branch's event and noted that it was Mr. Boyce's first time to apply. He continued that applications come to the County with fixed numbers that the applicant has provided that fall into the fixed numbers for small, medium and large events.

Supervisor Dunning said that when he spoke with David Ash on Monday that he had been told that if the event had not put Long Branch over the five-day threshold it would have gone in on the Consent Agenda and with administrative approval with under 500 people. He went on to state that it was now probably 2,000 to 3,000 or who knows if it is a good day.

David Ash clarified that there was no obligation or process for the County Administrator to bring small events to the Board of Supervisors and that it does not go on the Consent Agenda.

David Boyce opined that it was now in its fourth month but the number of events at Long Branch kicked it into another category. He said that it had evolved a little since then. He asked on behalf of everyone at Long Branch if they would consider approving this application to host an event at Long Branch between 500 and 999.

Chairman Hobert stated that he believed it would be helpful if the Board of Supervisors had known more precisely that this was the number for the event for which Long Branch

was applying and it would be helpful to know if the groups that reviewed the application reviewed it with that in mind. He said that it seems the agencies did take it as a larger event but that is not known for certain. He asked if Long Branch would be able to submit the application so that it could be processed in the next 30 days and reviewed at the May meeting.

David Boyce said that would be an incredibly tight timeline and a management decision whether to jettison the whole event because June 4 is not that far out. He opined again that because of the lapse of time between the original submission and today, it was originally going to be that number. He opined that the Sheriff's Department was really eager for this because they wanted to park some cars and do some service. He said that they had the capacity to accommodate. He said that he did not believe it was a matter of numbers [whether it was 499 or 501]; and opined that it did not matter.

Vice Chairman Weiss said that the problem as he saw it was that the County tried to set up a system that is very objective; when presented, the application is either complete or not complete. He continued that what the Supervisors had tried to do today was to punch that system for Long Branch; but that this puts the Board in a situation with which he was not comfortable and was not the intent of the ordinance. He said that he supports the event but the system has gone out the window today with this event.

David Boyce asked if it were 499 would it be within the system.

Chairman Hobert stated that an applicant can't come in and give a number just to please the Supervisors and the applicant must tell the Board what numbers are proposed for the event.

David Boyce said that he was aware of that but everyone was saying one number and he was saying another and they hadn't even discussed the weather yet. He said that these events can be nothing.

Chairman Hobert concurred that this can be risky business.

David Boyce said that this was all money being put out by Long Branch to generate revenue to carry other events along. He opined that if this event did not go there would probably be a number of wonderful events jettisoned.

Chairman Hobert stated that he was not sure they had any relationship as to why the Supervisors were talking about this event.

David Boyce said it was called revenue.

Supervisor Dunning opined that it was called blackmail.

Supervisor Byrd said that if this request had come to her from someone of whom she knew nothing she would question it but the County has been working with Long Branch for about twelve years or more and are a known quantity. She asked if the Supervisors were going to have faith in them. She did note that the work could have been more efficient. Mrs. Byrd said that she would like to see more economic development and like the natural aspect.

Chairman Hobert called for other comments.

Vice Chairman Weiss asked David Ash if there was a stipulation or regulation that if the event was denied if they were precluded from reapplying.

David Ash said that he was not aware of such a requirement but this was the first time such a thing had happened.

Supervisor Dunning moved to deny the special event permit application request for Rock N River. The motion to deny carried as follows:

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

Chairman Hobert stated that the application was denied. He continued stating that Mr. Boyce had heard from several Board members support for what Long Branch is trying to do but that it was important to follow the established guidelines to make these presentations. He indicated a resubmission might be possible; but; stated that he understood there could be business reasons why it could not be done at this time. He also stated that he did not think that the vote reflected a lack of support for Long Branch.

David Boyce said that with the number of events and that they did make the application in a timely manner.

Chairman Hobert stopped discussion on the matter.

David Boyce thanked the Supervisors for their time.

Committee Action

Personnel Committee

Expiration of Term for appointments expiring through February 2011

04/11/2011 Summary: The Personnel Committee recommended reappointment for:

Committee/Board	Appointee	Expiration Date
Clarke County Library Advisory Council <i>Mrs. Kalbian is re-appointed to a 4-year term.</i>	Maral Kalbian	04/15/2015
Clarke County Library Advisory Council <i>Mrs. Al-Khalili is re-appointed to a 4-year term.</i>	Adeela Al-Khalili	04/15/2015
Clarke County Library Advisory Council <i>Mr. Meeks is re-appointed to a 4-year term.</i>	Robert B Meeks	04/15/2015
Clarke County Library Advisory Council <i>Mrs. Zinman is re-appointed to a 4-year term.</i>	Maxine Zinman	04/15/2015
Clarke County Historic Preservation Commission <i>Mr. Nelson is re-appointed to serve a 1-year term at the Planning Commission representative to the Clarke County Historic Preservation Commission.</i>	Clifford Nelson	04/30/2012
Clarke County Planning Commission <i>Mr. Ohrstrom, II is re-appointed to a 4-year term.</i>	George Ohrstrom, II	04/30/2015

04/19/2011: Supervisor Byrd moved to confirm the appointments as presented. The motion was approved as follows:

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

Parks & Recreation Advisory Board: notify David Weiss of vacancy and request proposal of suitable replacement.

04/19/2011 Summary: Mr. Weiss advised that he was actively seeking a candidate. Chairman Hobert directed staff to write a resolution of appreciation of service rendered by Lawrence White.

Appointee Information Feedback Update

04/11/2011 Summary: The Personnel Committee instructed staff to provide them with the compiled data and inquired if the chairs of the various boards and committees had been provided with the data. Suggested FOIA training dates are still needed.

4/19/2011 Summary: Chairman Hobert instructed staff to select dates and coordinate FOIA training.

Sesquicentennial [150th] Committee Appointments

04/11/2011 Summary: An organizational meeting notice [scheduled for 3 pm on March 28] and request for appointment / confirmation from representative bodies was mailed 3/14/2011. The Personnel Committee was advised that the initial meeting was held but with very light turn out.

Recommendation to Require Annual Audit or 990 filing

04/11/2011: The Personnel Committee recommends that the Finance Committee consider the implication of making local funding dependent upon the filing of current annual audits and/or current 990 filings for financially supported agencies and/or organization.

04/19/2011 Summary: David Ash advised that this item would be placed on the May Finance Committee agenda.

Work Session*Access Independence Proclamation of disAbilities Awareness Week 2011*

04/11/2011: Donald Price, Executive Director Access Independence, Inc., requested the Supervisors adopt a Proclamation of disABILITY Awareness Week [2011-03P] April 9 through 15, 2011. Due to time constraints, adoption is requested at the Work Session. Supervisor Byrd moved to adopt Proclamation 2011-03P as presented. The motion was approved as follows:

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

04/19/2011 Summary: The Chair summarized the matter. No further action was taken.

Crossover Discussion with VDOT

04/11/2011: VDOT will be presenting the results of a study on the closure of a number of crossovers on Route 7 west of Berryville. VDOT presented information regarding their analysis of the Route 7 Crossovers west of Berryville. Based upon their analysis, VDOT recommended closure of the crossover identified as Crossover No. 2 located at milepost 6.89. The analysis also recommended improvements to Crossover No. 1 and Crossover No. 3.

04/19/2011 Summary: Continued discussion of crossovers was added to the evening session of the April 19 regular meeting.

Fee for Service

04/11/2011: Contacted the service provider that works with Winchester and Administration is in the process of providing the information they requested in order to make a recommendation on the feasibility of fee for service in Clarke County. David Ash updated the Board on the status of fee for service noting that upon provision of information regarding details of the number and nature of calls that Premier Accounts Receivable Management, a division of Valley Health, will provide an initial feasibility analysis.

04/19/2011 Summary: The Chair summarized the matter. No action was taken.

Line of Duty

04/11/2011: The County Administrator shall provide an update on the status of the program and seek direction from the Supervisors on the response. David Ash provided an update on status of line of duty coverage mandated by the state. The Board directed the County Administrator to ask the fire companies to review and provide the information required for active members only as requested by VRS.

04/19/2011 Summary: David Ash advised that he was waiting on responses from the fire companies for the requested information.

Double Tollgate Planning Project and CIG Application Materials

04/11/2011: Chuck Johnston will review a draft RFP for Double Tollgate Corridor Land Use Analysis. Chuck Johnston was directed to prepare additional information and maps depicting possible limits for a Double Tollgate Highway Corridor Plan and to modify the RFP to address evaluation of an alternative plan for development of corridor using wells and drainfields for presentation at the next work session May 9.

04/19/2011 Summary: Chairman Hobert instructed staff to draft a letter to Barbara Seldon in response to her query about water and sewer access in the Double Tollgate area.

Request for Local Government Certification Eviction Defense Representation in the Shenandoah Valley

04/11/2011: This item was added at the Work Session. Blue Ridge Legal Services submitted a last-minute request for local government for the above-named program asking for a response no later than the close of business Tuesday, April 12, 2011. Supervisor Staelin moved to approve the Request for Local Government Certification Eviction Defense Representation in the Shenandoah Valley as presented. The motion was approved as follows:

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

The County Administrator was instructed to request a presentation from BRLS on services provided to County residents.

04/19/2011 Summary: The Chair summarized the matter. No further action was taken.

Closed Session:

A. Senior Center Status Update

04/11/2011: The Board anticipates convening in closed session pursuant to 2.2-3711(A)(7) to consult with staff regarding specific legal matters.

B. Personnel Budget Matters

04/11/2011: The Board anticipates convening in closed session pursuant to §2.2.3711-(A)(1) to consult with staff regarding specific employees.

Vice Chairman Weiss moved to convene into Closed Session pursuant to 2.2-3711-(A)(7) for Items A and 2.2-3711-(A)(1) for Item B. The motion carried as follows:

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

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 Byrd moved to reconvene in open session. The motion carried as follows:

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

Supervisor Byrd 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:

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

No action was taken on matters discussed in Closed Session.

04/19/2011 Summary: No action was taken at the regular meeting.

FY2012 Budget Review and Discussion

04/11/2011 Update: Public hearing was conducted April 5, 2011. Reminder: Budget Work Session is scheduled for April 12, 2011 at 5:30 pm.

4/19/2011 Summary: The Chair summarized the matter. No action was taken.

VDOT – Secondary Six-Year Plan

04/11/2011 Update: Public hearing is set for the April 19, 2011 Regular Meeting.

04/19/2011 Summary: Public hearing was conducted during the evening session.

Redistricting

04/11/2011 Update: Public hearing set for April 19, 2011 Regular Meeting.

04/19/2011 Summary: Public hearing was conducted during the evening session.

Following review, **Supervisor Staelin approved to approve the minutes of Board of Supervisors Work Session. The motion carried as follows:**

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

Finance Committee

Tom Judge appeared before the Supervisors to review the Finance Committee recommendations from the April 11, 2011 committee meeting.

Transfer

04/11/2011 Summary: The Finance Committee recommends approval of the following transfer:

"Be it resolved that \$2,000 be transferred from Planning Administration to the Historic Preservation Commission for the purpose of covering planned and existing expenditures on professional services. "

4/19/2011: Supervisor Dunning moved to approve the transfer "Be it resolved that \$2,000 be transferred from Planning Administration to the Historic Preservation Commission for the purpose of covering planned and existing expenditures on professional services." The motion was approved as follows:

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

Software Integration Study.

04/11/2011 Summary: The Government Finance Officers Association has presented their findings to the Joint Administrative Services Board. The study calls for future investment in an Enterprise Resource Planning System to incrementally integrate diverse government and school software systems over time, beginning with Finance, Treasury, and Human Resource applications. The Joint Administrative Services will consider the study at their next meeting, and comments from the Board of Supervisors and School Board are welcome. The Finance Committee recommends that the Joint Administrative Services Board arrange a visit to a community, preferably our size and in the Commonwealth, to learn more about the costs and benefits of such a system.

04/19/2011: Tom Judge advised that the Finance Committee's recommendation would be reviewed at the April 28 Joint Administrative Services meeting.

Supervisor Dunning urged caution suggesting that the matter might be delayed until the economy is improved.

FY 12 Budget Changes.

04/11/2011 Summary: Budget changes were discussed, and have been acted upon by the Board of Supervisors on April 12.

School Supplemental Appropriation Request.

04/11/2011 Summary: The Finance Committee was informed of an expected request by the School Board to recognize additional State and Federal funding in the form of a supplemental appropriation. The School Board was to take up this request at a meeting on April 13. The expected action is as follows:

"Be it resolved that the School Board hereby requests of the Board of Supervisors an FY11 budgeted expenditure increase and supplemental appropriation of \$94,028, and the recognition of additional revenue from the Federal and State governments in the same amount, these funds to be used as follows:

- Increase contingency for annual leave payouts, etc \$57,503

- Software purchase \$14,000
- Purchased Services athletics \$7,000
- Vehicle Maintenance Supplies \$6,500
- School Supplies \$9,025
- TOTAL \$94,028

04/19/2011 Summary: Tom Judge informed the Supervisors that both the School Board and the Finance Committee had approved the request and advised that the funds were available.

Supervisor Staelin moved to approve the supplemental appropriation as presented. The motion was approved as follows:

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

School Debt Service Shortfall.

04/11/2011 Summary: The Finance Committee was informed that the interest earnings on the bond proceeds for the high school estimated to be \$124,000 less than budgeted. The Committee proposed no action at this time pending additional information regarding the status of County accounts at year end Fiscal 2011.

04/19/2011 Summary: Tom Judge advised that no action was needed at this time but the matter would most likely return to the Board before the end of the fiscal year.

Acceptance of March Bills and Claims.

04/11/2011 Summary: The Finance Committee recommended acceptance of this report.

04/19/2011: Supervisor Staelin moved to accept the March Bills and Claims report as presented. The motion carried by the following vote:

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

John R. Staelin - Aye

Standing Reports

04/11/2011 Summary: Reconciliation of Appropriations; General Fund Balance; General Fund Expenditure Summary were recommended for approval by the Finance Committee.

Government Projects Update

Highlights of project update provided by David Ash include:

Joint Building Committee:

- Met with counsel and consultant to review plans for correcting deficiencies in HVAC in the Berryville Clarke County Government Center.
- County attorney, with our consultant, is planning a meeting with the mechanical engineering firm that designed the HVAC system and their counsel.

Circuit Courthouse:

- Project nearing completion and should be ready for occupancy in mid-May.
- The current architect did not participate in work specific to the HVAC necessitating the negotiation of a special release form.

Commonwealth Attorney & Sheriff's Office Building:

- Remaining funds from the Circuit Courthouse project shall be used to perform renovations/repairs to the Commonwealth Attorney and Sheriff's buildings.
- The courts have entered a formal request to use the existing Commonwealth Attorney's office building for file storage for the court system.
- Repurposing the Commonwealth Attorney's office building will be problematic due to the lack of plumbing and other factors.

Supervisor Byrd moved to refer to the Building Committee consideration and development of proposal of potential for the Commonwealth Attorney's building, along with the old Library building. Further, to bring back to the Board of Supervisors the proposal for decision. The motion carried by the following vote:

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

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John R. Staelin - Aye

Summary Of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process approved minutes.	Lora B. Walburn
2.	Execute and forward Agreement Between Clarke County and Shenandoah Farms Sanitary District.	David Ash
3.	Execute and forward Resolution Of The Board Of Supervisors Of Clarke County Virginia, Consenting To The Issuance Of Revenue Obligations By The Northwestern Regional Jail Authority Pursuant To The Second Amended And Restated Regional Jail Agreement And Other Matters In Connection Therewith 2011-08R.	David Ash
4.	Provide letter of denial to Historic Long Branch.	David Ash
5.	Process appointments.	Lora B. Walburn
6.	Prepare resolution of appreciation of service rendered by Lawrence White.	David Ash
7.	Select dates and coordinate training for FOIA.	David Ash
8.	Add Recommendation to Require Annual Audit or 990 filing to May Finance Committee.	David Ash
9.	Draft a letter to Barbara Seldon in response to her query about water and sewer access in the Double Tollgate area.	Chuck Johnston
10.	Add review of Finance Committee recommendations for the Software Integration Study to the next Joint Administrative Services meeting.	Tom Judge
11.	Refer to the Building Committee consideration and development of proposal of potential for the Commonwealth Attorney's building, along with the old Library building. Further, to bring back to the Board of Supervisors the proposal for decision.	David Ash
12.	Update code CC-11-03.	Lora B. Walburn
13.	Coordinate filing of CC-11-03 2011-02ORD with the Department of Justice.	Barbara Bosserman
14.	Prepare and forward 2011-10R Virginia Department of Transportation Secondary Six-Year Plan 2011 – 2017 and Construction Budget 2011-2012	Lora B. Walburn

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<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
15.	Modify and forward to VDOT FY2012-2017 Six-Year Improvement Program priority letter.	Lora B. Walburn
16.	Modify Resolution Opposing Designation Of A Northern Virginia North-South Corridor Of Statewide Significance By The Commonwealth Transportation Board 2011-09R	J. Michael Hobert
17.	Process and forward Resolution Opposing Designation Of A Northern Virginia North-South Corridor Of Statewide Significance By The Commonwealth Transportation Board 2011-09R	Lora B. Walburn
18.	Local Government Certification Eviction Defense Representation in the Shenandoah Valley request a presentation from BRLS on services provided to County residents.	David Ash

Board Member Committee Status Reports

Supervisor John Staelin distributed graphs containing USGS information titled "*Duration Plot and Table of 28-Day Average Stream Flow*" and "*Groundwater Watch*" dated April 19, 2011. He noted that on a cumulative basis groundwater levels in the county were at a normal level.

Updates from other Board members were not given due to time constraints.

Closed Session

Supervisor Byrd moved to convene into Closed Session pursuant to 2.2-3711-(A)(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.

J. Michael Hobert, Chair	- Aye
David S. Weiss, Vice Chair	- Aye
Barbara J. Byrd	- Aye
A.R. Dunning, Jr.	- Aye
John R. Staelin	- 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 Dunning moved to reconvene in open session. The motion carried as follows:**

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

Supervisor Dunning 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:

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

No action was taken on matters discussed in closed session.

At 4:40 pm Chairman Hobert recessed the meeting until 6:30 pm.

At 6:34 pm Chairman Hobert reconvened the meeting.

Chairman Hobert advised those present that the agenda had been modified to include discussion of the draft Resolution Opposing Designation of a Northern Virginia North-South Corridor of Statewide Significance by the Commonwealth Transportation Board distributed to Board members during the afternoon session.

Citizens Comment Period

Gem Bingol, Piedmont Environmental Counsel, appeared before the Supervisors to address the proposed designation of a Northern Virginia North-South corridor of statewide significance by the Commonwealth Transportation Board. She provided a brief history advising that the matter had only recently come to the fore, apparently with little to no discussion or solicitation of comment from local jurisdictions impacted by the decision. Ms. Bingol distributed a handout provided at the Loudoun County Board of Supervisors meeting today advising that the Loudoun Supervisors had voted 6 / 2 in support of sending a letter of opposition.

Chairman Hobert assured Ms. Bingol that the matter was scheduled for review later in the meeting.

PH 11-10: CC-11-03 Chapter 40 Voting Districts

Chuck Johnston appeared before the Supervisors to summarize the redistricting necessitated subsequent to the 2010 census. Using colored maps, he provided a detailed review of the proposed changes to election districts.

At 6:46 pm Chairman Hobert opened the public comment portion of the public hearing.

Franklin Robert, Boyce resident and Mayor – Town of Boyce: asked if moving the district lines helped and asked for explanation as to why the change was necessary.

Chairman Hobert advised that the growth of the Town of Berryville created some of the problem and that an equalized number of persons in each district was required.

Being no others desiring to address the Supervisor, at 6:48 pm Chairman Hobert closed the public comment portion of the public hearing.

Chuck Johnston urged the prompt action on the proposed ordinance change noting the need to meet election deadlines.

Registrar Barbara Bosserman added that the Department of Justice has a minimum of 60 days to review and respond to the proposed redistricting noting that a certified copy of the ordinance must accompany the submission.

Supervisor Dunning asked Mr. Johnston to review again for the Supervisors the proposed changes.

Chairman Hobert noted that the proposed ordinance referred to Code text, as well as maps; and he suggested that the County Administrator, as well as Board of Supervisors Chair, sign the ordinance.

Supervisor Staelin moved to adopt the proposed ordinance Clarke County Code Change CC-11-03 including reference to the attachment and maps and that it be signed by both the County Administrator and the Board of Supervisors Chair.

The motion was approved by the following vote:

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

Chairman Hobert thanked Chuck Johnston and Barbara Bosserman for their diligence in attending to the matter of redistricting for Clarke County.

ORDINANCE 2011-02ORD

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held at the Town/County Government Center on 2011 April 19, on motion by Supervisor Staelin, the Board of Supervisors adopted an Ordinance (Byrd Aye; Dunning Aye; Hobert Aye; Staelin Aye; Weiss Aye) of proposed amendments to Clarke County Code, Section 40, Election Districts, so as to change the Clarke County Election District boundaries including reference to the attachment and maps.

WHEREAS, the 2010 Census shows the County population to have increased from 12,652 to 14,034 (+11.4%);

WHEREAS, the Code of Virginia, Section 24.2-304.1 requires equal population for Election Districts, which based on the 2010 Census would be 2807;

WHEREAS, Election Districts populations are allowed to vary by plus or minus 5%, which is a range of 2667 to 2947;

WHEREAS, the Code of Virginia, Section 24.2-305, requires Election District Boundaries to be "clearly defined and clearly observable boundaries" to include roads, rivers, and other permanent physical features recognized on official maps; and

WHEREAS, several segments of the Berryville Election District boundaries followed the Town of Berryville corporate limits in 2001 and Town corporate limits have changed since 2001;

NOW THEREFORE BE IT ORDAINED THAT the Clarke County Board of Supervisors approves the following amendments to Clarke County Code, Section 40, Election Districts, so as to change the Clarke County Election District boundaries.

Code of Clarke County, Virginia
Chapter 40 Voting Election Districts

§ 40-1. ~~Voting~~ **Election** districts established and defined; population of districts and supervisor representation

A. Election Districts of Clarke County, pursuant to, ~~voting districts, established and as set to~~ **by the** authority contained in the Code of Virginia, § 15.2-1400, § 24.2-304.1-7, and § 15.2-1211 ~~of Clarke County~~ are hereby created and set forth in ~~subsection (c)~~ of this section.

(a) The ~~voting~~ **election** districts with populations set forth are as follows; supervisor representation to be as indicated:

Berryville --- ~~2,631~~ **2,852**, represented by one supervisor.

Buckmarsh --- ~~2,401~~ **2,854**, represented by one supervisor.

Millwood --- ~~2,540~~ **2,729**, represented by one supervisor.

Russell --- ~~2,420~~ **2,896**, represented by one supervisor.

White Post --- ~~2,552~~ **2,703**, represented by one supervisor.

(b) The boundaries of the respective ~~voting~~ **election** districts are as set forth below, and when reference is made in the following descriptions to a road, **railroad**, or river as a boundary, it shall be construed to mean the center line of such boundary:

Berryville
Voting
Election
district.

Berryville ~~voting~~ **election** district shall comprise the area bounded as follows:

- ~~Beginning at the intersection of U.S. Route 340 and Harry Byrd Highway (Virginia Route 7 Bypass),~~
- **Beginning at the intersection of North Buckmarsh Street (U.S. Route 340) and Mosby Boulevard (Virginia Route 1035),**
- ~~thence in a northwesterly direction with Harry Byrd Highway to the western limits of the Town of Berryville,~~
- **thence in a northwesterly direction with Mosby Boulevard to its intersection with Jackson Drive (Virginia Route 1041),**
- **thence in a southwesterly direction with Jackson Drive to its intersection with West Main Street (Virginia Route 7 Business),**
- **thence in a northwesterly direction with West Main Street to corporate limits of the Town of Berryville,**
- thence in southwesterly and southeasterly direction with the town limits to Alexander Street **Drive**,

- ~~thence in an southeasterly direction with Alexander Street and Hermitage Boulevard to the southern limits of the Town of Berryville at U.S. Route 340,~~
- *thence in a southeasterly direction with Alexander Drive to its intersection with Hermitage Boulevard (Virginia Route 1029)*
- *thence in a southeasterly direction with Hermitage Boulevard to its intersection with Dunlap Drive (Virginia Route 1028),*
- *thence in a northeasterly direction with Dunlap Drive to its intersection with Henderson Court (Virginia Route 1027)*
- *thence in a southeasterly direction with Henderson Court to its intersection with Taylor Street (Virginia Route 1006),*
- *thence in a southeasterly direction with Taylor Street to its intersection with South Buckmarsh Street (U.S. Route 340),*
- *thence in a southwesterly direction with South Buckmarsh Street to its intersection with Hermitage Boulevard (Virginia Route 1029),*
- *thence in a southeasterly direction with Hermitage Boulevard to its intersection with South Church Street (Virginia Route 616),*
- *thence in a southwesterly direction with South Church Street to its intersection with South Buckmarsh Street (U.S. Route 340),*
- *thence in a southwesterly direction with South Buckmarsh Street to the corporate limits of the Town of Berryville,*
- *thence in a southeasterly direction with the Berryville town limits to its intersection with the Norfolk Southern Railroad,*
- *thence in a northeasterly direction with the Norfolk Southern Railroad its intersection with Jack Enders Boulevard (Virginia Route 613 700),*
- *thence in a northerly direction with Jack Enders Boulevard to its intersection with East Main Street (Virginia Route 7 Business), thence in a westerly direction with East Main Street to its intersection with Boom Road **First Street** (Virginia Route 615),*
- *thence in a northeasterly direction with Boom Road **First Street** to its intersection with **East** Fairfax Street (**Virginia Route 1026**),*
- *thence in a westerly direction with **East** Fairfax Street to its intersection with Soldiers Rest Lane (the eastern property line of Tax Map Parcel 142A-((A))-17),*
- *thence in a northeasterly direction with Soldiers Rest Lane, (the eastern property line of Tax Map Parcels 14A2-((A))-17 and 17A) to its intersection with the northern limits of the Town of Berryville,*
- *thence in a westerly direction with the Berryville town limits to its intersection with **North Buckmarsh Street** (U. S. Route 340),*
- ~~thence in a northerly~~ *southerly* ~~direction with U.S. Route 340 **North**~~

Buckmarsh Street, to its intersection with ~~Harry Byrd Highway~~, **Mosby Boulevard (Virginia Route 1035)**, the point of beginning.

Buckmarsh
Voting
Election
District

Buckmarsh voting **election** district shall comprise the area bounded as follows:

- Beginning at **the intersection of** Lord Fairfax Highway (U. S. Route 340) with the Jefferson County line,
- thence in a southeasterly direction with the Clarke-Jefferson County line to its intersection with the Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to **Harry Byrd Highway (Virginia Route 7)**,
- thence in a westerly direction with Harry Byrd Highway (~~Virginia Route 7~~) to ~~the~~ **its** intersection ~~of~~ **with** Pine Grove Road (Virginia Route 679),
- thence **in a westerly direction** with Pine Grove Road to its intersection with Harry Byrd Highway (**Virginia Route 7**),
- thence with **in a westerly direction with** Harry Byrd Highway to the Shenandoah River,
- thence in a southwesterly direction with the Shenandoah River to a point in the center of the Shenandoah River nearest the intersection of Lockes Mill Road (Virginia Route 613) and Briggs Road (Virginia Route 621),
- thence in a westerly direction with Lockes Mill Road and in a northerly direction with Springsbury Road (both Virginia Route 613) to its intersection with **Jack Enders Boulevard (Route 700)**,
- **thence in a northerly direction with Jack Enders Boulevard to its intersection with** East Main Street (Virginia Route 7 Business),
- thence in a westerly direction with East Main Street to its intersection with ~~Boom Road~~ **First Street** (Virginia Route 615),
- thence in a northeasterly direction with ~~Boom Road~~ **First Street** to its intersection with Fairfax Street,
- thence in a westerly direction with Fairfax Street to Soldiers Rest Lane (the eastern property line of Tax Map Parcel 14A2-((A))-17),
- thence in a northeasterly direction with Soldiers Rest Lane (the eastern property line of Tax Map Parcel 14A2-((A))-17 and 17A) to its intersection with the northern **corporate town** limits of **the Town of Berryville**,
- thence in a westerly direction with the Berryville town limits to its intersection with **Lord Fairfax Highway (U. S. Route 340)**,
- thence in a northeasterly direction with ~~U. S. Route 340~~ **Lord Fairfax Highway** to its intersection with the Jefferson County line, the point of beginning.

Blue Ridge
Precinct of

The Blue Ridge Precinct of the Buckmarsh ~~Voting~~ **Election** District described above shall comprise the area bounded as follows:

the
Buckmarsh
Voting
Election
District

- Beginning at the intersection of the Clarke-Jefferson County line with the Clarke-Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to Harry Byrd Highway (Virginia Route 7),
- thence in a westerly direction with Harry Byrd Highway to the intersection of Pine Grove Road (Virginia Route 679),
- thence with Pine Grove to its intersection with Harry Byrd Highway (**Virginia Route 7**),
- thence with Harry Byrd Highway in a westerly direction to the Shenandoah River,
- thence in a northerly direction with the Shenandoah River to the Clarke-Jefferson County line,
- thence in an easterly direction with the Clarke-Jefferson County line, the point of beginning.

The Buckmarsh Precinct shall comprise the remaining area as set forth in the above description of the Buckmarsh ~~voting~~ **election** District.)

Millwood
voting
Election
District

Millwood ~~voting~~ **election** district shall comprise the area bounded as follows:

- Beginning at the intersection of Senseny Road (Virginia Route 657) and Janeville Road (Virginia Route 652),
- thence in an easterly direction with Senseny Road to ~~the~~ **its** intersection with ~~Lord Fairfax Highway (U.S. Route 340)~~ **Westwood Road (Route 636)**,
- **thence in a northeasterly direction with Westwood Road to its intersection with West Main Street (Virginia Route 7 Business),**
- **thence in a southwesterly direction with West Main Street to corporate limits of the Town of Berryville,**
- **thence in southwesterly and southeasterly direction with the town limits to Alexander Drive,**
- **thence in a southeasterly direction with Alexander Drive to its intersection with Hermitage Boulevard (Virginia Route 1029)**
- **thence in a southeasterly direction with Hermitage Boulevard to its intersection with Dunlap Drive (Virginia Route 1028),**
- **thence in a northeasterly direction with Dunlap Drive to its intersection with Henderson Court (Virginia Route 1027)**
- **thence in a southeasterly direction with Henderson Court to its intersection with Taylor Street (Virginia Route 1006),**
- **thence in a southeasterly direction with Taylor Street to its intersection with South Buckmarsh Street (U.S. Route 340),**
- **thence in a southwesterly direction with South Buckmarsh Street to**

- its intersection with Hermitage Boulevard (Virginia Route 1029),*
- *thence in a southeasterly direction with Hermitage Boulevard to its intersection with South Church Street (Virginia Route 616),*
 - *thence in a southwesterly direction with South Church Street to its intersection with South Buckmarsh Street (U.S. Route 340),*
 - *thence in a southwesterly direction with South Buckmarsh Street to the corporate limits of the Town of Berryville,*
 - *thence in a southeasterly direction with the Berryville town limits to its intersection with the Norfolk Southern Railroad,*
 - *thence in a northeasterly direction with the Norfolk Southern Railroad its intersection with Jack Enders Boulevard (Virginia Route 613 700),*
 - *thence in a northeasterly direction with Jack Enders Boulevard to its intersection with East Main Street (Virginia Route 7 Business),*
 - ~~*thence in a northerly direction to a point where Lord Fairfax Highway intersects the southern limits of the Town of Berryville,*~~
 - ~~*thence in an easterly direction with the town limits to Springsbury Road (Virginia Route 613),*~~
 - *thence in a southerly direction with Springsbury Road to its intersection with Lockes Mill Road (Virginia Routes 618 and 613),*
 - *thence in an easterly direction with Lockes Mill Road (Virginia Route 613) to the intersection of Briggs Road (Virginia Route 621),*
 - *thence to a point in the center of the Shenandoah River nearest the intersection of Lockes Mill Road and Briggs Road,*
 - *thence in a northeasterly direction with the Shenandoah River to its intersection with Harry Byrd Highway (Virginia Route 7),*
 - *thence in an easterly direction with Harry Byrd Highway to the its intersection with Pine Grove Road (Virginia Route 679),*
 - *thence in an easterly direction with Pine Grove Road to its intersection with Harry Byrd Highway (Virginia Route 7),*
 - *thence continuing with Harry Byrd Highway to the Loudoun County line,*
 - *thence in a southwesterly direction with the Clarke-Loudoun County line to its intersection with John Mosby Highway (U. S. Route 50),*
 - *thence in a westerly direction with John Mosby Highway to its intersection with Millwood Road (Virginia Route 723),*
 - *thence continuing in a westerly direction with Millwood Road to a point where Spout Run intersects Millwood Road east of the village of Millwood,*
 - *thence in a northwesterly direction with Spout Run and its tributary Page Brook Run to a point where Page Brook Run intersects Lord Fairfax*

Highway (U. S. Route 340),

- thence in a northeasterly direction with Lord Fairfax Highway to its intersection with ~~Pyletown Road (Virginia Route 620)~~ **Annefield Road (Virginia Route 633)**,
- thence in a westerly direction with ~~Pyletown Road~~ **Annefield Road** to its intersection with ~~Summerville Road~~ **Janeville Road** (Virginia Route 652),
- thence with ~~Summerville Road~~ which becomes Janeville Road (both ~~Virginia Route 652~~) in a northerly direction to its intersection with Senseny Road (Virginia Route 657), the point of beginning.

Pine Grove
Precinct of
the
Millwood
Voting
Election
District

The Pine Grove Precinct of the Millwood ~~Voting~~ **Election** District described above shall comprise the area bounded as follows:

- Beginning **in the center of the Shenandoah River nearest to a point** at the intersection of Lockes Mill Road and Briggs Road (Virginia Route 613 and 621),
- thence in a northeasterly direction with the Shenandoah River to its intersection with Harry Byrd Highway (Virginia Route 7),
- thence in an easterly direction with Harry Byrd Highway to the intersection with Pine Grove Road (Virginia Route 679),
- thence in an easterly direction with Pine Grove Road to its intersection with Harry Byrd Highway (**Virginia Route 7**),
- thence continuing with Harry Byrd Highway to the Clarke-Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to its intersection with Morgans Mill Road (Virginia Route 605),
- thence in a westerly direction with Morgans Mill Road, to its intersection with Frogtown Road (Virginia Route 649),
- thence in a southerly direction to Morgan Mill Stream,
- thence in a westerly direction with Morgan Mill Stream to its intersection with the Shenandoah River,
- thence in a northwesterly direction with the Shenandoah River to a point in the center of the Shenandoah River nearest the intersection of Lockes Mill Road and Briggs Road (Virginia Route 613 and 621), the point of beginning.

(The Millwood Precinct shall comprise the remaining area as set forth in the above description of the Millwood ~~Voting~~ **Election** District.)

Russell
Voting
Election
District

Russell ~~voting~~ **election** district shall comprise the area bounded as follows:

- Beginning at a corner of Frederick, Clarke, and Jefferson Counties,
- thence in a southeasterly direction with the Clarke-Jefferson County line to its intersection with Lord Fairfax Highway (U. S. Route 340),

- thence in a southwesterly direction with Lord Fairfax Highway to its intersection with Harry Byrd Highway (Virginia Route 7 Bypass), **at which point U.S. Route 340 becomes North Buckmarsh Street** thence in a northwesterly direction with Harry Byrd Highway to the western limits of the Town of Berryville, **southwesterly direction with North Buckmarsh Street to its intersection with Mosby Boulevard, (Virginia Route 1035),**
- **thence in a northwesterly direction with Mosby Boulevard to its intersection with Jackson Drive (Virginia Route 1041),**
- **thence in a southwesterly direction with Jackson Drive to its intersection with West Main Street (Virginia Route 7 Business),**
- **thence in a northwesterly direction with West Main Street to Westwood Road (Virginia Route 636),**
- **thence in a southwesterly direction with Westwood Road to its intersection with Senseny Road (Route 657),**
- ~~thence in southwesterly and southeasterly direction with the town limits to Alexander Street,~~
- ~~thence in an southeasterly direction with Alexander Street and Hermitage Boulevard to the southern limits of the Town of Berryville at Lord Fairfax Highway,~~
- ~~thence in a southwesterly direction to its intersection with Senseny Road (Virginia Route 657),~~
- thence in a westerly direction with Senseny Road to the Frederick County Line,
- thence in a northeasterly direction with the Clarke-Frederick County line to the corner of Frederick, Clarke, and Jefferson Counties, the point of beginning.

White Post
Voting
Election
District

White Post ~~voting~~ **election** district shall comprise the area bounded as follows:

- Beginning at a corner between Frederick, Clarke, and Warren Counties,
- thence in a northerly direction with the Frederick and Clarke County line to Senseny Road (Virginia Route 657),
- thence in an easterly direction with Senseny Road to its intersection with Janeville Road (Virginia Route 652),
- thence with Janeville Road ~~which becomes Summerville Road (both Virginia Route 652)~~ in a southerly direction to its intersection with ~~Pyletown Road (Virginia Route 620)~~ **Annfield Road (Virginia Route 633),**
- thence with ~~Pyletown Road~~ **Annfield Road** in a southeasterly direction to its intersection with Lord Fairfax Highway (U.S. Route 340),

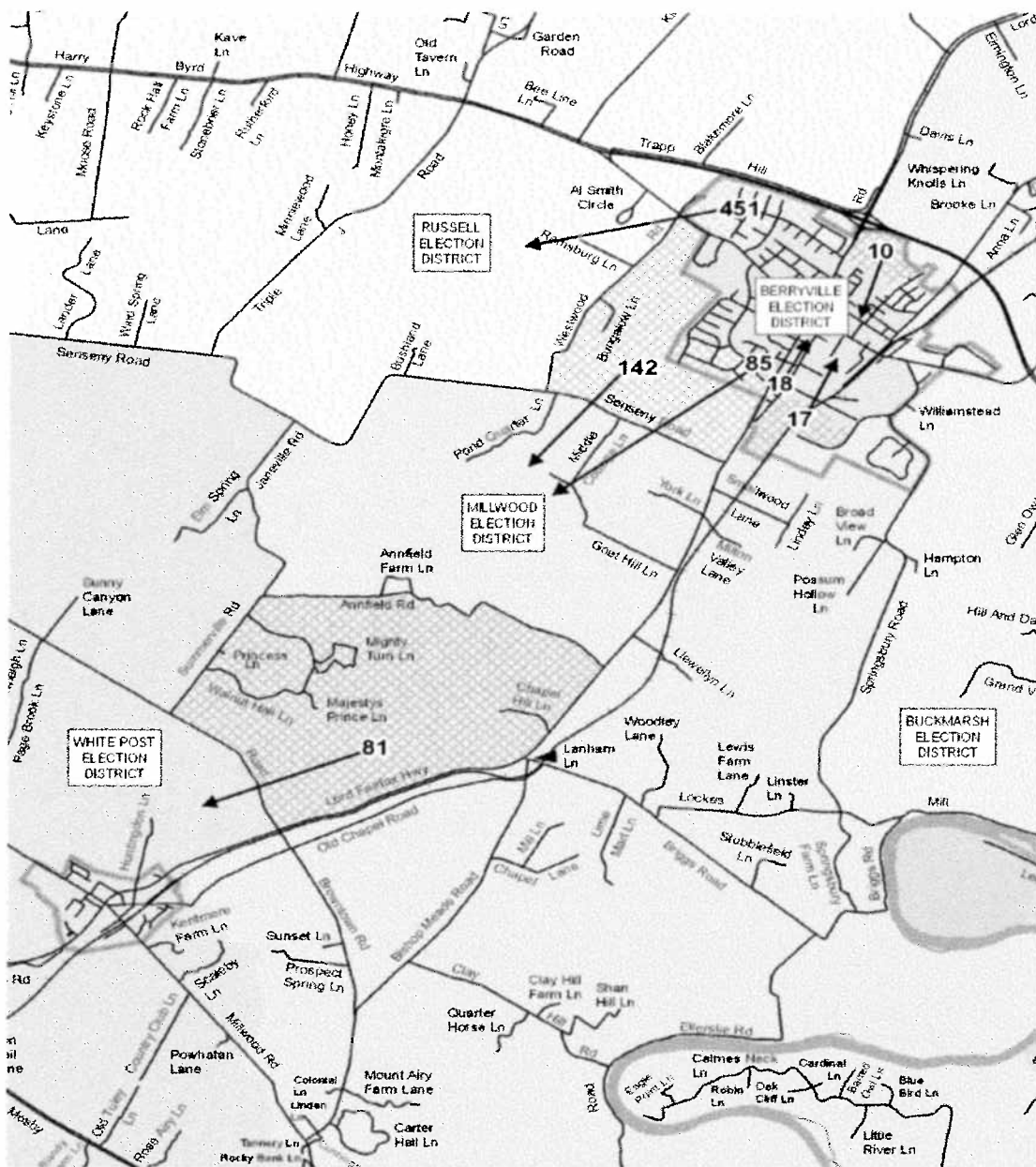
- thence in a southerly direction with Lord Fairfax Highway to its intersection with Page Brook Run,
- thence in a southerly direction with Page Brook until it joins Spout Run,
- thence in a southerly direction with Spout Run to a point east of the village of Millwood where Spout Run intersects Millwood Road (Virginia Route 723),
- thence in an easterly direction with ~~Lord Fairfax Highway~~ **Millwood Road** to its intersection with John Mosby Highway (U.S. Route 50),
- thence continuing in an easterly direction with John Mosby Highway to the Loudoun County line,
- thence in a southwesterly direction with the Fauquier County line at its intersection with the Warren County line,
- thence in a westerly direction with the Warren County line to a corner between Frederick, Clarke, and Warren Counties, the point of beginning.

2011 Redistricting Maps

Map 1: Below is a map of changes to County Board of Supervisors election districts in the Berryville area.



Map 2: This map shows the other area of change in election districts, near Boyce.



The effective date of this ordinance shall be 2011 May 16, or as soon thereafter as the U.S. Department of Justice interposes no objection.

Attest:

Attest:
CC-11-03

J. Michael Hobert, Chair

David L. Ash, Clerk

PH 11-07: VDOT Secondary Six-Year Plan 2011 – 2017 and Construction Budget 2011-2012

Ed Carter, VDOT, Six-Year Plan Programs and Enhancement, appeared before the Supervisors to review the Secondary Six-Year Plan for 2011-2017 and the Construction Budget for 2011-2012. Highlights include:

- Westwood Road: while close, full funding is not yet available.
- Ebenezer Road: box culvert ordered and will set in place as soon as weather permits.
- Old Charles Town Road: federally funded.
- Town of Boyce Main Street: this revenue sharing project is on hold pending additional instructions from the Town of Boyce
- Old Winchester Road: federally funded and is included on Frederick County's budget
- New hard surface projects: Ebenezer Road: remainder of the road is to be paved. – remainder of Ebenezer Road.
- Unprioritized and Unfunded Unpaved Roads: Allen Road: only road on list

At 6:56 pm Chairman Hobert opened the public comment portion of the public hearing. There being no persons present desiring to address VDOT or the Supervisors the public comment portion of the public hearing was closed.

Supervisor Byrd queried Mr. Carter about the Allen Road project. Mr. Carter advised that Allen Road was not on the six-year plan explaining that it was shown on the unprioritized and unfunded listing to serve as remainder.

Supervisor Dunning requested to go on record again in opposition to the replacement of the bridge on Old Charlestown Road voicing his preference for structure repair. Ed Carter responded that VDOT was keeping its options open.

Vice Chairman Weiss moved to approve VDOT Secondary Six-Year Plan 2011 – 2017 and Construction Budget 2011-2012 as presented. The motion was approved by the following vote:

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

Virginia Department of Transportation Secondary Six-Year Plan 2011 – 2017 and Construction
Budget 2011-2012
Resolution 2011-10R

At a regular meeting of the Board of Supervisors of the County of Clarke, Virginia, held at the Main Meeting Room, Second Floor, of the Berryville Clarke County Government Center, on Tuesday, April 19, 2011 at 6:30 p.m.

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

On motion by Vice Chairman David Weiss and carried unanimously:

WHEREAS, Section 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan;

WHEREAS, this Board has previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2011/12 through 2017/17), as well as the Construction Priority List (2011/12) on Tuesday, April 19, 2011 at 6:30 p.m. after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List;

WHEREAS, Mr. Ed Carter, Six-Year Plan Programs and Enhancement, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2011/12 through 2016/17) and the Construction Priority List (2011/12) for Clarke County;

NOW, THEREFORE BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Clarke County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2011/12 through 2016/17) and Construction Priority List (2011/12) are hereby approved as presented at the public hearing.

CLARKE COUNTY
SECONDARY SYSTEM IMPROVEMENT PLAN
MAJOR PROJECTS
2011/2012 through 2016/2017

ROUTE	ROAD NAME	FROM	TO	AVERAGE DAILY TRAFFIC COUNT	DESCRIPTION OF WORK	VICINITY	ESTIMATED COST	TENTATIVE AD/START DATE	COMMENTS
636	Westwood Rd./ Mosby Blvd.	0.16 miles S Rt. 7 Bus	0.39 miles N Rt. 7 Bus	560	Reconstruction	Town of Berryville	\$3,620,070	1/2012	Approx. \$250K=300K Short on funding
604	Ebenezer Road	S Rt. 607	.4 miles S Rt. 607	100	Reconstruction	Bluemont	\$815,559	10/2010	Fully funded under rural rustic concept

ROUTE	ROAD NAME	FROM	TO	AVERAGE DAILY TRAFFIC COUNT	DESCRIPTION OF WORK	VICINITY	ESTIMATED COST	TENTATIVE AD/START DATE	COMMENTS
761	Old Charlestown Road	At Frederick/Clarke Co line		1200	Replace bridge structure		\$1,366,492	6/2017	Federal Funds
723	Main Street	0.13 miles E Rt. 340	0.16 miles E Rt. 340	1000	Reconstruction SW & gurb/gutter	Town of Boyce	\$144,468	9/2011	Revenue Sharing
723	Old Winchester Road	.05 miles E County line	.05 miles W County line	880	Replace bridge structure		\$1,258,038	10/2014	Federal Funds

UN/SH-Unscheduled

*Listed in Frederick County's Secondary Plan

CLARKE COUNTY
SECONDARY SYSTEM IMPROVEMENT PLAN
NEW HARDSURFACE PROJECTS
2011/2012 through 2016/2017

PRIORITY	ROUTE	ROAD NAME	FROM	TO	LENGTH(miles)	AVERAGE DAILY TRAFFIC COUNT	VICINITY	ESTIMATED COST	TENTATIVE AD/START DATE	COMMENTS
1)	604	Ebenezer Road	0.4 mi S Rt. 607	Int. Rt. 605	1.4 miles	100		Est. Cost \$280,000	5/2012	Potential Rural Rustic

UN/SH-Unscheduled

CLARKE COUNTY
SIX YEAR PLAN
UNPRIORITIZED/UNFUNDED PROJECTS
FOR UNPAVED ROADS

ROUTE	ROAD NAME	FROM	TO	AVERAGE DAILY TRAFFIC COUNT	LENGTH (miles)	REQUEST	COMMENTS
639	Allen Road	Rt. 611	0.9 mi W Rt. 611	170	0.9 Miles	Potential Rural Rustic	Est. Cost \$180,000
639	Allen Road	0.90 mi W Rt. 611	Int. Rt. 632	170	1.67 Miles	Potential Rural Rustic	Est. Cost \$334,000

CLARKE COUNTY
SIX YEAR PLAN
UNPRIORITIZED/UNFUNDED PROJECTS

ROUTE	ROAD NAME	FROM	TO	AVERAGE DAILY TRAFFIC COUNT	LENGTH (miles)	REQUEST	COMMENTS

ATTEST:

David L. Ash, Clerk
Clarke County Board of Supervisors

VDOT

Jerry Copp – Maintenance and Operations Items and Residency Administrator, and Carter – Six-Year Plan Programs and Enhancement, Recreational Access; with Charlie Monroe – Area Maintenance Superintendent; appeared before the Supervisors to provide the monthly update.

- Maintenance work completed in March:
 - Conducted pipe cleaning operations along Route 601;

- Performed grading operations on non-hard surfaced Routes 603, 604, 605, 621, 639, 644 and 652;
- Performed street sweeping in the Town of Berryville;
- Conducted Boom Axe operations on Routes 612 and 658 and brush cutting along Route 612 with state forces;
- Performed brush cutting along Route. 761 with contractors;
- Repaired potholes at various locations throughout the County;
- Performed litter pick up on Routes 7, 50 and 340;
- Continued county-wide sign repair and replacement and made shoulder repairs along Route 7.
- Repaired potholes on various routes;
- Maintenance work planned for April:
 - Continue with litter pick up and brush cutting along various routes utilizing contractors;
 - Continue pipe cleaning operations along Route 601;
 - Perform pipe replacement on Route 606;
 - Conduct patching operations on various routes and use contractors to pave on primary routes;
 - Perform street sweeping in the Town of Boyce;
 - Perform dust control on non-hard surfaced roads;
 - Continue with Boom Axe operations and sign repair/replacement at various locations throughout the County.
 - Use Contractor forces for brush removal on other various routes;
- Other Projects:
 - Route 636, Mosby Road:
 - Held FI meeting on April 14, 2011.
 - Project is continuing to move forward on schedule.
 - Updated estimate indicates that project is fully funded excluding additional lighting on Mosby Road extended.
 - Mr. Carter advised that at the FI meeting he had been advised that the project was not fully funded, roughly \$150,000 short.
 - Route 604 – Still on schedule weather permitting.
 - Route 723 – While no official decision on the curb and gutter replacement has been made, the Town of Boyce has signaled its intention to abandon the project.

Chuck Johnston advised that Boyce Town Council, considering other more pressing priorities, believes that the commitment of funds may be too great to pursue the project at this time. This matter is set for further review at the next regularly scheduled meeting of the Boyce Town Council.

- Supervisor Comments and Requests:
 - Vice Chairman Weiss: Route 608 south [Parshall Road] past Hill and Dale Farm on the turn across from Mr. Lawson's house there is a washout problem and the edge of the road is getting deep and jagged.
 - Supervisor Byrd noted that Old Charlestown Road is also washout in areas.
 - Ed Carter urged Supervisors to call Charlie Monroe or he with any problems relating to public roadways.

Continued Discussion Route 7 Crossover Recommendations

Ed Carter stated that at the last Board Work Session he had reviewed VDOT's federally funded program H7 Highway Safety Improvement Program. He advised that a safety audit was conducted on Route 7 between the intersections of Route 635 and Route 660 and it was hoped that available funds, approximately \$225,000, could be used to address safety issues. After that audit, VDOT's traffic engineers conducted a study; and they are recommending:

- Closing the center crossover;
- Placement of additional turning lanes both east and west on the other two crossovers
- Extending the left turn lanes and the right turn lanes at the two intersections at 635 and 660;
- Adding additional striping and pavement markings;
- Adding additional signage.

Mr. Carter stated that the total cost of all their recommendations is approximately \$500,000. He said that VDOT would be applying for additional funds over and above the \$225,000; but, for the \$225,000, it was believed that VDOT could make interim improvements that coincide with the recommendations of closing the center cross over and placing a west bound left turn lane at the crossover closest to Route 635 and an east bound left turn lane at the crossover closet to Route 660. He advised that once the additional funding was received they would complete the remainder of the recommended improvements.

Chairman Hobert clarified that the center crossover is already closed to left turns heading west.

Supervisor Dunning opined that this was the most dangerous of the crossovers in that particular area on Route 7.

Ed Carter concurred adding that it has the least amount of sight distance of the other two noting that there have been several accidents in and around that entire stretch.

Supervisor Dunning clarified that it was the recommendation of VDOT that this crossover be the first one closed in the area.

Vice Chairman Weiss expressed some hesitation opining that the turn lanes would almost touch each other.

Ed Carter concurred adding that the turn lanes would be fairly close noting that they must be built to specific standards.

Supervisor Byrd clarified that VDOT would be placing exit ramps on the straight stretch, Minnie Wood Flats, before Pierce Road and Moose Road and they would improve the next exit to the east at the top of the hill.

Vice Chairman Weiss opined that while he understood that residents wanted the other crossover, it was illogical to put in turn lanes when they would almost run into each other. He opined that from a practical standpoint of spending money it did not make sense.

Ed Carter said that turn lanes cost between \$65,000 to \$80,000 each. He added that VDOT was bound to construct to specific standards when using federal funds.

Supervisor Byrd commented that there was already a great deal of traffic in this area.

Supervisor Staelin moved to approve VDOT's recommendations to improve safety and traffic flow providing that the short-term improvements identified for Route 7, Route 635 intersection, Moose Road, Pierce Road, Crossover 1-MP 6.52 and Crossover 3-MP 7.40 and VA7 and Route 660 intersection to be completed prior to or at the same time as the proposed closure of Crossover 2-MP 6.89 with a longer turn lane extension being completed as soon as possible. Also, let the record show that the sight limitations make it impossible to improve Crossover 2-MP 6.89 to meeting current standards and provide sufficient sight distance to and from Crossover 1-MP 6.52 and to provide sufficient sight distance to perform evasive maneuvers when traffic is slowed or stopped at the location.

The motion carried by the following vote:

J. Michael Hobert, Chair	- Aye
David S. Weiss, Vice Chair	- Aye

Barbara J. Byrd	- Aye
A.R. Dunning, Jr.	- Aye
John R. Staelin	- Aye

FY2012-2017 Six-Year Improvement Program Discussion

Supervisor Staelin provided an overview of the process specific to the Boards input on the six-year primary highway plan. He reviewed the proposed priorities. Chuck Johnston provided background information.

Keith Dalton, Manager - Town of Berryville, stated that the Town was still interested in the project for Route 7 Business on the east side of Berryville (approximately .94 miles of Primary Highway). He advised that the east side was Councils' priority; however the west side is still part of Business Route 7 and important.

Supervisor Staelin asked the Board to consider removing the projects for drainage in Town of Boyce and Route 7 west.

Vice Chairman Weiss put forth that Route 7 east would require purchase of right of ways. Keith Dalton, while acknowledging difficulty going to three lane in this section, stated that improvement of this area is warranted and desirable. He added that constituents have requested sidewalks and entrance controls.

By consensus, the Supervisors eliminated Item No. 4. Rt. 340 Drainage in the Town of Boyce from the list of priorities.

Chairman Hobert noted that Item 7 Rt. 7 Business on the west side of Berryville (approx. 1.2 miles of Primary Highway) had been on the list of priorities since 1992, longer than any of the other projects. By consensus, the Supervisors agreed to leave this project on the list of priorities.

Vice Chairman Weiss approve sending the FY2012-2017 Six-Year Improvement Program letter to the Virginia Department of Transportation with the elimination of Item 4 as shown in the presented material.

The motion was approved by the following vote:

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

Programming Director
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 22207

The Clarke County Board of Supervisors has reviewed its priorities for primary road improvements in the County and requests the Commonwealth Transportation Board to allocate available funds accordingly. The following list of projects has been put before the CTB for many years. We realize that the Commonwealth's transportation improvements are being made within severe financial limitations; nevertheless, we feel that these projects are of significant benefit to the Commonwealth as well as Clarke County.

Currently, two projects are underway that the County would like to be completed:

1. *Rt. 7 Business (West Main Street)/ Rt. 636 (Westwood Rd) intersection and Rt. T-1035 (Mosby Boulevard) extension on west side of Berryville*
This project is the County's top priority, as it will serve the new county high school that is under construction as well as two existing schools.
2. *Waterloo Intersection (Rts. 17/50 [John Mosby Highway] and Rt. 340 [Lord Fairfax Highway])*
This project was first put on our priority list in 1992. Partial funding for engineering design has been approved and we ask for full funding to complete the design phase of this project.

The County's priorities for future projects are:

1. *Rt. 340 (Lord Fairfax Highway) and Rt. 657 (Senseny Road) intersection .5 miles south of Berryville*
This project has been on our list of priorities since 1998. This continues to be a very unsafe intersection.
2. *Rt. 7 (Harry Byrd Highway) and Rt. 612 (Shepherds Mill Road) intersection 3 miles east of Berryville*
This intersection is unsafe due to sight distance and increases volume of traffic
3. *Double Tollgate (Intersection of Rts. 277, 340, and 522)*
This project has been a priority since 1997; traffic volumes on Rt. 522 increased 34% from 2001 to 2009.
4. *Rt. 7 Business on east side of Berryville (approximately .94 miles of Primary Highway)*
This project has been on our list of priorities since 1995.
5. *Park and Ride lot on Rt 7, preferably located in Frederick County, origin of most commuter traffic*
Commuter traffic on Rt. 7 increased 55% from 2001 to 2009; alternatives to SOVs must be provided.
6. *Rt. 7 Business on the west side of Berryville (approx. 1.2 miles of Primary Highway)*

This project has been on our list of priorities since 1992.

Attached is the Transportation Component of the County Comprehensive Plan, containing a more detailed description of each project. Again, we appreciate any assistance you can provide.

Regards,
Michael Hobert, Chairman
Copy: Dr. James A. Davis, Virginia Commonwealth Transportation Board
[Note: Attachment not provided in body of minutes.]

Resolution Opposing Designation of a Northern Virginia North-South Corridor of Statewide Significance by the Commonwealth Transportation Board

When queried by the Board regarding this matter, Ed Carter stated that he was not qualified to comment on the particulars. He offered to obtain information from the planning group and have them address the Supervisors.

Chairman Hobert explained that he had received a number of calls from citizens expressing concern; and in response, he had drafted a resolution that had been distributed to the Supervisors at the afternoon session.

Gem Bingol stated that Loudoun County Board of Supervisors was the only known entity that had acted on the proposed corridor however she noted that the proposed corridor runs through their district.

Supervisor Staelin put forth that Clarke and Loudoun have a mutual concern and he stressed the importance of supporting local involvement, local control, as well as due process. He offered several suggests for inclusion in the proposed resolution.

Supervisor Dunning suggested the addition of a note of support/

Vice Chairman Weiss expressed concern for an apparent lack of foresight and planning on the part of the Commonwealth transportation Board.

Supervisor Staelin moved to adopt the resolution as modified. The motion was approved by the following vote:

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

Chairman Hobert instructed staff to forward the executed resolution to the Commonwealth Transportation Board, Loudoun County Board of Supervisors, Clarke County Board of Supervisors, Governor McDonnell, Senator Vogel, and Delegate May.

RESOLUTION OPPOSING DESIGNATION OF A NORTHERN VIRGINIA NORTH-SOUTH
CORRIDOR OF STATEWIDE SIGNIFICANCE BY THE COMMONWEALTH TRANSPORTATION
BOARD 2011-09R

WHEREAS, members of the Commonwealth Transportation Board have initiated action to designate a Northern Virginia North-South Corridor of Statewide Significance running from Route 95 to new bridge crossings across the Potomac River between Route 28 and Route 15; and

WHEREAS, this is believed to be the same route and land area proposed in the past as the Outer Beltway and Western Transportation Corridor; and

WHEREAS, designation of an area as a Corridor of Statewide Significance requires a locality to include the Corridor of Statewide Significance in its Countywide Transportation Plan and the Loudoun County Board of Supervisors has voted down the project; and

WHEREAS, such a designation without the approval of the locality diminishes local control over land use decisions and opportunities for public input, and could lead to a situation where the Clarke County Board of Supervisors and Clarke County residents will no longer control the location, timing, or size of roads or other transportation infrastructure within Clarke County and the Corridor of Statewide Significance; and

WHEREAS, studies and anecdotal evidence have consistently indicated that the major traffic congestion and obstructions in Clarke County and adjacent communities are in their East-West corridors; and

WHEREAS, past studies indicate that additional North-South Corridors in the area proposed would add additional traffic to Route 7 and Route 50, thereby likely increasing Clarke and neighboring county traffic congestion and the hours residents spend on the road; and

WHEREAS, during a decade of data analysis and planning efforts from 2000 through 2011, including the 2009 selection and approval of 11 Corridors of Statewide Significance, neither State transportation staff nor the Commonwealth Transportation Board offered sufficient justification to designate a Northern Virginia North-South Corridor of Statewide Significance; and

WHEREAS, two of the current Corridors of Statewide Significance include Dulles Airport as a primary linkage point and three of the current Corridors of Statewide Significance address transportation issues in Northern Virginia; and

WHEREAS, past studies have estimated that design and construction of an Outer Beltway would cost \$500 million or more; and

WHEREAS, none of the current eleven Corridors of Statewide Significance are fully funded; and

WHEREAS, the Governor’s priority list for transportation improvements did not include a north-south corridor within the land area proposed for a Northern Virginia North-South Corridor of Statewide Significance; and

WHEREAS, the selection of the first eleven Corridors of Statewide Significance involved extensive study, analysis, and public input; and

WHEREAS, the Commonwealth Transportation Board has neither undertaken such studies for this proposal nor sought comment from local governments and their residents on this matter.

NOW, THEREFORE BE IT RESOLVED, that the Clarke County Board of Supervisors supports Loudoun County in its opposition to the creation by the Commonwealth Transportation Board of a Northern Virginia North-South Corridor of Statewide Significance.

Adopted this 19th day of April 2011

Attest:

J. Michael Hobert, Chair

David L. Ash, County
Administrator

Adjournment

There being no further business to be brought before the Board at 7:35 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, May 24, 2011 at 1:00 p.m. in the Main Meeting Room, 101 Chalmers Court, 2nd Floor, Berryville, Virginia.

ATTEST: April 19, 2011

J. Michael Hobert, Chair

David L. Ash, County Administrator

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

Clarke County Board of Supervisors

Consent Agenda

- VACo Group Self-Insurance Risk Pool Line of Duty Coverage Member Agreement
- VRS Opt-Out Resolution
- Town of Boyce VDOT Revenue Sharing Withdrawal – Letter of Notification
- Brengle/Crocker/Osborne Easement Donation Authorization
- Letter of Support for Small Watershed Grant Application



VACORP

**LINE OF DUTY
COVERAGE PROGRAM**

Presented by

**Virginia Association of Counties Risk Pool
308 Market Street, SE, Suite 1
Roanoke, VA 23011
888-822-6772**

Line of Duty Coverage Program

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 - a. Instructions
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5. Services
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 - a. Addendum to VACoRP Member Agreement
 - b. Resolution to Opt Out of VRS Line of Duty Fund



LINE OF DUTY ACT

Overview

The Line of Duty Act provides certain benefits to eligible “high hazard” employees and volunteers while acting within their authorized duties.

Line of Duty benefits include the following:

- Death Benefit of \$100,000 to include Presumption Claims
- Death Benefit of \$25,000 for Presumption Claims, if within 5 years of retirement
- Continuation of Health Insurance for:
 1. Employee/Volunteer (in case of Permanent Disability)
 2. Spouse (in case of Death or Permanent Disability)
 3. Children (in case of Death or Permanent Disability)*

* Children are eligible to age 21; college students are eligible to age 25.
Healthcare law changes to do not impact this benefit.

Effective July 1, 2011, the cost of the Line of Duty benefits will shift from the State to the employing local government agency, which will be responsible for funding the cost of all:

- active claims for health care benefits
- future claims for death and health care benefits

Effective July 1, 2010, the State established the Line of Duty Fund with money borrowed from the Virginia Retirement System (VRS) Life Insurance Fund to pay all benefits for FY2010-11.

Local governments have only a few options available to fund all liabilities associated with the Line of Duty Act:

- Purchase Coverage from the Line of Duty Fund managed by VRS
- Opt out of the Line of Duty Fund and individually self fund
- Opt out of the Line of Duty Fund and group self fund through VACoRP

VACoRP has received approval from the Bureau of Insurance to provide a group self insurance funding mechanism for Line of Duty Act benefits.

The remainder of this document will provide guidance on how to classify paid and volunteer personnel, consider coverage issues and review specific cost considerations for the short and long-term.



COVERAGE

If a locality wishes to self fund Line of Duty benefits, there are several issues which must be considered.

1. Past Liabilities

The Locality will be responsible for funding all active claims at the time the locality elects to opt out of the Line of Duty Fund. **VACoRP includes a provision in the rates to fund the past liabilities for members with active claims.** This liability has two components:

- a. expected annual benefit payments
- b. reserves associated with the active claims

For example, County A has three active past claims with annual benefit payments totalling \$20,000. County A is responsible for the \$20,000 in annual payments. County A would also have to record a liability on its balance sheet for the expected total payments to be made over the life of these three claims.

2. Future Liabilities

The Locality will be responsible for funding all future claims on an annual basis. **VACoRP will cover all new claims occurring on or after July 1, 2011, including direct and indirect costs imposed by the Department of Accounts.**

3. Incurred But Not Reported Losses (IBNR)

Line of Duty claims have a five year statute of limitations. The locality is responsible for funding claims that occurred during that period even if the claims are unknown. **VACoRP includes a "prior acts" coverage provision to provide coverage for unknown claims that occurred on or after July 1, 2006 and which are reported to the Member after the Member is no longer eligible for participation in the Line of Duty Fund**



Who is Covered?

The following is a list of paid and volunteer personnel eligible for the Line of Duty Act benefit if they are killed or permanently disabled while performing authorized job functions.

Paid Personnel (eligible while performing all authorized duties)	
Sheriff	EMT
Deputy Sheriff	Paramedic
Jail Superintendent (Local or Regional)	Animal Control Officer
Correctional Officer	Firefighter
Police Chief	Firemedic
Police Officer	Hazardous Material Officer

Paid Personnel (eligible under special circumstances)

“Any employee of any county, city or town performing official emergency management or emergency services duties in cooperation with the Department of Emergency Management, when those duties are related to a major disaster or emergency, as defined in 44-146.16, that has been or is later declared under the authority of the Governor in accordance with 44-146.28 or a local emergency, as defined in 44-146.16...”

The County should review its emergency management plan. Any individual authorized to respond in the event of an emergency would be eligible during the course of the declared emergency. **VACoRP is providing coverage to these individuals but is not asking members to schedule these employees in their contribution calculations.**

Volunteer Personnel (eligible while performing all authorized duties)

“A member of any fire company or department or rescue squad that has been recognized by an ordinance or a resolution of the governing body of any county, city or town...”

The key word for volunteers is “member.” Technically, it does not matter how volunteers are classified: any person listed on the roster as a “member” would be eligible for benefits. Detailed information of Volunteer classifications will appear in the “Volunteer Classification” section of this document.

Potential Volunteer Member Classifications:	
Active	Support
Inactive	Probationary
Lifetime Active	On Leave
Lifetime Inactive	Associate
Auxiliary	Honorary
Junior	



NOTE: These Classification Instructions are specific to VACORP and may be different from those presented by VRS.

PAID EMPLOYEE CLASSIFICATION INSTRUCTIONS

Localities need to begin the process of tracking, annually, the paid employees that fall within the definition of eligibility for Line of Duty Benefits.

Step 1

A paid employee **Internal Use Document** has been provided to assist your calculation. You do not need to use this form if the information is otherwise available.

Step 2

Complete the paid employee **Internal Use Document** for EACH department with eligible employees. (Please refer to the *Who is Covered?* section of this document). Only count actual employees on staff.

- Each full-time paid employee is counted as 1 eligible employee.
- Each part-time person should be counted based on the hours worked compared to a full-time equivalent (40 hour) position. (Ex. 20 hours per week is .5 of a full time equivalent position).
- Auxiliary positions (these are almost exclusively in the Sheriff's office) should be counted as .5 of a full time equivalent position.

Step 3

A Paid employee **Master Document*** is provided. Please list each department and staff totals on this form.

Step 4

Return the **Master Document*** to VACoRP. VACoRP will charge only for the actual number of paid employees as of July 1st each year. There will be no audit provision, meaning VACoRP will not ask for corrected totals at year's end.

Step 5

Keep **Internal Use Document** (or other available documentation) updated and available during the course of the year.

***All worksheets are Excel spreadsheets. These worksheets include formulas that automatically calculate totals. Please be aware of this when entering data.**



VOLUNTEER FIRE & RESCUE CLASSIFICATION INSTRUCTIONS

Localities need to begin the process of tracking, annually, volunteer fire & rescue personnel that are eligible for Line of Duty Benefits. Covered Paid Employees that also Volunteer are to be counted both at the Paid Employee rate and the Volunteer rate. Volunteers that appear on rosters of multiple companies should only be counted once.

Step 1

The Locality should send a request for data to each volunteer company located in the County. An **Internal Use Document** has been provided to assist your calculation of volunteers. You do not need to use this form if the information is otherwise available.

The request for data should include the number of:

1. Active Members
2. Junior Members
3. Auxiliary Members
4. all additional volunteer classifications as shown on the **Volunteer Master Document***. Counties should try to obtain this comprehensive data, if possible, although it is not required for coverage.

For companies located within the borders of a Town, the County should verify that the Town is including that company on its roster. If not, the County should include that volunteer company on its roster. Do not include volunteer companies located within the borders of a City, even if you contribute funds.

More detailed recommendations of the type of information required from volunteer companies will be made as the program progresses and after a full legal review has been completed.

Step 2

Complete the **Volunteer Master Document*** for EACH company that has eligible volunteers. (Please refer to the *Who is Covered?* section of this document).

Step 4

Return the **Volunteer Master Document*** to VACoRP. VACoRP will charge only for the actual number of volunteers as of July 1 each year. There will be no audit provision, meaning VACoRP will not ask for corrected totals at year's end.

Step 5

Keep **Volunteer Master Document*** (or other available documentation) updated and available during the course of the year.

***All worksheets are Excel spreadsheets. These worksheets include formulas that automatically calculate totals. Please be aware of this when entering data.**



SERVICES PROVIDED BY VACoRP

Claims Services

- Review all active claims to verify the accuracy of the award. This includes verification of eligibility of spouse and dependents
- Review all new claims for accuracy of award for the employee, spouse and dependents
- Provide assistance in filing disputes of awards
- Provide supporting documentation to Member

Risk Control Services

- Provide additional safety training and support to public safety personnel
- Provide assistance to volunteer companies on behalf of Member
- Develop model policies and procedures for both paid and volunteer personnel
- Provide support to Member in gathering volunteer data
- Develop model resolutions and ordinances to deal with volunteer exposures

Administrative Services

- Provide quarterly Line of Duty reports
- Assist member with HR related benefit matters
- Contract/Resolution/Ordinance reviews



MEMBERSHIP REQUIREMENTS

Because Line of Duty coverage is complementary to Workers' Compensation coverage, localities must purchase Workers' Compensation coverage from VACoRP to be eligible for VACoRP Line of Duty coverage*. This is necessary to allow the Pool to compare the Line of Duty awards to workers' compensation investigations. Members will be required to submit the following documentation:

1. Paid Employee Master Document
2. Volunteer Master Document
3. Executed Line of Duty Addendum to the Member Agreement (attached)

All Members will receive assistance in establishing internal incident reporting procedures and drafting internal policies relating to the continuation of health insurance for future claimants.

For Members with Active Claims, VACoRP will assist Members in requesting the appropriate data from the Department of Accounts. Once this data is received, VACoRP will assist Members in determining any appropriate changes that may reduce the cost of existing claims.

*Large Deductible Line of Duty coverage plans are available outside the WC participation requirement. Minimum deductible is \$100,000. Please contact VACoRP for details.



LINE OF DUTY
ADDENDUM TO THE
MEMBER AGREEMENT FOR
VIRGINIA ASSOCIATION OF COUNTIES
GROUP SELF INSURANCE RISK POOL

THIS ADDENDUM IS EFFECTIVE IF THE APPROPRIATE CONTRIBUTION IS PAID FOR LINE OF DUTY COVERAGE.

THIS AGREEMENT, in addition to the general conditions and agreements contained in the Member Agreement for Virginia Association of Counties Group Self Insurance Risk Pool, which are incorporated herein and made a part hereof, the following provisions apply exclusively to Line of Duty coverage, pursuant to the Line of Duty Act, Chapter 4 of Title 9.1 of the Code of Virginia, between all the parties who are now or may hereafter become Members of the Line of Duty coverage of the Virginia Association of Counties Group Self Insurance Risk Pool (VACoRP), a Group of political subdivisions;

WHEREAS, the Members of the Group have agreed to provide for joint and cooperative action to self-insure and to pool their separate liabilities arising pursuant to the terms of the Line of Duty Act (“LODA”);

WHEREAS, the Members intend this Addendum as a mutual covenant of assumption of joint and several liability and shall not be deemed to form or to be a partnership;

NOW, THEREFORE, for and in consideration of the mutual covenants, promises and obligations contained herein, which are given by the Group and each Member to each other Member and so accepted by each Member and the Group, the parties hereto covenant and agree as follows:

1. Membership

Each Member hereby agrees that the Group may admit as Members of the Pool only acceptable political subdivisions in the Commonwealth of Virginia or agencies thereof as defined in Chapter 27 of Title 15.2 of the Code of Virginia. Subject to the provisions of Chapter 27 of Title 15.2 of the Code of Virginia, and rules adopted thereunder relating to the approval of Members and the Group’s bylaws, the Board shall be sole judge as to whether or not an applicant shall be admitted to membership. Each Member agrees that a Member may, at the sole discretion of the Board, be terminated from membership in the Pool at any time after ninety (90) days notice in writing has been given to such Member, except that a Member may be terminated at any date after thirty (30) days written notice to such Member for non-payment of contributions or assessments. Except as otherwise expressly provided, no liability shall accrue to the Pool or to the remaining Members for any liability of any terminated Member arising subsequent to the date of termination specified in said notice and such terminated Member shall be separately and solely responsible for any liability arising thereafter.

2. Limit of Liability

Each and all of the Members jointly and severally agree to assume, pay and discharge any liability under LODA of any and all Member employers; and each Member agrees to pay such assessments as may be required pursuant to paragraph 15 of the Member Agreement.

Liability of VACoRP to the employees of any Member is specifically limited to such obligations as are imposed by law against the employer Member under LODA to the extent applied for and approved by the Group. Upon approval by the Board, liability of VACoRP extends to certain volunteer employees of a Member as specified in LODA upon the Member's compliance with the requirements of LODA.

3. Inspection of Member's Facilities and Records

The Board, the Administrator, the Service Agent, and any of their agents, servants, employees or attorneys, shall be permitted at all reasonable times to inspect the Member's work places, plants, works, machinery, and appliances covered by this Addendum, and shall be permitted at all reasonable times within two (2) years after the final termination of the membership to examine Member's books, vouchers, contracts, documents, and records of any and every kind which show or tend to show or verify the contribution which is payable under the terms hereof.

4. Risk Management

In the event of an accident or a reported claim, each Member agrees to make immediate provision for the care of his employee, and to give immediate notification of the accident to the Service Agent on the prescribed forms. Costs of such care shall be paid by the Group to the extent required by LODA.

5. Punitive or Exemplary Damages

The coverage of the Group shall not apply to punitive or exemplary damages asserted or awarded by or to any employee of any Member under LODA whether because of bodily injury to an employee employed in violation of law, or otherwise.

6. Disbursements

The Members jointly and severally covenant and agree that there shall be no disbursements to Members or former Members of the Group out of funds of the Group by way of dividends or distribution of claim reserves until after provision has been made for all obligations of the Group under LODA and except at the discretion of the Board upon application to and approval by the State Corporation Commission, Bureau of Insurance.

7. Miscellaneous

a. The Group, the Member which is a party hereto, and each other Member, whether now or to become a Member, agree to be bound by all the terms and conditions of this Agreement

b. If any provision of this Agreement is held invalid, such invalidity shall not affect other provisions of this Agreement which can be given effect without the invalid provision, and to that end the provisions of this Agreement are severable.

c. The Association and each Member agree with each other Member, whether now or to become a Member, to be bound by all the terms and conditions to this Agreement.

IN WITNESS WHEREOF, this Addendum is executed on behalf of the Member named herein and by the Group on behalf of the Members collectively, each by a duly authorized representative.

By: _____
Authorized Representative Date

Name: _____
Member Organization Name

VIRGINIA ASSOCIATION OF COUNTIES
GROUP SELF INSURANCE RISK POOL (VACoRP)

By: _____
Authorized Representative

Document to Opt Out of VRS Line of Duty Fund

**RESOLUTION TO SELF FUND
LINE OF DUTY ACT CLAIMS**

WHEREAS, the Commonwealth of Virginia has created the Line of Duty Act Fund for the payment of liabilities prescribed by and administered under the Line of Duty Act, § 9.1-400 et seq. of the Code of Virginia; and

WHEREAS, the Commonwealth of Virginia has shifted the cost of paying past and present liabilities under the Line of Duty Act, from the State to local government entities through Item 258 of the 2011 Budget Bill; and

WHEREAS, _____
(entity name)
is automatically included in the Line of Duty Act Fund unless it opts out by June 30, 2012, and chooses to self fund its obligations under the Line of Duty Act; and

WHEREAS, _____
(entity name)
desires to opt out of the Line of Duty Act Fund and self fund all liabilities relating to its past and present covered employees under the Line of Duty Act;

NOW, THEREFORE, BE IT RESOLVED that the governing body of _____
(entity name)
hereby agrees to opt out of the Line of Duty Act Fund effective June 30, 2011, and self fund all liabilities relating to its past and present covered employees under the Line of Duty Act effective July 1, 2011.

Adopted this _____ day of _____, 2011.

ATTEST: _____
Clerk or Secretary

Chairman

Clarke County Board of Supervisors



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

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

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

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

White Post Voting District
A.R. Dunning
(540) 837-1719

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

RESOLUTION TO SELF-FUND LINE OF DUTY ACT CLAIMS 2011-11R

WHEREAS, the Commonwealth of Virginia has created the Line of Duty Act Fund for the payment of liabilities prescribed by and administered under the Line of Duty Act, § 9.1-400 et seq. of the Code of Virginia; and

WHEREAS, the Commonwealth of Virginia has shifted the cost of paying past and present liabilities under the Line of Duty Act, from the State to local government entities through Item 258 of the 2011 Budget Bill; and,

WHEREAS, the Clarke County Board of Supervisors is automatically included in the Line of Duty Act Fund unless it opts out by June 30, 2012, and chooses to self fund its obligations under the Line of Duty Act; and,

WHEREAS, the Clarke County Board of Supervisors desires to opt out of the Line of Duty Act Fund and self fund all liabilities related to its past and present covered employees under the Line of Duty Act;

NOW, THEREFORE BE IT RESOLVED that the governing body of the County of Clarke Virginia hereby agrees to opt out of the Line of Duty Act Fund effective June 30, 2011, and self fund all liabilities related to its past and present covered employees under the Line of Duty Act effective July 1, 2011

Adopted this 24th Day of May, 2011

J. Michael Hobert, Chair
Clarke County Board of Supervisors

ATTEST:

David L. Ash, Clerk
Clarke County Board of Supervisors

Clarke County Board of Supervisors



Berryville Voting District
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(540) 837-1719

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

2011 May 24

Ed Carter, Program Manager
Edinburg Residency
Virginia Department of Transportation
14031 Old Valley Pike
Edinburg, VA 22824

Re: Project 0723-021-154, N501 (UPC 00074044), Boyce Main Street Drainage Improvements

At a regular meeting of the Clarke County Board of Supervisors on Tuesday, May 24th of 2011, the Board voted (_____) to abandon the above referenced Revenue Sharing project.

On November 1st of 2004 the County entered into an agreement with the Virginia Department of Transportation on the behalf of the Town of Boyce for a project on East Main Street (Virginia Route 723) to “construct sidewalk, curb, gutter, and stormwater from the Northern Southern Railroad to Route 340”. Subsequently, the west end of the project was shortened by .12 miles (634 feet) on the west end. This work was to be accomplished with \$72,234 in County funds, to be reimbursed from the Town, and \$72,234 in state funds.

An initial engineering survey identified a series of issues regarding grade and minimal stormwater facilities for this segment of East Main Street. It was determined that addressing all the issues would likely mean the entire budget would be spent on engineering costs, with no actual improvement work being done. So, the project scope was narrowed to the area between the Railroad tracks and the Town Hall. Then, a VDOT maintenance crew investigated the condition of the stormwater pipe under the Norfolk Southern Railroad and flushed debris from this pipe. This maintenance work had the affect of allowing stormwater to pass more quickly resulting in less ponding on East Main Street. Further, the Town has recently taken on additional fiscal obligations with a renovation of the Town Hall, in part to repair a failure in the building’s ceiling.

These circumstances have led the Town Council and the Board of Supervisors to conclude that potential impacts on the health, welfare, or safety of Town residents did not warrant pursuing this project at this time nor would it be fiscally prudent.

Michael Hobert, Chair

Copy: Franklin Roberts, Mayor

TOWN of BOYCE

V I R G I N I A

Council Member

Franklin Roberts,
Mayor
(540) 837-2044

Richard Campbell
(630) 287-0262

Melvina (Billie) Hott
(540) 837-1401

Town Office
Post Office Box 209
Boyce, VA 22620
540-837-2901



Council Member

Tamara Myer,
Town Clerk
(540) 837-2109

Carol Everly
(540) 837-2740

Erika Kelble
(540) 837-1478

Planning Office
101 Chalmers Court
Berryville, VA 22611
540-955-5130

2011 May 10

Michael Hobert, Chair
Clarke County Board of Supervisors
101 Chalmers Court
Berryville, VA 22611

Re: Project 0723-021-154, N501 (UPC 00074044), Boyce Main Street Drainage Improvements

At a regular meeting of the Boyce Town Council on Tuesday, May 4th of 2011, the Council voted unanimously (all present) to abandon the above referenced Revenue Sharing project.

On November 1st of 2004 the County entered into an agreement with the Virginia Department of Transportation on the behalf of the Town of Boyce for a project on East Main Street (Virginia Route 723) to “construct sidewalk, curb, gutter, and stormwater from the Northern Southern Railroad to Route 340”. Subsequently, the west end of the project was shortened by .12 miles (634 feet). This work was to be accomplished with \$72,234 in County funds, to be reimbursed from the Town, and \$72,234 in state funds.

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These circumstances led the Town Council to conclude that potential impacts on the health, welfare, or safety of Town residents did not warrant pursuing this project at this time nor would it be fiscally prudent.

Franklin Roberts, Mayor

Copy: Ed Carter, Program Manager, Edinburg Residency
Virginia Department of Transportation
14031 Old Valley Pike
Edinburg, VA 22824

MEMORANDUM

TO: Board of Supervisors, David Ash
FROM: Alison Teetor
RE: Brengle/Crocker/Osborne Easement donation
DATE: May 18, 2011

The Clarke County Easement Authority has approved the following easement for donation. 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 where appropriate.

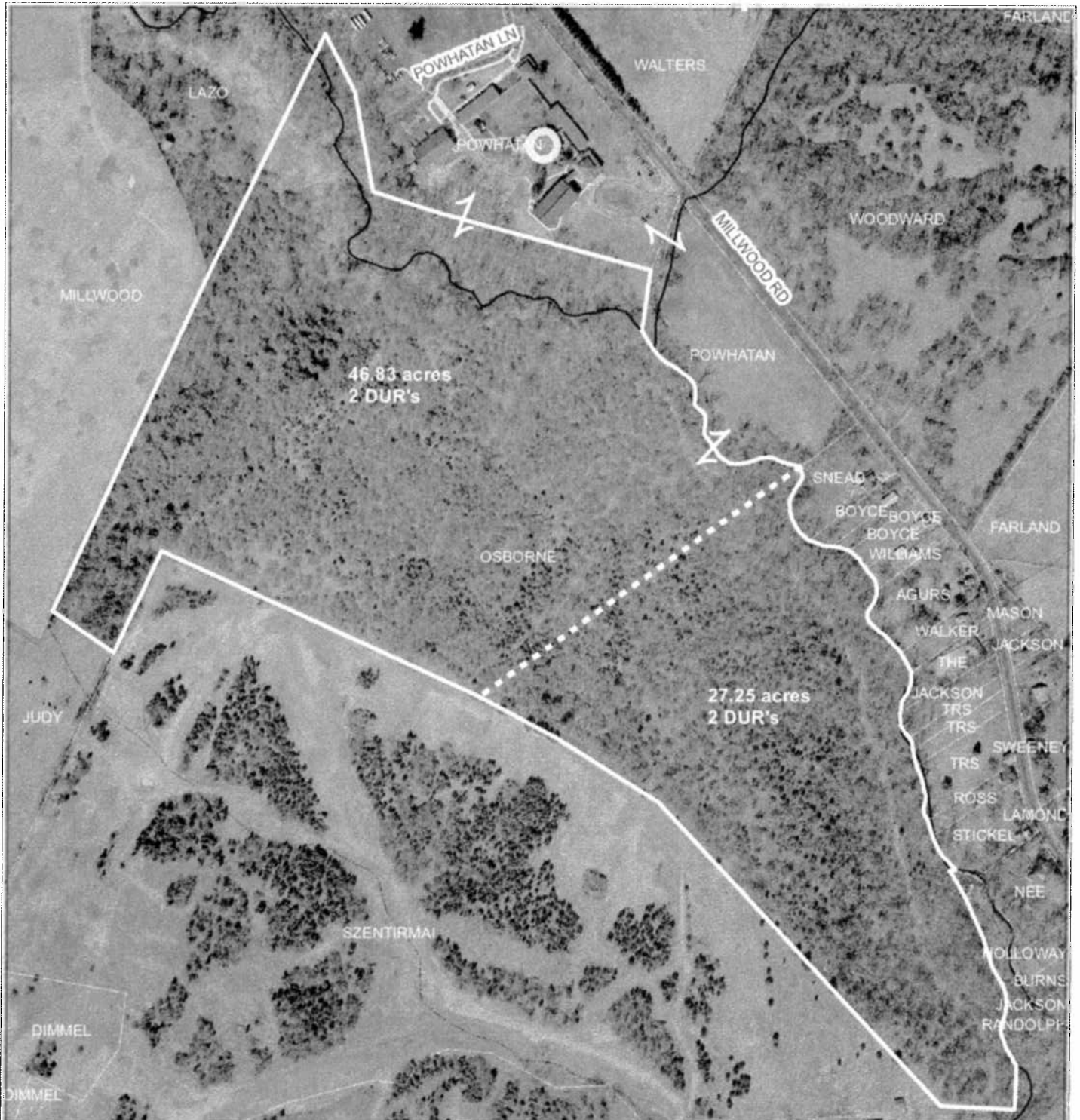
Agnes Brengle, Constance Crocker, and Isabelle Osborne are requesting the Easement Authority to consider acceptance of their property (Tax Map# 29-A-17) for easement donation. The parcel is 74.08 acres, 48.84 acres would be placed in easement retiring 2 DURs. The parcel is located behind Powhatan School, with access to Millwood Road (Rt. 723) just west of Millwood (see attached map). The parcel is not in land use.

In reviewing the parcel, all 4 criteria have been met. The Property Resource Score is 51.34, two of the four remaining DUR's are being extinguished, and the parcel is adjacent to an existing easement, and is larger than 40 acres in size. All of the acreage is wooded. The property has 1,600 feet of stream frontage on Roseville and Spout Run. It is visible from a Scenic Byway, Millwood Road, and adjacent to an existing scenic easement, Millwood Country Club. The property is currently vacant.

The applicant intends to gift the eased property to Powhatan School such that the end result of the reconfiguration is as follows:

- 1) 46.8384 acres vacant land, with 2 DURs, to be placed in conservation easement retiring the 2 DURs.
- 2) A boundary line adjustment (BLA) with Powhatan School Tax Map# 29-((A))-16 to gift the school the 46.8384 acres with no DURs
- 3) The residual of the BLA is 27.2456 acres (from the original 74.0840 acre tract) has 2 DURs
- 4) The property owners would like to have language in the Deed that would limit the use of the eased property to primitive outdoor recreation, allowing for trails, and perhaps a small shelter.

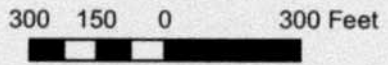
Recommendation: Approval of easement donation of Agnes Brengle, Constance Crocker, and Isabelle Osborne.



A.C. Brengle & Isabelle Osborne
Tax Map# 29-((A))-17, 74.08 acres

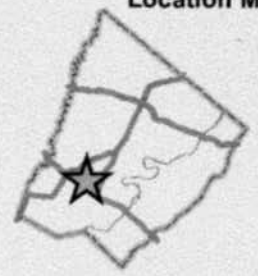


April 27, 2011
Clarke County GIS



- Parcel Boundary
- Conservation Easement
- Public Road
- Private Road
- Intermittent Stream
- Perennial Stream

Location Map



MEMORANDUM

TO: Board of Supervisors, David Ash
FROM: Alison Teetor
SUBJECT: Center for Watershed Protection grant application
DATE: May 19, 2011

Recently I was contacted by the Center for Watershed Protection asking if the County would be interested in serving as a demonstration community for implementation of forest restoration projects to meet water quality goals across rural, suburban and urban landscapes.

The objectives of the project are to: increase tree canopy in Clarke County, demonstrate best practices for forest restoration on urban, suburban and rural sites, and target forest restoration to sites with greater water quality benefit. The project outputs include: a map of priority sites for reforestation in Clarke County, VA; implementation of three reforestation projects on public and private land; and guidance for targeting priority lands and implementing planting projects on urban, suburban and rural sites that can be applied in other communities. Project outcomes include incorporation of planting specifications into Clarke County codes or site design guidance, increased tree planting and reforestation across the County, especially as formerly agricultural sites are developed, and reduced runoff, sediment and nutrient loads from Clarke County watersheds as a result of forest restoration efforts. This project addresses the following conservation objectives through implementation of reforestation projects targeted to maximize water quality benefits: restore forests to improve benefits for wildlife habitat and water quality, and enhance, restore the quality of, or create wetlands, streams, riparian buffers and forest in private lands. The key strategy addressed is to **strategically target restoration and conservation** within a watershed to achieve necessary nutrient and sediment load reductions in the short-term, while also protecting the most ecologically sensitive lands from further degradation.

This project directly addresses the following priorities in the 2010 Executive Order Strategy for Protecting and Restoring the Chesapeake Bay: 1) *Restore riparian forest buffers to 63 percent, or 181,440 miles, of the total riparian miles in the Bay watershed by 2025, and 2) Restore forests in priority areas. By 2012, USDA will work with Dept. of Interior and other entities to develop a Chesapeake Bay watershed strategy to maximize forest restoration in priority areas, including: residential land currently managed as lawn; areas covered by community tree canopy expansion and green infrastructure programs; gaps in core wildlife habitat; deficient lands such as abandoned mine lands, brownfields areas and lands with vulnerable soils; and agro-forestry areas.* Virginia's Phase 1 Watershed Implementation Plan (WIP) has a tree planting target of 126,506 acres on agricultural land.

Recommendation: Authorize the Chair to sign the attached letter of support for the proposed grant application.



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

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

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

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

May 24, 2011

Draft

Amanda Bassow
National Fish and Wildlife Foundation
1133 Fifteenth Street, N. W.
Washington, DC 20005

RE: Support of Center for Watershed Protection Chesapeake Bay Small Watershed Grants application

Dear Ms. Bassow:

The Center for Watershed Protection (CPW) is submitting a grant application for a Chesapeake Bay Small Watershed grant. The Clarke County Board of Supervisors is offering this letter to indicate its endorsement of the application. The proposed project is timely and innovative and could be extremely helpful to the County and region at achieving the priorities in the 2010 Executive Order Strategy for Protecting and Restoring the Chesapeake Bay. Specifically the efforts to 1) Restore riparian forest buffers 2) Restore forests in priority areas.

As a partner in the project Clarke County will provide to the Center for Watershed Protection (CWP) all available GIS data for the analysis, input on potential sites for reforestation and the ultimate site selection, engage landowners of the top ranked projects to help secure the other two sites, and meet with CWP to discuss how the County might incorporate these strategies into the WIP and/or local ordinances.

Clarke County is primarily a rural farming community several small urban areas. The County has long been thought of as a progressive and effective environmental steward, protecting groundwater, agricultural and forestall land, and its many natural and historic resources. The proposed project will dovetail nicely with the existing goals and policies outlined in our Comprehensive Plan.

The Clarke County Board of Supervisors strongly endorses this application and hopes that it will receive funding so that we can do our part to improve water quality in the Chesapeake Bay. Please contact me if I made provide any additional information regarding this endorsement.

Sincerely,

Michael Hobert
Chairman, Clarke County Board of Supervisors

101 Chalmers Court, Suite B
Berryville, VA 22611

www.clarkecounty.gov

Telephone: [540] 955-5175
Fax: [540] 955-5180

Clarke County Board of Supervisors Report - May 24,2011

From : Edwin Carter <Edwin.Carter@VDOT.Virginia.gov>

Thu, May 19, 2011 07:53 AM

Subject : Clarke County Board of Supervisors Report - May 24,2011

To : David Ash <dash@clarkecounty.gov>

Cc : Stacy Sager <Stacy.Sager@VDOT.Virginia.gov>

Dave, the following is the report for the Board of Supervisors meeting on May 24, 2011. I plan to be in attendance should you have any questions.

Maintenance:

Work completed in April/May - Conducted grading and dust control operations on non hard surfaced roads throughout the County; Conducted pipe replacement operations on Rts. 605 and 606, and cleaned out additional pipes on Route 605; Performed spot leveling on Rts. 657 and 723, and paved Route 7 East bound lanes from Frederick County line to Route 632; Performed patching on Route 604 and completed surface treatment process on Rts. 603, 608, 610, 612 and 641; Performed brush removal with contractors; Conducted flood repair operations on various routes and began mowing operations on primaries.

Work planned in May/June - Continue flood repair work and mowing operations; Continue pipe replacements along Route 606 and patching operations along Rts. 606, 643 and 679; Continue brush removal operations with contractors and conduct litter pick up on primaries.

Other Projects:

Route 636 - Mosby Road - Will provide additional detail at Board meeting.

Route 604 - The box is scheduled for delivery around the 1st of June. As soon as the weather allows, the utilities will be relocated. We are in current negotiations for the additional drainage easement needed on the East side.

Route 723 - The Town of Boyce has notified VDOT that they do not wish to continue with this project.

The Town of Berryville and VDOT have met to begin the Maintenance Transition process for the secondary routes in the Town limits. Current schedule is for Town to assume responsibility for maintenance on July 1,2012.

Please let me know if there are any questions.

Ed

Edwin Z. Carter
Program Manager
VDOT-Edinburg Residency
(540) 984-5605
Fax (540) 984-5607
Edwin.Carter@VDOT.Virginia.Gov

Clarke County Board of Supervisors



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

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

2011 May 24

Martha Shickle, Executive Director
Northern Shenandoah Valley Regional Commission
103 East Sixth Street
Front Royal, VA 22630

RE: Proposed 2035 VDOT Rural Long Range Transportation Plan

Thank you for the opportunity to comment on the revision of VDOT's 2035 draft plan for this region, which includes Clarke County. The Board appreciates the changes that were made to the draft plan for Clarke in response to the Board's January 13th letter. However, the revised plan still contains several recommendations that the Board believes are not in the best interests of the residents of Clarke County.

The Board is particularly opposed to:

1. Recommendations 11 & 13. Widen US 340 to four lanes from east of the US 522 / VA 277 intersection to south of the US 50 / US 17 intersection and north of the US 50 / US 17 intersection to Route 668 (mis-labeled in draft plan as Route 688). This segment of Route 340 has the lowest volume of traffic as any segment of Route 340 in Clarke County and connects to Route 50, which has had no growth in traffic volume for 10 years due to permanent traffic calming measures on Route 50 in Loudoun and Fauquier Counties to the east. Please delete these recommendations.
2. Recommendations 14, 15, 16, and 43. Reconstruct US 340 from VA 620 to VA 7 Business to "rural two-lane standards". As this road currently has two 12-foot lanes that are in good condition in the County and a three lane urban section in the Town, this recommendation is a waste of public funds. Adding turn lanes at key intersections, as suggested, would be appropriate but rebuilding the whole road is not necessary. Please delete this portion of these recommendations.
3. Recommendations 17, 18, 9, 20, and 21. Monitor VA 7 from the Frederick County line to the Loudoun County line for safety improvements and "perform regional travel pattern study to identify locations of potential Park & Ride lots." The primary users of a Park & Ride facility in the Route 7 corridor would be traffic originating in Frederick County and that is where a P&R facility should be located. Please delete this portion of these recommendations.
4. Recommendations 30 and 31. Monitor VA 657 (Senseny Road) for safety improvements. Improvements to this country road are only made necessary by commuter traffic originating in Frederick County. Any potential problems should be addressed by diverting Frederick County traffic away from Senseny Road. Please delete these recommendations.
5. Recommendation 10. Widening US 522 to six lanes. While the Board does not generally support widening roads, it does understand that widening US 522 in Frederick and Warren Counties is advocated by those jurisdictions. The Board will not be opposed to similar efforts in Clarke.

101 Chalmers Court, Suite B
Berryville, VA 22611

www.clarkecounty.gov
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2035_Transportation_Plan.doc

Telephone: [540] 955-5175
Fax: [540] 955-5180

As previously indicated, the Board supports the intersection improvements for VA 7 & 657, US 340 & VA 612, US 340 & 50, and US 340 & 522. In addition, the Board strongly supports improvements to VA 7 Business (West Main Street), VA 636 (Westwood Road), and Mosby Blvd, adjacent to the new Clarke County High School on the west side of Berryville. In the Town of Berryville, the Board continues to support the VA 616 (North Church Street) improvements if they connect to Fairfax Street (Rt 1016) instead of Bundy Street. The Board also supported an additional project: the extension of Jack Enders Blvd (Rt 613), for .25 miles from the Norfolk Southern Railroad to Rt 340, which has been added to this version of the Plan. This connection will complete one of a network of streets designed to relieve congestion of the VA 7 Business (Main Street) and US 340 (Buckmarsh Street) intersection.

In short, the reconstruction of US 340 as four lanes south of Boyce and two lanes north of Boyce is simplistic, short sighted, and financially unrealistic. A Park & Ride facility in the VA 7 corridor should be placed in the jurisdiction from which the traffic originates. Finally, the Senseny Road improvements are only necessary because of traffic originating outside of this jurisdiction, which in our view, is where they should be addressed.

Again thank you for this opportunity. The Board looks forward to working with VDOT on this issue.

Regards,

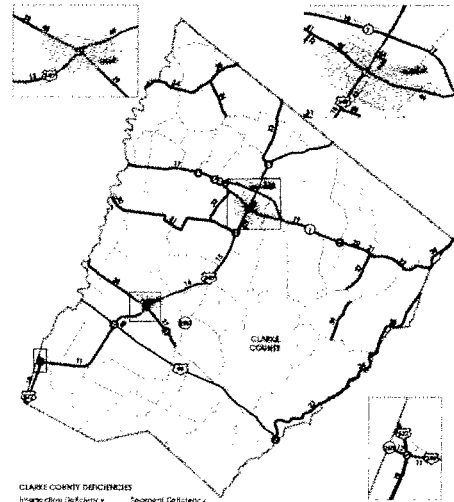
David L. Ash
County Administrator

Copy: Joseph Springer, Principal Transportation Planner
Parsons
100 M Street, SE, Suite 1200
Washington, DC 20003

Clarke County Deficiencies

CLARKE COUNTY RECOMMENDATIONS

- 1 **US 340 at VA 657 (Senseny Rd.)**
Short-term add stop bars to minor approaches and refresh pavement markings; Mid-term add northbound left turn lane and southbound right turn lane; Long-term monitor crashes to see if horizontal realignment may be warranted.
- 2 **VA 7 (Harry Byrd Hwy.)/VA 612 (Shepherds Mill Rd.)**
Short-term access management and eliminate dip on westbound approach; Mid-term widen VA 612 approach; Long-term upgrade intersection to current design standards, including left and right turn lanes and signalize intersection.
- 3 **US 340 (Lord Fairfax Hwy.)/VA 611 (Summit Point Rd.)**
Deficiency with low priority. Continue to monitor for potential improvements.
- 4 **VA 7 (Harry Flood Byrd Hwy./Berryville Pike)/VA 7 BUS (W. Main St.)**
Deficiency with low priority. Continue to monitor for potential improvements.
- 5 **VA 7 (Berryville Pike)/VA 653**
Deficiency with low priority. Continue to monitor for potential improvements.
- 6 **VA 7 (Berryville Pike)/VA 632 (Triple J Rd./Crums Church Rd.)**
Deficiency with low priority. Continue to monitor for potential improvements.
- 7 **US 17/US 50 (John S. Mosby Hwy.)/VA 601 (Blue Ridge Mountain Rd.)**
Deficiency with low priority. Continue to monitor for potential improvements.
- 8 **VA 277 (Double Tollgate/Lord Fairfax Hwy.) at US 340/522 (Stonewall Jackson Hwy.)**
Short-term access management; Mid-term provide turn lanes to Double Tollgate Road; Long-term widen east-west roadway to allow for two through lanes in each direction through intersection, provide separate left and right turn bays, and modify signal phasing.
- 9 **US 340 /US 17/50**
Short-term access management, add "Left Turn Signal" signs on all east arms, convert northbound free-right movement to signal control; Mid-term widen US 340 to two through lanes, construct dual lefts for southbound and westbound left turns, and monitor traffic volumes to determine whether an interchange is warranted.
- 10 **US 340 from 0.13 M. S. US 522/VA 277 to US 522/VA 277**
Long-term widen to urban six-lane roadway with median.
- 11 **US 340 from US 340/VA 277 to .12 M. S. US 50/US 17**
Long-term widen to rural four-lane roadway with median.
- 12 **VA 277 (Fairfax Pike) from Frederick Co. Line to US 340/522**
Long-term widen to urban four-lane roadway with median.
- 13 **US 340 (Lord Fairfax Hwy.) from 0.75 M. N. US 50/17 to VA 688 N.**
Long-term widen to rural four-lane roadway with median.
- 14 **US 340 (Lord Fairfax Hwy.) from VA 620 to VA 255**
Long-term reconstruct roadway to rural two-lane standards with turn lanes at key intersections along corridor.
- 15 **US 340 (Lord Fairfax Hwy.) from VA 255 to VA 657**
Long-term reconstruct roadway to rural two-lane standards with turn lanes at key intersections along corridor.
- 16 **US 340 (Lord Fairfax Hwy.) from VA 657 to SCL of Berryville**
Long-term reconstruct roadway to rural two-lane standards with turn lanes at key intersections along corridor.
- 17 **VA 7 (Harry Flood Byrd Hwy.) from Frederick Co. Line to VA 7 BUS W.**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies and perform regional travel pattern study to identify locations of potential Park & Ride lots.
- 18 **VA 7 (Harry Flood Byrd Hwy.) from VA 7 BUS W. to US 340**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies and perform regional travel pattern study to identify locations of potential Park & Ride lots.
- 19 **VA 7 (Harry Flood Byrd Hwy.) from US 340 to VA 612 E.**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies and perform regional travel pattern study to identify locations of potential Park & Ride lots.
- 20 **VA 7 (Harry Flood Byrd Hwy.) from VA 612 E. to VA 603**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies and perform regional travel pattern study to identify locations of potential Park & Ride lots.
- 21 **VA 7 (Harry Flood Byrd Hwy.) from VA 603 to VA 606**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies and perform regional travel pattern study to identify locations of potential Park & Ride lots.
- 22 **VA 7 (Harry Flood Byrd Hwy.) from VA 606 to Loudoun Co. Line**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies and perform regional travel pattern study to identify locations of potential Park & Ride lots.
- 23 **VA 601 (Blue Ridge Mountain Rd.) from US 50 to 4.5 M. N. US 50**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 24 **VA 601 (Blue Ridge Mountain Rd.) from 4.5 M. N. US 50 to VA 605**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 25 **VA 601 (Blue Ridge Mountain Rd.) from VA 605 to Loudoun Co. Line**
Long-term continue to monitor for potential improvements to address safety, geometric and capacity deficiencies such as reconstruction of the roadway within the existing cross-section, adding shoulders or implementing spot-specific treatments.
- 26 **VA 601 (Raven Rocks Rd.) from Loudoun Co. Line to West Virginia State Line**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 27 **VA 606 (River Rd.) from VA 607 to VA 7**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 28 **VA 723 (Old Winchester Rd.) from Frederick Co. Line to NCL of Boyce**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 29 **VA 723 (Main St.) from SCL of Boyce to VA 255 N.**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 30 **VA 657 (Senseny Rd.) from Frederick Co. Line to VA 634**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 31 **VA 657 (Senseny Rd.) from VA 634 to US 340**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 32 **VA 636 (Westwood Rd.) from 0.45 M. S. of VA 7 BUS to VA 657**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 33 **VA 611 (Summit Point Rd.) from US 340 to West Virginia State Line**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 34 **VA 761 (Old Charles Town Rd.) from Frederick Co. Line to VA 632**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 35 **VA 761 (Old Charles Town Rd.) from VA 632 to West Virginia State Line**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 36 **VA 632 (Crums Church Rd.) from VA 639 to VA 761**
Long-term continue to monitor for potential improvements to address safety, geometric, and capacity deficiencies.
- 37 **VA 636 (Westwood Rd.) from VA 7 BUS to 0.45 M. S. of VA 7 BUS**
Mid-term widen roadway to three-lane urban standards.
- 38 **VA 723 (Millwood Rd.) at bridge over Page Brook between Millwood and Boyce**
Mid-term replace bridge.
- 39 **VA 604 (Ebenezer Rd.) from VA 605 (Morgan's Mill Rd.) to VA 607 (Saw Mill Hill Rd.)**
Mid-term reconstruct roadway to standards, including larger culvert sizes.
- 40 **US 340 from .12 M. S. US 50/17 to 0.75 M. N. US 50/17**
Mid-term widen roadway to four-lane rural standards.
- 41 **VA 7 BUS (W. Main St.) from VA 7 W. to WCL of Berryville**
Mid-term widen roadway to three-lane urban standards.
- 42 **US 340 (Lord Fairfax Hwy.)/VA 7 BUS (W. Main St.)**
Deficiency with low priority. Continue to monitor for potential improvements. (Berryville)
- 43 **US 340 (Lord Fairfax Hwy.) from SCL of Berryville to VA 7 BUS**
Long-term reconstruct roadway to rural two-lane standards with turn lanes at key intersections along corridor. (Berryville)
- 44 **VA T-616 (N. Church St.) from VA T-1005 to US 340 N.**
Long-term widen to urban two-lane roadway (including full-width lanes and shoulders). (Berryville)
- 45 **VA 7 BUS (W. Main St.) from WCL of Berryville to US 340**
Mid-term widen roadway to three-lane urban standards. (Berryville)
- 46 **VA 7 BUS (E. Main St.) from US 340 to VA 7 E.**
Mid-term widen roadway to three-lane urban standards. (Berryville)
- 47 **US 340/VA 723 (Main St.)**
Short-term add stop bars to minor approaches and widen Main Street at intersection to provide left turn lanes; Long-term signalize intersection. (Boyce)
- 48 **VA 723 from WCL of Boyce to ECL of Boyce**
Short-term refresh pavement markings; Mid-term perform traffic study to develop solutions for the corridor and address left turn conflict issues. (Boyce)
- 49 **US 340 from VA 688 N. to VA 620**
Short-term improve drainage; Long-term reconstruct roadway to rural two-lane standards with turn lanes at key intersections along corridor. (Boyce)
- 50 **Jack Enders Blvd. from Western Terminus to US 340**
Mid-term extend existing urban section from its existing terminus to US 340.



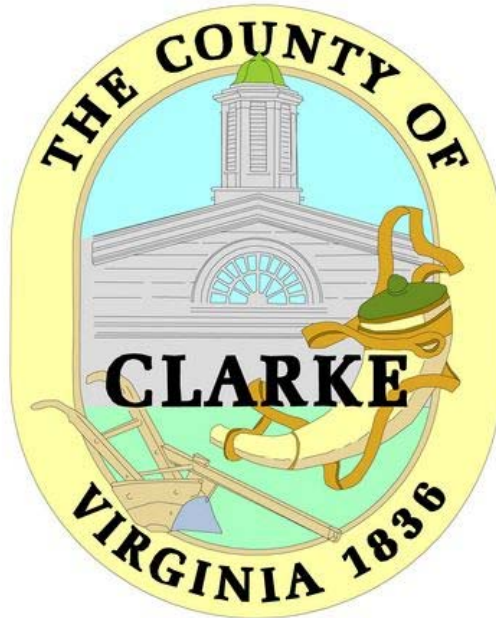
CLARKE COUNTY DEFICIENCIES

Intersection Deficiency
 Operation Deficiency
 Safety Deficiency
 Right-of-Way Deficiency
 Capacity Deficiency
 Geometric Deficiency
 Segment Deficiency
 Capacity Deficiency
 Safety Deficiency
 Geometric Deficiency
 Right-of-Way Deficiency

Clarke County Board of Supervisors

Citizen Comment Period

REQUEST FOR PROPOSALS
CLARKE COUNTY, VIRGINIA



RFP # 11-0628

DOUBLE TOLLGATE LAND USE

DUE TUESDAY, JUNE 28, 2011
AT 3:00 P.M.

REQUEST FOR PROPOSALS
CLARKE COUNTY, VIRGINIA

RFP 11-0628

DOUBLE TOLLGATE LAND USE

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REQUEST FOR PROPOSALS
CLARKE COUNTY, VIRGINIA
RFP 11-0628
DOUBLE TOLLGATE LAND USE

I. INTRODUCTION

A. PURPOSE

1. The Clarke County Government (“County”) is seeking the services of a firm or firms with skills in public analysis, economic development, and utility rates, fees, and demand forecasting to assist the County in determining the land use strategy that would best enhance County tax revenues at a principal arterial highway intersection and adjacent areas.
2. Clarke County is a predominantly rural jurisdiction that has an objective to enhance its tax base in specific targeted locations.
3. Development in the Double Tollgate corridor has been suggested as a means for the County to enhance its tax base. Double Tollgate is located at the intersection of US Route 522 (Stonewall Jackson Highway) and US Route 340 (Lord Fairfax Highway). The east direction of the intersection is US Route 340 and the west direction is Virginia Route 277. This intersection is located approximately four miles east of Interstate 81 and eight miles north of Interstate 66.

B. BACKGROUND

1. Forty-eight (48) acres at this intersection is currently zoned “Highway Commercial.”
2. No central water or sewer services are currently available at this intersection or in the corridors leading to it. The 200-acre White Post Correctional Facility of the Virginia Department of Corrections (DOC) is located in the southeast corner of Double Tollgate intersection. The DOC has stated that it is willing to make available excess capacity in its wastewater treatment plant as well as consider potential upgrades and expansions.
3. Land to the north in Frederick County and land to the south in Warren County has been planned or zoned for several thousand acres of light industrial, commercial, and residential land uses.
4. Clarke County contracted with Chester Engineers to prepare the Preliminary Engineering Report for the Double Tollgate Area Sewerage System (February 2011) and the Preliminary Engineering Report for the Double Tollgate Area Water System (March 2011) to identify the cost of providing such services.

5. Current land uses at the Double Tollgate intersection are served by wells and drain fields and a small single user package plant.

6. Clarke County adopted a Double Tollgate Area Plan for land use policies in 2002 and has prepared a draft update to this Area Plan.

C. OBJECTIVES AND GOALS

1. The objective of this study is to realistically determine the following:

a. What is the minimum area of land that should be identified for development and what should the appropriate mix of development be in this corridor so as to:

(1) Actually broaden the County's tax base. Specifically, which land uses whose need for public services, particularly emergency services and education, will not add to the County's fiscal responsibilities;

(2) Result in land owner costs for water and sewer services that will be competitive in the region without substantial public subsidy/assistance;

(3) Be environmentally sustainable and be consistent with contemporary planning concepts.

b. Whether it would be fiscally beneficial for the County to proceed at this time with the construction of utility infrastructure and establishment of specific land use policies/zoning to make this corridor available for development based on existing and reasonably anticipated development at the intersection.

c. Identify alternative approaches that could offset expected utility costs during the early phases of the intersection's development.

d. Determine if there are any forms of funding (state/federal/other) for economic development for this area.

2. The County's primary goal of this project is to broaden the (net) tax base. Note that the goal is not to achieve any particular employment goals. The term "(net) tax base" is used because Clarke's goal is to increase the amount of funds that can be used to support schools and other worthy County programs. This means that the direct and indirect County costs associated with any strategy must be recognizably lower than the tax revenues collected.

II. PROPOSAL INQUIRIES

- A. The Point of Contact will be Mr. Chuck Johnston, Clarke County Planning Director.
- B. Call 540-955-5130 or e-mail cjohnston@clarkecounty.gov.
- C. Procurement questions shall be addressed Mr. Mike Legge, Purchasing Manager, by email at mlegge@clarkecounty.gov.
- D. The existing Preliminary Engineering Reports and Double Tollgate Area Plans can be viewed on-line at www.clarkecounty.gov by clicking on business and current solicitations. If you have any problems downloading the documents, please contact Chuck Johnston at 540-955-5130.

III. REQUIREMENTS

A. Consultant Credentials

1. A successful respondent will demonstrate an ability to take the existing base information that has been prepared and complete any necessary additional studies. Consultant credentials shall include credible industry experience and knowledge.
2. Consultant credentials shall include credible industry experience and knowledge.
3. Consultant shall be familiar with the regional marketplace and should have experience from similar projects for smaller, rural counties, and preferably in nearby or adjacent Virginia counties.
4. Consultant shall demonstrate experience in utility demand forecasting, utility rates and fees, economic development, and fiscal impact analysis.
5. Consultant shall be able to model the (net) fiscal benefits Clarke should be able to attain from any proposed development to the Double Tollgate Area.
6. Consultant shall be independent of any business or person that may materially benefit from recommendations.
7. The consultant shall have some professional education and experience, carry appropriate errors and omissions insurance to cover advice he/she gives, and should have wide industry affiliations with which to work. Note that the minimum amount of errors and omissions insurance required for this RFP is \$1,000,000.

B. Reimbursable Expenses

1. The selected consultant shall assume all travel and transportation expenses for its employees.
2. Any training or cost incurred by the selected consultant to familiarize themselves with, and work with, Clarke County will be borne by the consultant. Note that the selected consultant is expected to examine the existing Preliminary Engineering Reports and the updated Double Tollgate Area Plan.
3. The consultant shall assume all communications expenses for its employees, including phone tolls, postage, etc.

IV. SPECIAL INSTRUCTIONS

1. Copies of the RFP are available at the Clarke County Purchasing Office, 129 Ramsburg Lane, Berryville, VA 22611. Phone (540) 955-5185. The RFP can also be seen on-line at www.clarkecounty.gov.
2. Sealed Proposals shall be clearly marked, "RFP 11-0628, DOUBLE TOLLGATE LAND USE" and must be received in the Clarke County Purchasing Office (129 Ramsburg Lane, Berryville, VA 22611) no later than 3:00 P.M., Tuesday, June 28, 2011, at which time they will be publicly opened and read. Proposals received after this time will not be opened. The official time will be determined by the clock in the Purchasing Office.
3. Each vendor must submit one (1) original and three (3) copies (total of 4) of all requested Proposal components. Original shall be marked as such.
4. Each vendor shall include an estimated timeframe for completing the work along with his or her pricing information on the Proposal Response Form, Attachment A.
5. Clarke County reserves the right to reject any and all proposals, to waive informalities, and to negotiate with the successful contractor(s).
6. After receiving all the proposals, Clarke County will evaluate the proposals based on references, past performance, experience, estimated methodology/timeline, overall strength of the proposal, and all pricing information included in the proposal

V. SCOPE OF WORK

- A. The selected consultant shall prepare a report that clearly lays identifies, explains, and justifies the following:
1. Minimum area of land that should be developed and the appropriate mix of development in the proposed land to be developed.
 2. Estimated demand and costs for water and sewer service for the proposed land development and use.
 3. Recommendation of whether it would be fiscally beneficial for the County to proceed with the construction/purchasing of utility infrastructure and establishment of specific land use policies/zoning to make this corridor available for development.
 4. Alternate approaches that could offset expected utility costs during the early phases of the intersection's development.
 5. Areas of funding that may help the County in its effort to develop the Double Tollgate area.
 6. The estimated impact on the County's net tax base.
- B. The selected consultant shall provide five final copies of the report and one electronic copy of the report to Mr. Chuck Johnston at the conclusion of the project. The County shall own the report and have the right to make copies of the report.
- C. The selected consultant shall attend one Planning Commission Meeting and one Board of Supervisors Meeting to discuss the final report and answer any questions from the Board Members, media, or the public, if needed.
- D. The County reserves the right to utilize the selected consultant for other additional work associated with this project based on the respective consultant's quoted hourly labor rate, if both parties are agreeable to a change order to the contract.

VI. SUBMITTALS REQUIRED

- A. Completed Attachment A, Proposal Response Form (see below). This form contains an entry for the lump sum costs (to include all expenses) of project scope of work. It also includes statement of an hourly rate, exclusive of reimbursable expenses, to be used by the County over the next three-year period in the event that further consultations are desired by the County.

- B. Statement of Credentials of the firm, and the specific individuals of the firm that will be assigned to this task.
- C. Statement of Project methodology, timeline, and delineation of responsibilities of the consultant, County Staff, and Committee. Please be specific about the roles of the parties, so that there is a clear understanding about what is covered by the lump sum cost stated in Attachment A.
- D. Attachment B. Listing of client references including names and phone numbers. This listing should contain clients with whom the consultant has worked directly in the last five (5) years. It is preferred that references be in the Commonwealth of Virginia, if possible.
- E. A similar study performed for another client, preferably for a similar-sized County.
- F. Sample Copy of a Certificate of Insurance.
- G. Attachment C; Compliance with Virginia Law for Transacting Business in Virginia.

Per § 2.2-4311.2 of the Virginia Public Procurement Act, any contractor/vendor organized as a stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as a registered limited liability partnership must be authorized to transact business in the Commonwealth of Virginia as a domestic or foreign business entity if so required by Title 13.1 or Title 50 or as otherwise required by law.

Vendors submitting a bid/proposal shall include the identification number that was issued to them by the State Corporation Commission. Any vendor that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as otherwise required by law shall include in its quote a statement describing why the vendor is not required to be so authorized.

- H. Payment and Performance bonds will not be required.

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REQUEST FOR PROPOSAL
CLARKE COUNTY, VIRGINIA
RFP # 11-0628

DOUBLE TOLLGATE LAND USE

ATTACHMENT A – PROPOSAL RESPONSE FORM

Complete the following price information in this Request for Proposal –DOUBLE TOLLGATE LAND USE. By your signature, you are confirming the understanding of and your agreement to perform within the guidelines of the RFP.

Return this signed form with your proposal. Proposals are due by 3:00 p.m., Tuesday, June 28, 2011.

In compliance with this Request for Proposals and to all conditions imposed, the undersigned offers to furnish the services at the price(s) indicated below.

LUMP SUM COST FOR WORK AS DESCRIBED IN THIS RFP

\$ _____

HOURLY RATE FOR ADDITIONAL CONSULTING WORK, BEYOND CONTRACT SCOPE

\$ _____

FIRM NAME:	DATE:
ADDRESS:	BY: (Signature)
CITY, STATE, ZIP:	BY: (Print name)
TELEPHONE:	TITLE:
FAX:	E-MAIL:
CONTACT PERSON (S)	

I. Attachment B - Reference Form

This form must be completed and returned as part of your proposal packet. Offerors shall provide the following references for four (4) most recent similar projects/jobs within Virginia.

CONTRACTOR'S NAME

RFP #

11-0628

1. FIRM NAME	
CONTACT PERSON	TITLE
STREET ADDRESS, CITY, STATE, ZIP	
TELEPHONE	FAX
SPECIFIC INFORMATION	
2. FIRM NAME	
CONTACT PERSON	TITLE
STREET ADDRESS, CITY, STATE, ZIP	
TELEPHONE	FAX
SPECIFIC INFORMATION	
3. FIRM NAME	
CONTACT PERSON	TITLE
STREET ADDRESS, CITY, STATE, ZIP	
TELEPHONE	FAX
SPECIFIC INFORMATION	
4. FIRM NAME	
CONTACT PERSON	TITLE
STREET ADDRESS, CITY, STATE, ZIP	
TELEPHONE	FAX
SPECIFIC INFORMATION	



CLARKE COUNTY
DEPARTMENT OF JOINT ADMINISTRATIVE SERVICES
PURCHASING DEPARTMENT

129 Ramsburg Lane
Berryville, VA 22611
Phone (540) 955-5185 Fax (540) 955-0456

ATTACHMENT C:
Compliance with Virginia Law for Transacting Business in Virginia.

The undersigned hereby agrees, if this Bid/Proposal is accepted by Clarke County, for such services and/or items that the undersigned has met the requirements of the Virginia Code Section 2.2-4311.2

Please complete the following by checking the appropriate line that applies and providing the requested information:

A. _____ Bidder/offeror is a Virginia business entity organized and authorized to transact business in Virginia by the SCC and such bidder's/offeror's Identification Number issued to it by the SCC is _____.

B. _____ Bidder/offer is an out-of-state (foreign) business entity that is authorized to transact business in Virginia by the SCC and such bidder's/offeror's Identification Number issued to it by the SCC is _____.

C. _____ Bidder/offeror does not have an Identification Number issued to it by the SCC and such bidder/offeror is not required to be authorized to transact business in Virginia by the SCC for the following reason(s):

Please attach additional sheets of paper if you need to explain why such bidder/offeror is not required to be authorized to transact business in Virginia.

Legal Name of Company (as listed on W-9)

Legal Name of Bidder/Offeror

Date

Authorized Signature

Print or Type Name and Title

ATTACHMENT D:
COUNTY OF CLARKE GENERAL TERMS AND CONDITIONS

These General Terms and Conditions are required for all sealed and unsealed written solicitations issued by the County of Clarke. The County of Clarke includes the Clarke County Board of Supervisors and General Government, the Clarke County School Board and School System, and all other agencies, boards, and commissions under the fiscal direction of the Clarke County Board of Supervisors.

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- A. **COMPETITION INTENDED:** It is Clarke County’s intent that this document permits competition. It shall be the prospective bidder’s responsibility to advise the Director of Joint Administrative Services in writing if any language requirements, specifications, etc., or any combinations thereof, inadvertently restrict or limit the requirements stated in this document to a single source. The Director of Joint Administrative Services must receive such notification not later than ten (10) calendar days prior to the date set for the bids to close.
- B. **INQUIRIES:** If any prospective bidder has questions about the specifications or other solicitation documents, the prospective bidder shall contact the Director of Joint Administrative Services, no later than seven (7) days before the due date.

Any changes after the bid is advertised will be official only when submitted in writing and signed by the Director of Joint Administrative Services.

Any and all changes will be made by addendum and sent to all recorded holders of the bid documents.

All addenda issued will become part of the bid.

For a list of specific persons available to discuss this bid, see Points of Contact.

- C. **INCONSISTENCY IN PROVISIONS:** In the event there are inconsistencies between the General Terms and Conditions and any other schedules contained herein, the first shall govern.
- D. **COOPERATIVE PURCHASING:** It is the desire of Clarke County that all other jurisdictions be allowed to “ride the bid” and enter in to a contract with any successful Contractor chosen by Clarke County, based on mutual agreement between successful Contractor(s) and other jurisdiction(s).

If this bid is used as a cooperative IFB issued by Clarke County, the following would apply:

1. Clarke County is acting as the “Contracting Agent” for the jurisdictions concerned and shall not be held liable for any costs, damages, etc., incurred by any other jurisdiction.
2. Each jurisdiction will execute its own purchase orders with the Contractor(s) and be invoiced accordingly, in accordance with each jurisdiction’s purchasing policy and procedures.
3. For copies of other jurisdictions’ terms and conditions, Contractor must contact them.

- E. **ETHICS IN PUBLIC CONTRACTING:** The provisions contained in Article 6 of the Virginia Public Procurement Act (VPPA) as set forth in the 1950 Code of Virginia, as amended, shall be applicable to all contracts solicited or entered in to by Clarke County. A copy of these provisions may be obtained from the Director of Joint Administrative Service upon request.

By submitting their bids, all bidders certify that their bids are made without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other bidder, supplier, manufacturer or Subcontractor in connection with their bid, and that they have not conferred to any public employee having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.

The provisions referenced above supplement, but do not supersede, other provisions of law including, but not limited to, the Virginia Conflict of Interest Act (§2.2-3100 et. Seq.). The provisions apply notwithstanding the fact that the conduct described may not constitute a violation of the Virginia Conflict of Interests Act. To the extent that violations of the ethical standards of conduct constitute violations of the Code of Virginia, they shall be punishable as provided therein. Such sanctions shall be in addition to the civil remedies set forth.

By entering into a contract, the bidder conveys, sells, assigns, and transfers to Clarke County, all rights, title and interest in and to all causes of the action it may now have or hereafter acquire under the anti-trust laws of the United States and the Commonwealth of Virginia, relating to the particular goods or services purchased or acquired by Clarke County, under said contract.

Consistent and continued tie bidding could cause rejection of bids by Clarke County and/or investigation for anti-trust violations.

- F. **TAX-EXEMPT STATUS:** Since municipalities and school districts are exempt from all direct federal and state taxes, Clarke County is tax-exempt and will provide a tax-exempt certificate upon request.
- G. **APPLICABLE LAWS AND COURTS:** This solicitation and any resulting contract shall be governed by the laws of the Commonwealth of Virginia. All Court proceedings shall be held in the Commonwealth of Virginia. The contractor shall comply with all applicable federal, state and local laws, rules, ordinances, and regulations.

- H. FIRM BID PRICING: Clarke County requires the bid price remains firm for ninety (90) days after date of the bid opening, during which period bids may not be withdrawn. "Discount from list" bids are not acceptable unless requested.
- I. TIE BIDS: The Joint Administrative Services Department and all other departments of Clarke County making purchases of services, supplies, material or equipment, shall, in making purchases of same, give preference to services, supplies, material or equipment sold by Clarke County and the State of Virginia vendors, in that order, in all cases of tie bids, quality and service being equal.
- J. ANTI-DISCRIMINATION: Every individual or firm bidding must be an Equal Opportunity Employer as defined by federal law and the Code of Virginia, Virginia Public Procurement Act as amended: "Section 2.2-4311, Employment Discrimination by Contractor Prohibited" which reads:

All public bodies shall include in every contract of more than \$10,000 the following provisions:

1. During the performance of this contract, the contractor agrees as follows:
 - a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
 - b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
 - c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
2. The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

K. IMMIGRATION REFORM AND CONTROL ACT OF 1986: By submitting their bids, bidders certify that they do not and will not during the performance of this contract employ illegal alien workers or otherwise violate the provisions of the Federal Immigration Reform and Control Act of 1986.

L. DEBARMENT STATUS: By submitting a bid, the bidder certifies that they are not currently debarred by the Federal Government, Commonwealth of Virginia, or by any City, Town, or County from submitting bids or proposals on contracts for the type of goods and/or services covered by this solicitation, nor are they an agent of any person or entity that is currently so debarred.

M. RESPONSE FORM PROCEDURES:

1. Response Forms must be signed and received at the Purchasing Office, before the opening hour.
2. Sealed Bids and Sealed Proposals offered by fax and or telephone will not be accepted.
3. Quotes offered by fax will be accepted; however, telephone quotes will not be accepted.
4. All Response Forms delivered in person must be delivered to the Purchasing Office.
5. In submitting a Response Form, the bidder signifies that he/she is fully informed as to the extent and character of the supplies, materials, equipment and/or services necessary to perform this project in accordance with all documents constituting the bid and will comply satisfactorily with the bid documents.
6. Further, the bidder signifies that when necessary he/she has inspected the site on which the work shall be done and is aware of all conditions affecting the execution of the work contained within the bid documents. Failure to visit the site will in no way relieve the successful bidder from performance under the contract.
7. All information required by the solicitation must be supplied to constitute a responsive bid. All information submitted including prices should be typed so as to insure legibility. However, the bidder's signature shall be handwritten in ink in order for the bid to be considered.
8. The bidder expressly warrants that the price or prices quoted herein are not the result of an agreement or understanding expressed or implied with any other bidder or bidders.

9. By submitting a Response Form, bidders certify that they are not currently debarred by Clarke County from submitting bids, proposals or quotes on contracts, nor are they an agent of any person or entity that is currently debarred by Clarke County from submitting bids, proposals or quotes.
10. Any Response Form submitted with corrections must have corrections initialed by the person who signed the original. The unit price will prevail in the event an error is made in computing totals.
11. All prices for materials are to be F.O.B. Destination, prepaid and allowed. Except as otherwise specified herein, standard commercial packaging, packing and shipping containers shall be used. All shipping containers shall be legibly marked or labeled on the outside with purchase order, commodity description, and quantity.
12. The successful bidder shall not assign, transfer, convey, sublet, or otherwise dispose of the contract or his/her right, title, or interest therein, or his/her power to execute written consent of Clarke County.
13. Bidders are encouraged to have a representative at the bid opening if information on the bids submitted is desired.
14. Bids will be opened at the advertised local prevailing time, but Clarke County officials reserve the right to take sufficient time to study the various bids and then make the awards. Bids will be awarded as promptly as possible after the closing date.
15. Unless otherwise specified, Response Forms must be submitted in triplicate and will be received at:
Clarke County Purchasing Office
129 Ramsburg Lane
Berryville VA 22611
16. Sealed Bid envelopes must be clearly marked, with the IFB number and project name, on the outside, lower left corner as follows:

Sealed Bid – Do Not Open
IFB # _____
PROJECT NAME _____
17. Sealed Bids will be received up to the advertised time and date at the Clarke County Purchasing Office and at the appointed time will be opened publicly and read allowed. The clock on the Purchasing Office's wall will be used to log the time each bid/proposal is received.
18. If more than one bid opening is held the same date, bids will be opened in succession as numbered and lettered (A, B, C, etc.).
 - a. Late bids will not be accepted. Bids received in the mail will be returned to the bidder unopened (provided properly sealed and marked as indicated above). Failure to comply with conditions set forth herein may result in removal of bid (all/part) from consideration.
 - b. All contracts, unless otherwise specifically stated, shall provide materials/commodities in new, first class condition, fresh stock, latest model, design or pack. This shall include any containers suitable for shipment, usage and/or storage unless otherwise indicated within this document. Verbal agreements to the contrary will not be recognized.
 - c. Any items or parts of any equipment listed in this solicitation which are not fully described or are omitted from such specifications and which are clearly necessary for the completion of such equipment and its appurtenance shall be considered a part of such equipment although not directly specified or called for in the specifications.
 - d. By law, Clarke County will not receive any materials, products, or chemicals that may be hazardous to an employee's health, unless accompanied by a Material Safety Data Sheet (MSDS) when products and/or chemicals are received. **MSDS must be submitted to Clarke County in triplicate.**

N. BID WITHDRAWALS

1. A bidder, for contract other than for public construction, may request withdrawal of his/her bid before award, by submitting a written request to the Director of Joint Administrative Services.
2. After bid/proposal opening, corrections shall be permitted only to the extent that the vendor can show by clear and convincing evidence that a mistake of a nonjudgmental character was made, the nature of the mistake, and the price actually intended. After the opening, no changes in prices or other provisions of bids/proposals prejudicial to the interest of the County or fair competition shall be permitted. In lieu of bid correction, a low bidder/offeror alleging a material mistake of fact may be permitted to withdraw its bid/proposal if:

- a. the mistake is clearly evident on the face of the bid/proposal document but the intended correct bid/proposal is not similarly evident; or
 - b. the vendor submits evidence which clearly and convincingly demonstrates that a mistake was made. All decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the Director of Joint Administrative Services.
3. If bid bonds were tendered with the bid, Clarke County may exercise its right of collection. No bid may be withdrawn under this paragraph when the result would be the awarding of the contract on another bid of the same bidder in which the ownership of the withdrawing bidders is more than five percent (5%).
 4. If a bid is withdrawn under the authority of this paragraph, the lowest qualified remaining bid shall be deemed to be the low bid.
 5. Except as otherwise provided by regulation, all decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes shall be supported by a written determination made by the Director of Joint Administrative Services.
 6. No bidder who is permitted to withdraw a bid shall, for compensation, supply any material or labor or to perform any subcontract or other work agreement for the person or firm to whom the contract is awarded or otherwise benefit, directly or indirectly, from the performance of the project for which the withdrawn bid was submitted.

O. AWARD SPECIFICS

1. Clarke County reserves the right to accept, reject and/or cancel all or any part of any Response Form, and to waive minor technicalities.
2. Awards will be made to the lowest responsive and responsible bidder(s), provided services and quality are considered to be equal to (or better than) that offered by other bidders, and the right is reserved to make the award to other than the lowest bidder when it is in the best interest of Clarke County. Further, Clarke County will be the sole judge as to conditions affecting such interest.
3. Clarke County may make such reasonable investigations as deemed proper and necessary to determine the ability of the bidder to perform the work and/or furnish the item(s), and the bidder shall furnish to Clarke County all such information and data for this purpose, as may be requested.
4. Clarke County reserves the right to inspect bidder's physical facilities before award to satisfy questions regarding the bidder's capabilities.
5. Clarke County further reserves the right to reject any bid, proposal or quote if the evidence submitted by, or investigations of, such bidder fails to satisfy Clarke County, that such bidder is properly qualified to carry out the obligations of the contract and to complete the work and/or furnish the item(s) contemplated therein.
6. Clarke County reserves the right to conduct any test/inspection it may deem advisable to assure supplies and services confirm to the specification.
7. A contract shall not be assignable by the Contractor, in whole or part, without the written consent of Clarke County.
8. Unless otherwise specified, the right is reserved to make award based on all work and/or items, or on any part of work/items, whichever is in the best interest of Clarke County.
9. The right is reserved to cancel any contract and reject deliveries of any products or materials not in accordance with the specifications. All returns or exchanges will be at the Contractor's expense. Clarke County shall be the sole and final judge.
10. The Contractor shall pay all sales, consumer, use and other similar taxes for work or portions thereof provided by the Contractor which are legally enacted at the time bids are received, whether or not yet effective.
11. The right is reserved to decide when a deviation from specifications is of sufficient consequence, when measured against the purpose for which the item will be purchased, to justify including it for consideration. Clarke County shall be the sole and final judge.
12. Should the delivery of any part of an order be delayed beyond time specified, or should any portion of the products delivered fail to comply with the specifications, Clarke County shall have the right to buy at market price for

immediately delivery, and any excess cost of same over the price named herein is to be paid by the Contractor or deducted from any money due him/her thereafter.

13. If delay is foreseen, the Contractor shall give thirty (30) days prior written notice to the Director of Joint Administrative Services. Clarke County has the right to extend delivery date if reasons appear, in the sole discretion of Clarke County, to be valid. The Contractor must keep Clarke County advised at all times of status of order.
14. Default in promised delivery (without accepted reasons) or failure to meet specifications, authorizes the Joint Administrative Services Department to purchase supplies, equipment or services elsewhere and charge the full increase in cost and handling to the defaulting Contractor.
15. **The Joint Administrative Services Department will permit NO SUBSTITUTIONS OR CANCELLATIONS after award without written approval.**
16. When Clarke County notifies a bidder, in writing, of its acceptance of the bidder's price(s) of any goods or services, this notification will signify the effective date of the acceptance of this contract.
17. Cancellation of a contract for any reason may result in the removal of the successful bidder's name from the mailing list for future bidding. If the cancellation is for non-performance of the contract, such cancellation may be at the successful bidder's expense.
18. All guarantees and warranties required shall be furnished by the Contractor and shall be delivered to the Purchasing Office before final payment on the contract is made. Unless otherwise stated, the manufacturer's standard warranty applies.

P. JUSTIFICATION FOR TERMINATION

1. Clarke County may terminate this contract in whole or part whenever the Director of Joint Administrative Services shall determine that such a termination is in the best interest of Clarke County.
2. Any such termination shall be effected by delivery to the Contractor at least ten (10) business days prior to the termination of a written Notice of Termination specifying the extent to which performance shall be terminated and the date upon which such termination becomes effective.
3. An equitable adjustment in the contract price shall be made for completed service, but no amount shall be allowed for anticipated profit or unperformed services.
4. If any work or service hereunder is in progress, but not completed as of the date of termination, then this contract may be extended upon written approval by Clarke County until said work or service is completed and accepted.
5. Possible reasons for termination are:
 - a. Termination for Convenience – in the event this contract is terminated or cancelled upon request and for the convenience of Clarke County, without the required ten (10) days advance written notice, then Clarke County shall negotiate reasonable termination costs, if applicable.
 - b. Termination for Cause – termination by Clarke County for cause, default or negligence on the part of the Contractor shall be excluded from the foregoing provision; termination costs, if any, shall not apply. The ten (10) days advance notice requirement is waived in the event of Termination for Cause.
 - c. Termination Due to Unavailability of Funds in Succeeding Fiscal Years – when funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal year, the contract shall be cancelled and the Contractor shall be reimbursed for the reasonable value of any non-recurring costs incurred but not amortized in the price of the supplies or services delivered under the contract.

Q. DRUG FREE WORKPLACE: Every individual or firm bidding must be an Equal Opportunity Employer as defined by federal law and the Code of Virginia, Virginia Public Procurement Act as amended: "Section 2.2-4312, Drug-free Workplace to be Maintained by Contractor; Required Contract Provisions" which reads:

All public bodies shall include in every contract over \$10,000 the following provisions:

During the performance of this contract, the contractor agrees to (i) provide a drug-free workplace for the contractor's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the

contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

For the purposes of this section, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a contractor in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

R. **INSURANCE REQUIREMENTS:** By signing and submitting a bid or proposal under this solicitation, the bidder or offeror certifies that if awarded the contract, it will have the following insurance coverage at the time the contract is awarded. For construction contracts, if any subcontractors are involved, the subcontractor will have workers' compensation insurance in accordance with §2.2-4332 and 65.2-800 et seq. of the Code of Virginia. The bidder or offeror further certifies that the contractor and any subcontractors, at any tier, will maintain these insurance coverage during the entire term of the contract and that all insurance coverage will be provided by insurance companies authorized to sell insurance in Virginia by the Virginia State Corporation Commission.

1. Please note the below insurance requirements are guideline minimum amounts only, and, depending on the goods/services required, may be increased or decreased. **Any changes in insurance requirements will be referenced within this document, under Specific Reference to General Terms and Conditions.**
2. The successful bidder shall procure, maintain and provide proof of insurance coverage for injuries to persons and/or property damage as may arise from, or in conjunction with, the work performed on behalf of Clarke County by the bidder, his/her agents, representatives, employees or Subcontractors.
3. Actual proof of coverage as contained herein shall be submitted to Clarke County Purchasing Office within five (5) days after award has been made and before any work starts, services are provided, or goods are delivered.
4. The bidder shall maintain such coverage for the duration of the contract period for "occurrence" policies. "Claims made" policies must be in force, or that coverage purchased, for three (3) years after contract completion date.
5. The Certificate of Insurance shall be properly completed as follows:
 - a. It shall name "Clarke County, Virginia, its officers, officials, employees, volunteers and agents (as their interest may appear)" as "Certificate Holder".
 - b. It shall list "Clarke County, Virginia, its officers, officials, employees, volunteers and agents (as their interest may appear) added as an additional insured" under "Description of Operations/Locations/Vehicles/Exclusions Added by Endorsement/Special Provisions".
 - c. This provision may not apply to Professional Liability or Workers' Compensation/Employers' Liability.
6. The Certificate of Insurance shall be for a minimum of the following:
 - a. **Worker's Compensation- Statutory requirements and benefits.** Coverage is compulsory for employers of three or more employees, to include the employer. Contractors who fail to notify the County of Clarke of increases in the number of employees that change their workers' compensation requirements under the Code of Virginia during the course of the contract shall be in noncompliance with the contract.
 - b. **Employer's Liability - \$100,000**
 - c. **General Liability – per occurrence \$1,000,000.00**

This coverage shall be as broad as: Comprehensive General Liability endorsed to include Broad Form, Bodily Injury and Property Damage, Personal and Advertising Injury, and Commercial General Liability form including Products/completed Liability Operations.
 - d. **Automobile Liability – per occurrence \$1,000,000.00**

Coverage shall be sufficient to cover all vehicles owned, used or hired by the bidder, his/her agents, representatives, employees and/or Subcontractors.
 - e. **Product Liability \$1,000,000.00**

Refer to General Liability above.

f. **Professional Liability/Errors and Omissions Coverages are required when soliciting those services as follows:**

<u>Profession/Service</u>	<u>Limits</u>
Accounting	\$1,000,000 per occurrence, \$3,000,000 aggregate
Architecture	\$2,000,000 per occurrence, \$6,000,000 aggregate
Asbestos Design, Inspection or Abatement Contractors	\$1,000,000 per occurrence, \$3,000,000 aggregate
Health Care Practitioner (to include Dentists, Licensed Dental Hygienists, Optometrists, Registered or Licensed Practical Nurses, Pharmacists, Physicians, Podiatrists, Chiropractors, Physical Therapists, Physical Therapist Assistants, Clinical Psychologists, Clinical Social Workers, Professional Counselors, Hospitals, or Health Maintenance Organizations.)	\$2,000,000 per occurrence, \$3,000,000 aggregate
**(This complies with §8.01-581.15 of the Code of Virginia)	
Insurance/Risk Management	\$1,000,000 per occurrence, \$3,000,000 aggregate
Landscape/Architecture	\$1,000,000 per occurrence, \$1,000,000 aggregate
Legal	\$1,000,000 per occurrence, \$5,000,000 aggregate
Professional Engineer	\$2,000,000 per occurrence, \$6,000,000 aggregate
Surveying	\$1,000,000 per occurrence, \$1,000,000 aggregate

7. The Contractor's insurance company shall provide thirty (30) days written notice to Clarke County before any cancellation, suspension, or void of coverage, in whole or part, where such provision is reasonable.
8. **Contractor shall be responsible for making sure any/all Subcontractors each provide a Certificate of Insurance and meet all of Clarke County's insurance requirements.**
9. All deductibles or self-insured retention shall appear on the certificate(s) and shall be subject to approval by Clarke County. At the option of Clarke County, either the insurer shall reduce or eliminate such deductible or self-insured retention; or the bidder shall be required to obtain a bond guaranteeing payment of losses and related claims expenses.
10. Failure to comply with any reporting provisions of the policy(ies) shall not affect coverage provided to Clarke County, its officers/officials, agents, employees and volunteers.
11. The insurer shall agree to waive all rights of subrogation against Clarke County, its officers/officials, agents, employees and volunteers for any act, omission or condition of premises by which the parties may be held liable by reason of negligence.
12. The bidder shall furnish Clarke County with the Certificate(s) of Insurance including endorsements affecting coverage. The certificates are to be signed by a person authorized by the insurance company(ies) to bind coverage on its behalf. If executed by a broker, a notarized copy of authorization to bind or certify coverage must be attached.
13. All insurance shall be placed with insurers maintaining an A.M. Best rating of no less than A: VII. If A.M. Best rating is less than A: VII, approval must be received from the Director of Joint Administrative Services.
14. All coverage designated herein shall be as broad as the Insurance Services Office ((SO) forms filed for use with the Commonwealth of Virginia.

S. BOND REQUIREMENTS

1. **Any necessary bonds will be referenced within this document, under Specific Reference to General Terms and Conditions** and the requirements are outlined below.

- a. **Bid Bonds** – Each bidder shall accompany their bid with a bid bond or certified check in the amount of five percent (5%) of the amount bid. Such bond shall serve as liquidated damages and be forfeited in the event the successful bidder fails to enter into the contract.

If a bid bond is required and stated in an invitation for bid and a bidder submits a bid without a bid bond, the bidder will be considered non-responsive and shall be disqualified.

- b. **Performance and Payment Bonds** – The successful Contractor shall furnish both a performance and payment bond, each in the amount equal to one hundred percent (100%) of the contract as security for the faithful performance of this contract.

- c.) One or more surety companies authorized to do business in Virginia shall execute each of the bonds and the contractor shall select the surety company. Required bonds shall be payable to the County.

3. **Any other special bonding requirements will be listed under Specific Reference to General Terms and Conditions.**

4. All bonds shall be obtained at bidder's expense and shall be included in the bid price.

T. PERMITS AND LICENSES

1. Clarke County will attempt to make reference, within this document, to any necessary permits and licenses under Special Terms and Conditions. However, the contractor is ultimately responsible for ensuring that he/she has all the required permits and licenses.

2. For convenience purposes only, the following most commonly required permits and licenses are listed with their respective contact information.

Clarke County Building Permit

Per instructions from Building Department Office
Phone 540-955-5112

Clarke County Business License

Per instructions from Commissioner of the Revenue's Office
Phone 540-955-5108

Virginia State Contractor's License

Per VA Board for Contractors Statutes Title 54.1, Chapter 11
Phone 804-367-8500

Town of Berryville Since some of the county and school property is located within the limits of the Town of Berryville, Contractor is advised to check with the Town office to see what permits and licenses might be required for those projects. The Town Office phone number is 540-955-1099.

3. **Clarke County does not waive any fees involved** in securing Clarke County (or any other) permits. Any required permits and licenses are to be obtained at bidder's or Contractor's expense and to be included in the bid price.

4. All permit/license numbers must be indicated on or attached to the Response Form of this document.

U. PAYMENTS TO CONTRACTOR

1. Contractor warrants having clear title to all materials and supplies by submission of invoice being presented for payment.
2. All submitted invoices shall reflect the contract number and/or purchase order number, a detailed itemized breakdown of all charges, and (unless otherwise specified) shall be delivered to:

Clarke County Accounts Payable
524 Westwood Road
Berryville VA 22611

(v) 540-955-6171 (f) 540-955-0676

- a. All submitted invoices shall show payer identification as follows:
- b. Individual Contractors shall provide social security number.
- c. Proprietorships, Partnerships and/or Corporations shall provide their federal employer identification number.
- d. Payment will be made thirty (30) days after receipt of proper invoice, or thirty (30) days after receipt of all goods or inspection and acceptance of work, whichever is later.
- e. Payment shall not preclude Clarke County from making a claim for adjustment on any item later found not to have been in accordance with the contract.
- f. **Unreasonable Charges.** Under certain emergency procurements and for most time and material purchases, final job costs cannot be accurately determined at the time orders are placed. In such cases, contractors should be put on notice that final payment in full is contingent on a determination of reasonableness with respect to all invoiced charges. Charges that appear to be unreasonable will be researched and challenged, and that portion of the invoice held in abeyance until a settlement can be reached. Upon determining that invoiced charges are not reasonable, the County of Clarke shall promptly notify the contractor as to those charges that it considers unreasonable and the basis for the determination. A contractor may not institute legal action unless a settlement cannot be reached within thirty (30) days of notification.

V. PAYMENTS TO SUBCONTRACTORS

- 1. Any mention of the term "subcontractor(s)" in this section shall include any and all sub-tier Contractors.
- 2. A Contractor awarded the contract under this solicitation is hereby obligated to:
 - a. Pay the Subcontractor(s) within seven (7) days of the Contractor's receipt of payment from Clarke County for the proportionate share of payment received for work performed by the Subcontractor(s) under the contract or to notify Clarke County and the Subcontractor(s), in writing of the Contractor's intention to withhold payment and the reason.
 - b. Pay the Subcontractor(s) interest at the rate of one percent (1%) per month (unless otherwise provided under the terms of the contract) on all amounts owed by the Contractor that remain unpaid seven (7) days following receipt of payment from Clarke county, except for amounts withheld as stated above.
 - c. The date of mailing of any payment by U. S. mail is deemed to be payment to the addressee.
 - d. A Contractor's obligation to pay an interest charge to a Subcontractor may not be construed to be an obligation on the part of Clarke County.
 - e. By submitting an invoice, the contractor agrees that all subcontractors have been paid or will be paid and the Contractor shall be responsible for resolving any and all claims submitted by the subcontractors.

W. DISPUTES

- 1. Contractual claims, whether for money or other relief, shall be submitted in writing no later than sixty (60) calendar days after final payment; however, written notice of the Contractor's intention to file such claim shall have been given at the time of the occurrence or beginning of the work upon which the claim is based.
- 2. Nothing herein shall preclude a contract from requiring submission of an invoice for final payment within a certain time after completion and acceptance of the work or acceptance of the goods. Pendency of claims shall not delay payment of amount agreed due in the final payment.

X. PROTEST OF AWARD OR DECISION TO AWARD

- 1. Any bidder or offeror who desires to protest the award or decision to award a contract shall submit such protest, in writing, to the Director of Joint Administrative Services, no later than ten (10) calendar days after the award announcement or decision to award, whichever occurs first.

2. No protest shall lie for a claim that the selected bidder or offeror is not a responsible bidder or offeror.
3. Written protest shall include basis for the protest and relief sought.

Y. USE OF BRAND NAMES

1. Unless otherwise provided within this document, the name of a certain brand, make or manufacturer does not restrict bidders to the specific brand, make or manufacturer names; it conveys the general style, type, character, and/or quality of the article desired, and any article which Clarke county in its sole discretion determines to be the equal of that specified, considering quality, workmanship, economy of operation, and suitability for the purpose intended, shall be accepted.
2. Any catalog, brand name or manufacturer's reference used in the bid invitation is descriptive – not restrictive – it is to indicate the type and quality desired.
3. Bids on brands of like nature and quality will be considered.
4. If other than brand specified is offered, illustrations and complete description (manufacturer, brand or trade name, catalog number, etc.) must be submitted with bid. Please note that samples may be required.
5. If bidder makes no other bid and takes no exception to the specifications or reference data, the bidder will be required to furnish brand names, numbers, etc., as specified.
6. Bidders, by their signature and submission of bid, certify that any/all item(s) bid upon meet and/or exceed the specifications.

Z. PAYMENT OF CLARKE COUNTY TAXES

1. All bidders located or owning property in Clarke County shall assure that all real and personal property taxes are paid before submitting a bid.
2. Clarke County will verify payment of all real and personal property taxes by the successful bidder before the award of any contract.

AA. NOTICE OF REQUIRED DISABILITY LEGISLATION COMPLIANCE

1. Clarke County is required to comply with state and federal disability legislation: §504 of The Rehabilitation Act (RA) of 1973, The Americans with Disabilities Act (ADA) for 1990 Title II, and the Virginians with Disabilities Act (VDA) of 1990.
2. Specifically, Clarke County may not, through its contractual and/or financial arrangements, directly or indirectly, avoid compliance with Title II of the ADA, Public Law 101-336, which prohibits discrimination on the basis of disability by public entities.
3. Subtitle A protects qualified individuals with disability from services, programs, or activities of all state and local governments. It extends the prohibition of discrimination in federally assisted programs established by the RA of 1973 Section 504 to all activities of state and local governments, including those that do not receive federal financial assistance, and incorporates specific prohibitions of discrimination on the basis of disability in Titles I, III, and V of the ADA. The VDA of 1990 follows the RA of 1973, Section 504.

BB. CONTRACT QUANTITIES

1. The quantities specified in this document are estimated only, and are given for the information of bidders and not for the purpose of bid evaluation. They do not indicate the actual quantity to be ordered, since such volume will depend upon requirements that develop during the contract period.
2. Quantities shown shall not be construed to represent any amount which Clarke County shall be obligated to purchase under the contract, or relieve the Contractor of obligation to fill all orders placed by Clarke County.
3. No bid will be considered which stipulates that Clarke County shall guarantee to order a specific quantity of any item.

CC. DEVIATIONS: If there is any deviation in any bid from that prescribed in the Scope of Services, the appropriate line in the Scope of Work/Services shall be ruled out and the substitution clearly indicated and submitted with the Bid Response Form. Clarke County reserves the right to determine the responsiveness of any deviation(s).

DD. SAFETY

1. All Contractors and Subcontractors performing services for Clarke County are required to and shall comply with all Occupational Safety and Health Administration (OSHA), state and county Safety and Occupational Health Standards and any other applicable rules and regulations.
 2. Also, all Contractors and Subcontractors shall be held responsible for the safety of their employees and any unsafe acts or conditions that may cause injury or damage to any persons or property within and around the work site area under this contract.
- EE. **HOLD HARMLESS CLAUSE:** Bidders shall provide that, during the term of this contract, including any warranty period, for the firm indemnifying, defending and holding harmless of Clarke County, its officials, employees, agents, representatives thereof, from all suits, actions or claims of any kind, including attorney's fees, brought on account of any personal injuries, damages or violations of rights, sustained by any person or property in consequence of any neglect in safeguarding contract work or on account of any act or omission by the Contractor or Contractor's employees, or from any claims or amounts arising from violation of any law, bylaw, ordinance, regulation or decree. The bidder also agrees that this clause shall include claims involving infringement of patent or copyright.
- FF. **REFERENCES:** All bidders shall include with their Response Form a list of current references for whom comparable work has been performed or to whom comparable goods have been provided. A separate attachment has been provided and must be completed entirely and returned with the bid. Failure to include Reference Form may be ample cause for rejection of bid as non-responsive.
- GG. **FEDERAL/STATE LAWS AND COUNTY ORDINANCES:** Any and all Federal and Commonwealth of Virginia Laws and County Ordinances that are not referenced or stated in the County's General Terms and Conditions shall apply to all contracts/orders.
- HH. **ANTITRUST:** By entering into a contract, the contractor conveys, sells, assigns, and transfers to the County of Clarke all rights, title and interest in and to all causes of action it may now have or hereafter acquire under the antitrust laws of the United States and the Commonwealth of Virginia, relating to the particular goods or services purchases or acquired by the County of Clarke under said contract.
- II. **DEFAULT:** In case of failure to deliver goods or services in accordance with the contract terms and conditions, the County of Clarke, after due oral or written notice, may procure them from other sources and hold the contractor responsible for any resulting additional purchase and administrative costs. This remedy shall be in addition to any other remedies that the County may have.
- JJ. **TYPES OF CONTRACT CLAUSES THAT THE COUNTY SHALL ATTEMPT TO REMOVE FROM VENDOR CONTRACTS.** Some, but not all, examples of clauses that may delay or stop a contract from being signed are shown below:
- a. The County shall attempt to remove late fee clauses.
 - b. The County shall attempt to remove one-time fee clauses, such as administrative, restocking, and documentation fees.
 - c. The County shall attempt to remove clauses involving the adjustment of payments due on a fixed-price contract (without prior County approval).
 - d. The County shall attempt to remove clauses that provide the vendor with an automatic renewal of a contract unless County notification is provided within a particular time frame.
 - e. The County shall attempt to remove clauses where the County is asked to reimburse a vendor for its expenses to refurbish equipment or materials that have been leased by the County to ensure that the vendor can resell or release the item.
 - f. The County shall attempt to remove clauses where the County is asked to provide a security deposit.
 - g. The County shall attempt to remove any clauses that disclaim warranties.
 - h. The County shall attempt to remove any clauses that put time constraints on the County's right to file legal action.

- i. The County shall attempt to remove indemnity clauses from all contracts. If the complete removal of an indemnity clause can not be agreed upon, the County shall ensure that the maximum amount of liability is satisfactory. The County also may attempt to include its own indemnity clause in which the County's maximum amount of liability is clearly stated.
- j. The Clarke County Treasurer must approve any contract that allows a vendor to directly debit/charge the County's bank account.
- k. All Court proceedings shall be held in the Commonwealth of Virginia.

When a specific contract clause can not be agreed upon, the County reserves the right to end negotiations with the respective vendor and begin negotiations with another vendor.

KK. SEVERABILITY OF CONTRACT: In the event that any provision shall be adjudged or decreed to be invalid, such ruling shall not invalidate the entire Agreement but shall pertain only to the provision in question and the remaining provisions shall continue to be valid, binding and in full force and effect.

LL. The County reserves the right to waive or amend any of its General Terms and Conditions if the Purchasing Agent and/or Joint Administrative Board deem it to be in the best interest of the County.

END OF GENERAL TERMS AND CONDITIONS
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125 W. Burke Street, Martinsburg, WV 25401
304-267-9759 – www.chesterengineers.com - Fax-304-267-9612

Date: May 14, 2011 **Project No.:** 10-6262-GB Task 27 Amendment
To Clarke County Board of Supervisors **Project Name:** Double Tollgate Water and Sewer
Clarke County Government Center Facilities Preliminary Engineering
101 Chalmers Court Report: Addendum 1.
Berryville, VA 22611

Chester Engineers prepared a Preliminary Engineering Report (PER) in 2011 for the provision of water and sewage service for the Double Tollgate planning area. The PER recommended that the Virginia Department of Corrections (VDOC) wastewater treatment facility at White Post be used for the treatment of wastewater from the Double Tollgate area. It was anticipated that the Double Tollgate Area would ultimately add an additional 50,000 gallons per day to the wastewater system. Due to the high project cost of serving only the Double Tollgate immediate area, the Clarke County Board of Supervisors desires to expand the service area to encompass more utility customers and further expand the economic growth. It is envisioned that the US 340/522 corridor could become a major economic generator for the county if water and sewer service can be extended south from Double Tollgate to the Warren County line. To determine the economic feasibility of this vision it is necessary to evaluate the costs and benefits of extending water and sewer facilities in the expanded growth corridor. Based upon this information Chester Engineers recommends the following scope of services.

Scope of Services:

Task No. 1 Calculate the Water Demand and Sewage Flow

- A. Chester will inventory or provide best estimate of the number of customers and associated water demand and sewage generated from existing development in the Double Toll Gate service area (residential, commercial, institutional) associated with the first phase of recommended water and sewer systems.
- B. Chester will provide estimate of the total number of customers and associated water demand and sewage generated from within the Double Toll Gate service area at build-out.

Task No. 2: Develop a Concept Plan for Water and Sewer Expansion

- A. Chester will prepare a Concept Plan for extending water and sewer service from Double Tollgate intersection south to the Clarke/Warren County line. The Concept Plan will address the following issues:
 - Water distribution line size and location.
 - Need for additional booster station or water storage facility.
 - Sewage collection system location (major interceptor only).
 - Sewage pumping station need, size and general location.
- B. Chester Engineers will look at the potential need for replacing /relocating the current White Post WWTP and/or its point of discharge in a new location. In completing this task Chester will:
 - Communicate with Virginia Department of Environmental Quality concerning the impact of WWTP expansion as it pertains to treatment standards, and

“Tradition in Engineering Excellence Since 1910”

- Evaluate the impact of relocating the point of discharge.

Task No. 3: Evaluate the Cost of Implementing the Concept Plan

A. Chester will evaluate the cost of:

- Extended water distribution system.
- Extended sewage collection system.
- Expanded wastewater treatment plant.
- Relocated point of discharge for the wastewater treatment plant.

B. The Capital Cost and the Operating and Maintenance Costs for the expanded Double Tollgate system will be projected consistent with the phases identified in Task 1.. These costs will be used to project potential customer rates.

Fees:

Chester Engineers proposes to perform the services described above for the lump sum price of: \$ 8,930.

Schedule:

Chester Engineers will submit an amended Preliminary Engineering Report 60 days from receipt of this signed proposal.

Assumptions:

1. Survey and geotechnical services will not be included.
2. Services do not include a zero-discharge analysis of the wastewater treatment plant effluent.
3. Water and Sewer service area based upon aerial photo with land uses mapped received from Clarke County Planning Department.
4. Services do not include an environmental assessment of the impact of the water and sewer system.

Contract Terms and Conditions:

Services will be in accordance with the attached Scope of Services and the master engineering agreement between Clarke County and Chester Engineers. Chester Engineers will start the described services upon receipt of a signed copy of this proposal. If you have any questions concerning this matter, please contact us. Please sign in the space provided and return this document as soon as possible in order to authorize us to proceed.



Chester Project Manager

Date:

May 14, 2011



Chester Branch Manager

Date:

May 14, 2011

CHESTER ENGINEERS

Acceptance:

The persons signing below have read and understand all of the provisions of this contract and represent and warrant that they are authorized to sign this document on behalf of the Clarke County Board of Supervisors.

Accepted by: _____

Name/Title: _____

Date: _____

MEMORANDUM

TO: BOARD OF SUPERVISORS
FROM: DAVID ASH
SUBJECT: STAGGERED TERMS
DATE: 5/18/2011

Attached is the request from the Clarke County School Board asking that the Board of Supervisors consider changing the terms of office for the Board of Supervisors and the School Board so as to stagger the terms of members to provide for continuity of leadership that would span the terms of individual members.

A review of §24.2-219, also attached, identifies two ways to initiate such a change. The Board of Supervisors can do so with the enactment of an ordinance or the voters can petition the circuit court to have the matter decided by referendum.

I do not think that a referendum initiated by a petition is likely as the Court is not permitted to order a referendum within 55 days of a General election and must issue the order at least 81 days prior to the date of the referendum. (§24.2-682). Since the voting must occur on a Tuesday, the Court would have to order the election no later than June 24 in order to meet the 55 day prior to the general election and the 81 day notice requirements. That would allow only 30 days from the time this matter is discussed for a petition drive to be initiated, submitted and verified, and for the court to act. It's possible but not likely.

I have asked Mr. Mitchell if a referendum conducted on the same day as the general election would apply to those individuals elected at that same time, but do not have an answer at this time.

Should the Board adopt an ordinance at least 30 days prior to the last day to file as a candidate, it can choose to allow the electoral board to select by lot the two districts that would have initial terms of 2 years at a lottery held prior to the last day for candidates to qualify by including such instruction in the ordinance. Absent that instruction the electoral board would use the same manner to determine the terms of those elected the day after the election and upon certification of results. While the BOS could choose this option, it is unlikely that DOJ approval could be obtained prior to the date at which the terms would be chosen. This would present a problem if DOJ objected to the ordinance.

A new option just approved by the General Assembly will be available after July 1. That option would allow those newly elected to agree among themselves which member(s) would accept short terms. The Registrar has been advised by staff at the State Board of Elections that the BOS could adopt an ordinance in advance of the effective date of that statute if the effective date of the ordinance is July 1 or after. If the board is interested in considering this option, then Mr. Mitchell should be consulted to determine the specific language to be used in the ordinance.

The text of §24.2-225 states that school board members shall serve terms, which are the same as those of the governing body. It seems that should supervisors determine to stagger terms and use the new law to decide which districts would volunteer for the short term, that the school board members would have to accept the Supervisors decisions.

A complicating factor is the Department of Justice pre-clearance process. Any change in the election laws would have to be pre-cleared by the DOJ in time to implement the changes. This review period automatically adds a 60 maximum review period to the implementation of any election related ordinance or referendum and DOJ routinely takes the full time allotted.

DOJ review and approval is not likely prior to implementing the option of having the electoral board draw lots 30 days prior the last day to file as the time frame for pre-clearance would fall after the date established for the electoral board to draw lots. Again, it could be done, but if DOJ objected the actions would be void.

The second option(s) would be possible as the choices would be made after the election and there would be time for the DOJ pre-clearance process to occur. However, if the option of volunteering for short terms were desired, then it would have to be included as an option in the ordinance adopted by the Board.

An added complication that may develop is the availability of voting equipment. Should there be a primary election, the election equipment required to conduct an election would not be available from approximately June 18 through September 16th, and again immediately for the general election. If a special election were to be conducted it would likely require the rental of alternate voting equipment or a reversion to paper ballot should that equipment not be available.

If the Board is interested in pursuing this change at this time, I suggest that the question be added to the ballot for the general election if it is determined that the change would be effective for elections conducted at the same time. If not, the Board could consider the change subsequent to the general election and have the desired ordinance in place before the next general election of Supervisors and School Board members. The decision, if moving ahead with this matter, should be made quickly so that the required public hearing, and submission to DOJ can be made such that any question regarding DOJ approval can be resolved, conflict with other elections can be resolved, and alternate voting equipment or means obtained.

Michael F. Murphy, Ed.D.
Superintendent

Rick Catlett
Assistant Superintendent



Lisa Floyd
Director of Curriculum & Instruction

Randy Trenary
Director of Operations

Clarke County Public Schools

309 West Main Street
Berryville, Virginia 22611

Phone: (540) 955-6100

www.clarke.k12.va.us

FAX: (540) 955-6109

May 9, 2011

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

RE: Staggered Terms for School Board Members

Dear Mr. Hobert:

The Clarke County School Board has expressed concern about the lack of leadership continuity whenever all or most of the members find themselves newly elected. In 2007, four out of five school board members (with the 5th having served only a partial term) were elected, for a first term, and took office at the same time in January 2008. It has been quite a learning experience and despite the turnover great progress did occur. However, we seek to remedy this phenomena from occurring again.

At the May 4, 2011 meeting of the School Board, unanimous support was expressed to request to the Board of Supervisors that steps be taken to stagger the terms of School Board members. We realize this might not affect the 2011 elections, but, if successful, could result in staggered terms beginning with a 2013 election cycle for 2 or 3 of the current seats.

Again, we feel this move would bring continuity of leadership and purpose to both Boards and hope that you and your Board would look favorably upon our request.

Sincerely,

A handwritten signature in cursive script that reads "Barbara P. Lee".

Barbara P. Lee, Chairman
Clarke County School Board

cc: Clarke County Board of Supervisors
David Ash, County Administrator
Clarke County School Board
Dr. Michael Murphy, Superintendent

"Where All Students Learn At High Levels Of Achievement"

§ 24.2-219. Alternative for biennial county supervisor elections and staggered terms.

A. The governing body of any county may by ordinance provide that the county board of supervisors be elected biennially for staggered four-year terms.

In lieu of an ordinance by the board of supervisors, the registered voters of the county may file a petition with the circuit court of the county requesting that a referendum be held on the question of whether the county board of supervisors should be elected biennially for staggered four-year terms. The petition shall be signed by registered voters equal in number to at least ten percent of the number registered in the county on the January 1 preceding its filing.

The court pursuant to §§ [24.2-682](#) and [24.2-684](#) shall order the election officials on a day fixed in the order to conduct a referendum on the question. The clerk of the court shall publish notice of the referendum in a newspaper having general circulation in the county once a week for four consecutive weeks and shall post a copy of the notice at the door of the courthouse of the county. The question on the ballot shall be:

"Shall the members of the county board of supervisors be elected biennially for staggered four-year terms?"

Yes

No"

The referendum shall be held and the results certified as provided in § [24.2-684](#).

B. If a majority of the voters voting in the referendum voted for biennial election of the members of the board of supervisors for staggered four-year terms, or if the governing body has so provided by ordinance, then the terms of supervisors elected at the next general election for supervisors shall be as follows:

1. If the number of supervisors elected in the county is an even number, half of the successful candidates shall be elected for terms of four years and half of the successful candidates shall be elected for terms of two years; or
2. If the number of supervisors in the county is an odd number, the smallest number of candidates which creates a majority of the elected supervisors shall be elected for terms of four years and all other successful candidates shall be elected for terms of two years.

The electoral board of the county shall assign the individual terms of members by lot at its meeting on the day following the election and immediately upon certification of the results. However, the electoral board may assign individual terms of members by election district in a drawing at a meeting held prior to the last day for a person to qualify as a candidate, if the governing body of the county so directs by ordinance or resolution adopted at least thirty days prior to the last day for qualification and members are elected by district. In all elections thereafter all successful candidates shall be elected for terms of four years.

In any county where the chairman of the board is elected from the county at large pursuant to § [15.2-503](#) or § [15.2-802](#), the provisions of this section shall not affect that office. The chairman of the board shall be elected for a term of four years in 1995 and every four years thereafter.

C. If the representation on the board of supervisors among the election districts is reapportioned, or the number of districts is diminished or the boundaries of the districts are changed, elections shall be held in each new district at the general election next preceding the expiration of the term of the office of the member of the board representing the predecessor district of each new district. If the number of districts is increased, the electoral board shall assign a two-year or four-year term for each new district so as to maintain as equal as practicable the number of members to be elected at each biennial election.

(Code 1950, § 24-157; 1968, c. 639; 1970, c. 462, § 24.1-88; 1971, Ex. Sess., c. 265; 1973, c. 30; 1976, c. 616;

1981, c. 12; 1982, c. 650; 1993, c. 641.)

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§ 24.2-223. Election and term of school board members.

In any county, city or town wherein members of the school board are elected, pursuant to Article 7 (§ [22.1-57.1](#) et seq.) of Chapter 5 of Title 22.1, elections shall be held to coincide with the election of members of the governing body at the regular general election in November or the regular general election in May, as the case may be. Elected school board members shall serve terms which are the same as those of the governing body, to commence on January 1 following their election or July 1 following their election, as the case may be.

(1993, c. 641; 2000, c. [1045](#).)

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Summary of Legislation Affecting Counties

***Unless otherwise stated, all legislation goes into effect July 1, 2011.**

*** Uncodified Act - A bill that may be of short duration that is not given a regular number in the Code of Virginia; it can include the budget bill, local government charters, or bills of local application only.**

Administration of Government

Elections

HB 1507 Primary schedule in 2011; moves primary date to August 23, 2011, in anticipation of redistricting

An uncodified act to move the June 14, 2011, primary date to August 23, 2011, in anticipation of the 2011 redistricting process and adjusts various deadlines for filings and election preparations to accommodate the new primary date. The bill is effective upon passage and expires Jan. 1, 2012. Patron: Cole

HB 1508 Elections; certain prohibitions for local electoral boards

Amends § 24.2-106 of the Code of Virginia to prohibit a member of a local electoral board from being the spouse or other relative of a candidate for or holder of an office filled in whole or in part by voters in the jurisdiction of the electoral board. The bill is not effective until Jan. 1, 2012 Patron: Cole

HB 1646 Referendum elections; voter petition requirements

Amends § 24.2-684.1 of the Code of Virginia to provide that the name, residence address and, if different, mailing address, and the name of the organization, if any represented, of the person circulating a petition calling for a referendum election must appear on each page, front and back, of the petition. Patron: Brink

HB 1660 Special elections; filling vacancies in certain local offices

Amends § 24.2-226 of the Code of Virginia, to state that a vacancy in a local office shall be filled by special election to be held no later than the next general election in November, or in May if the vacant office is regularly scheduled by law to be filled at that time. If the vacancy occurs within 90 days of such general election, the special election shall be held no later than the second such general election. Patron: Alexander

HB 1702 Elections; member of local office, elected school board, etc., to take oath before first meeting

Amends § 24.2-228 of the Code of Virginia to provide that the failure by an elected local governing body member, mayor, or school board member to take the oath of office before attending his first meeting will not create a vacancy in the office so long as he takes the oath within 30 days after the first meeting. Patron: Lewis

HB 1746 Biennial county supervisor elections; staggered terms

Amends § 24.2-219 of the Code of Virginia to provide that if the exact number of supervisors who are elected following the change to biennial elections and staggered terms volunteers to accept a two-year term as the number of two-year terms to be assigned, they may accept the two-year terms and avoid the need for a drawing to assign the two-year and four-year terms. Patron: Ingram

HB 2080/SB 1340 Elections; acquisition of voting equipment by localities

Amends § 24.2-626 of the Code of Virginia to allow until June 30, 2012, the purchase of direct recording electronic machines from any source to meet legal mandates to provide accessible voting equipment. Patrons: Landes/Puller

VIRGINIA ACTS OF ASSEMBLY -- 2011 SESSION

CHAPTER 455

An Act to amend and reenact § 24.2-219 of the Code of Virginia, relating to elections; biennial county supervisor elections; staggered terms.

[H 1746]

Approved March 24, 2011

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-219 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-219. Alternative for biennial county supervisor elections and staggered terms.

A. The governing body of any county may by ordinance provide that the county board of supervisors be elected biennially for staggered four-year terms.

In lieu of an ordinance by the board of supervisors, the registered voters of the county may file a petition with the circuit court of the county requesting that a referendum be held on the question of whether the county board of supervisors should be elected biennially for staggered four-year terms. The petition shall be signed by registered voters equal in number to at least ten percent of the number registered in the county on the January 1 preceding its filing.

The court pursuant to §§ 24.2-682 and 24.2-684 shall order the election officials on a day fixed in the order to conduct a referendum on the question. The clerk of the court shall publish notice of the referendum in a newspaper having general circulation in the county once a week for four consecutive weeks and shall post a copy of the notice at the door of the courthouse of the county. The question on the ballot shall be:

"Shall the members of the county board of supervisors be elected biennially for staggered four-year terms?"

Yes

No"

The referendum shall be held and the results certified as provided in § 24.2-684.

B. If a majority of the voters voting in the referendum voted for biennial election of the members of the board of supervisors for staggered four-year terms, or if the governing body has so provided by ordinance, then the terms of supervisors elected at the next general election for supervisors shall be as follows:

1. If the number of supervisors elected in the county is an even number, half of the successful candidates shall be elected for terms of four years and half of the successful candidates shall be elected for terms of two years; or

2. If the number of supervisors in the county is an odd number, the smallest number of candidates which creates a majority of the elected supervisors shall be elected for terms of four years and all other successful candidates shall be elected for terms of two years.

~~The~~ *Unless the number of members who volunteer to take two-year terms exactly equals the number of two-year terms to be assigned, the* electoral board of the county shall assign the individual terms of members by lot at its meeting on the day following the election and immediately upon certification of the results. However, the electoral board may assign individual terms of members by election district in a drawing at a meeting held prior to the last day for a person to qualify as a candidate, if the governing body of the county so directs by ordinance or resolution adopted at least thirty days prior to the last day for qualification and members are elected by district. In all elections thereafter all successful candidates shall be elected for terms of four years.

In any county where the chairman of the board is elected from the county at large pursuant to § 15.2-503 or § 15.2-802, the provisions of this section shall not affect that office. The chairman of the board shall be elected for a term of four years in 1995 and every four years thereafter.

C. If the representation on the board of supervisors among the election districts is reapportioned, or the number of districts is diminished or the boundaries of the districts are changed, elections shall be held in each new district at the general election next preceding the expiration of the term of the office of the member of the board representing the predecessor district of each new district. If the number of districts is increased, the electoral board shall assign a two-year or four-year term for each new district so as to maintain as equal as practicable the number of members to be elected at each biennial election.

Clarke

bbosserman@clarkecounty.gov

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RE: 24.2-219

From : Martha Brissette (SBE) <Martha.Brisette@sbe.virginia.gov>

Mon, May 16, 2011 10:06 PM

Subject : RE: 24.2-219**To :** vote@clarkecounty.gov**Cc :** matthew abell <matthew.abell@sbe.virginia.gov>

Question: A Board of Supervisors plans to adopt an ordinance staggering terms effective after July 1 and before July 23 subject to preclearance. Under the new provision for volunteers in 2011 Va. Acts Ch. 455, when may the members volunteer?

Short answer: The county has the option to direct the electoral board to conduct the drawing at a meeting before the last day for candidate qualification, Tuesday August 23 under 2011 Va. Acts. Ch. 3. The direction must be by ordinance or resolution adopted 30 days before the candidate deadline, i.e., July 23. If no such direction is adopted, then volunteering could occur up until the day of the electoral board canvass meeting the day after the election.

Discussion: Section 24.2-219 was amended in 2011 to facilitate county board of supervisor transition to staggered terms by giving incumbent members the option to volunteer for shortened terms for the transition:

Unless the number of members who volunteer to take two-year terms exactly equals the number of two-year terms to be assigned, the electoral board of the county shall assign the individual terms of members by lot at its meeting on the day following the election and immediately upon certification of the results. However, the electoral board may assign individual terms of members by election district in a drawing at a meeting held prior to the last day for a person to qualify as a candidate, if the governing body of the county so directs by ordinance or resolution adopted at least thirty days prior to the last day for qualification and members are elected by district. In all elections thereafter all successful candidates shall be elected for terms of four years. <http://leg1.state.va.us/cgi-bin/legp504.exe?111+ful+CHAP0455>

If the county adopts a resolution or ordinance by July 23, it can require the volunteering to take place before the deadline for candidate qualification; a meeting for any drawing would be required by July 23.

However, if no such direction is adopted, candidates could all be elected for four year terms then volunteer for shorter terms with any drawing required at the canvass meeting the day after the election.

Please let me know if you have questions or further information I should consider. I will be involved in a conference call Tuesday.

Martha B. Brissette, Esq.
Policy Analyst
Virginia State Board of Elections
Office: 804.864.8925
Mobile: 804.972.2545

NOTICE: This communication is not legal advice nor a binding statement of official policy. It provides information only for the use of its intended recipient(s). Any other use is prohibited without advance written permission of an authorized representative of the State Board of Elections. If you received this communication in error, please notify the sender by calling collect (804) 239-6915 and delete the communication from your system without copying, forwarding or otherwise disclosing it. Thank you.

Clarke County Board of Supervisors

Request to Consider Rescheduling July Board of
Supervisors Regular Meeting to July 13, 14 or 15
from Tuesday, July 19, 2011



Personnel Committee Meeting

May 9, 2011, 9:30 AM

Second Floor, Conference Rooms A & B

Berryville/Clarke County Government Center

101 Chalmers Court

Berryville, Virginia 22611

Item
No.

Description

Packet
Page No.

1. Expiration of Term for appointments expiring through August 2011.

5/9/2011 Summary: No recommendations were made at the time of the meeting.

Updates & Reminders on Previous Agenda Items

2. Appointee Information Feedback Update

The Committee has asked staff to suggest a method to facilitate gathering information from appointees about the activities of the boards to which they are appointed and their level of participation and satisfaction in the process. Attached is a draft questionnaire that could be either sent to participants or used to facilitate individual discussions.

12/13/2010: The committee asked that the Appointee Questionnaire be revised to include a request for updated contact information, and to inquire about the appointee's view of the current and future most important challenges faced by the boards on which they serve. The committee also recommended that the questionnaires be mailed in January to keep them out of the holiday mail. 12/27/2011: FYI: Solicitation of Appointees - Boards and Commission web page updated for 2011.

01/24/2011: Questionnaires were collated and mailed to appointees. To aid analysis, Administration developed a database to log responses. As of 2/2/2011, Administration has received 37 of 83 [45%] responses.

02/07/2011: The Personnel Committee instructed staff to follow up with non-responsive appointees and to prepare a preliminary analysis for review at the March meeting with highlights of reported issues.

03/07/2011: Appointee Questionnaire Summary Analysis Report has been prepared and distributed with the March 7 materials. After reviewing the report, the Personnel Committee made the following recommendations: 1) Noting that a significant number of appointees expressed interest in securing additional information on FOIA, instructed staff to initiate a training session at the BCCGC and to make the session[s] available to appointees and staff. 2) Instructed staff to provide copies of the FOIA act to all responders indicating that they needed another copy. 3) Instructed staff to follow up on any non-responses asking specifically that at a minimum provide current contact information. 4) Instructed staff to follow up with any responders indicating that they were not in possession of bylaws or other organizational materials. 5) Instructed staff to further analyze the data as received and to provide letters to all members of each committee summarizing comments, general consensus and relaying any critical concerns or recommendations, as well as commendations.

04/11/2011: FOIA Training: On 3/21/2011, initial contact was made with Alan Gernhardt, Virginia Freedom of Information Advisory Council to arrange a training session tailored to appointees and staff representatives / employees. A two-hour training session is suggested broken into two one-hour segments to address meetings and records requirements. Committee Follow Up: A list of suggested training dates is requested. Distribution FOIA Guide: On 3/21/2011, "4th Edition 2007 Local

Government Officials' Guide to the Virginia Freedom of Information Act" by Roger C. Wiley was mailed to all responders requesting a copy. Non-responders: As of 3/21/2011, 72 of 82 [88%] responding. All non-responders have been contacted several times. Staff representatives have been asked to follow up as an agenda item at their next-regularly scheduled meeting. Bylaws or Other Organizational Materials: On 3/21/2011, forwarded information to staff representatives with the request that this information be provided, where available, to those requesting; and where unavailable, to provide an explanation as to why and/or by what statute the board, commission, authority, or council operates and include that as an agenda item at their next regularly scheduled meeting. Dissemination of Findings / Additional Analysis: On 3/21/2011, forwarded compiled information to staff representatives for follow up and inclusion as an agenda item at their next regularly scheduled meeting.

04/11/2011 Summary: The Personnel Committee instructed staff to provide them with the compiled data and inquired if the chairs of the various boards and committees had been provided with the data. Suggested FOIA training dates are still needed.

5/9/2011 Summary: Administration is coordinating training dates with FOIA Council.

The Personnel Committee:

- √ Recommended providing notice to all appointees and employees of the September 14, 2011 training date.
- √ Requested staff to verify those entities that require representation from specific election districts.
- √ Requested staff to check status of bylaws / mission statements requested of each entity on March 21, 2011.

3. **Recommendation to Require Annual Audit or 990 filing**

4/11/2011 Summary: The Personnel Committee recommends that the Finance Committee consider the implication of making local funding dependent upon the filing of current annual audits and/or current 990 filings for financially supported agencies and/or organization.

5/9/2011 Summary: Item added to the May 9, 2011 Finance Committee agenda. See Finance agenda.

Appointments by Expiration Thru August 2011

			<i>Appt Date</i>	<i>Exp Date</i>	<i>Orig Appt Date:</i>
<i>February 2011</i>					
Parks & Recreation Advisory Board		4 Yr			
White	Lawrence	Buckmarsh	12/18/2007	2/15/2011	11/18/2003
Resigned 2/15/2011 expires 12/31/2011					
<i>April 2011</i>					
Clarke County Planning Commission		4 Yr	Appointed by BOS; Oath of Office Required - Clerk of Circuit Court		
Wade	Robert	Millwood / Chapel	3/20/2007	4/30/2011	11/21/2000
<i>May 2011</i>					
Clarke County Historic Preservation Commission		4 Yr	Appointed by BOS		
Hiatt	Marty	Buckmarsh/Blue Ridge	6/19/2007	5/31/2011	6/19/2007
<i>August 2011</i>					
Economic Development Advisory Committee		4 Yr	Appointed by BOS		
Dunkle	Christy	Town of Berryville Rep	7/17/2007	8/31/2011	8/19/2003

Clarke County Committee Listing

			<i>Appt Date</i>	<i>Exp Date</i>
<i>Berryville Area Development Authority</i>				3 Yr
Boyles	Jerry	White Post	8/17/2010	3/31/2012
Dunning, Jr.	A.R.	BOS - Appointed Member	12/16/2008	3/31/2011
Ohrstrom, II	George	Russell	3/16/2010	3/31/2013
<i>Board of Supervisors</i>				4 Yr
Byrd	Barbara J.	Russell	1/1/2008	12/31/2011
Dunning, Jr.	A.R.	White Post	1/1/2008	12/31/2011
Hobert	J. Michael	Chair, Berryville District	1/1/2008	12/31/2011
Staelin	John	Millwood/Pine Grove	1/1/2008	12/31/2011
Weiss	David	Vice Chair - Buckmarsh/Blue Ridge	1/1/2008	12/31/2011
<i>Board of Supervisors Finance Committee</i>				1 Yr
Byrd	Barbara J.	BOS - Alternate	1/19/2010	12/31/2011
Dunning, Jr.	A.R.	BOS - Alternate	1/19/2010	12/31/2011
Hobert	J. Michael	BOS - Appointed Member	1/19/2010	12/31/2011
Staelin	John	BOS - Appointed Member	1/19/2010	12/31/2011
Weiss	David	BOS - Alternate	1/19/2010	12/31/2011
<i>Board of Supervisors Personnel Committee</i>				1 Yr
Byrd	Barbara J.	BOS - Appointed Member	1/19/2010	12/31/2011
Dunning, Jr.	A.R.	BOS - Alternate	1/19/2010	12/31/2011
Hobert	J. Michael	BOS - Appointed Member	1/19/2010	12/31/2011
Staelin	John	BOS - Alternate	1/19/2010	12/31/2011
Weiss	David	BOS - Alternate	1/19/2010	12/31/2011
<i>Board of Well & Septic Appeals</i>				4 Yr
Blatz	Joseph	Citizen Member	1/15/2008	2/15/2012
Dunning, Jr.	A.R.	BOS - Appointed Member	1/19/2010	12/31/2011
McKay	Beverly	Planning Commission		
Teetor	Alison	Staff Rep		
<i>Board of Zoning Appeals</i>				5 Yr
Borel	Alain F.	White Post	1/20/2009	2/15/2014
Caldwell	Anne	Millwood	1/19/2010	2/15/2015
Kackley	Charles	Russell	2/12/2008	2/12/2013
Means	Howard	Millwood	12/14/2009	2/15/2016
Volk	Laurie	Russell	1/20/2009	2/15/2014
<i>Clarke County Historic Preservation Commission</i>				4 Yr
Baker	H.M.	Russell	5/19/2009	5/31/2013

Thursday, April 28, 2011

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			<i>Appt Date</i>	<i>Exp Date</i>
Bieschke	John K.	White Post	4/21/2009	5/31/2013
Fields	Betsy		4/20/2010	5/31/2012
Gilpin	Thomas T.	White Post	5/18/2010	5/31/2014
Hiatt	Marty	Buckmarsh/Blue Ridge	6/19/2007	5/31/2011
Nelson	Clifford	Russell/Planning Commission Rep	4/19/2011	4/30/2012
<i>Clarke County Industrial Development Authority</i>				4 Yr
Armbrust	Wayne	Secretary/Treasurer	8/19/2008	10/30/2012
Frederickson	Allan	White Post	12/15/2009	10/30/2013
Hillerson	Jay		8/18/2009	10/30/2013
Jones	Paul	Russell District	9/18/2007	10/30/2011
Juday	David	Vice Chair	12/21/2010	10/30/2014
Pierce	Rodney	Chair	8/19/2008	10/30/2012
Staelin	John	BOS - Liaison	1/19/2010	12/31/2011
<i>Clarke County Library Advisory Council</i>				4 Yr
Al-Khalili	Adeela		4/19/2011	4/15/2015
Badanes	Joyce		4/20/2010	4/15/2014
Byrd	Barbara J.	BOS - Liaison	1/19/2010	12/31/2011
Curran	Christopher		5/16/2006	4/15/2013
Foster	Nancy		4/15/2008	4/15/2012
Hudson	Kathy		4/20/2010	4/15/2013
Kalblian	Maral		4/19/2011	4/15/2015
Meeks	Robert B.		4/19/2011	4/15/2015
Wolk	Susan		6/16/2009	4/15/2012
Zinman	Maxine		4/19/2011	4/15/2015
<i>Clarke County Litter Committee</i>				1 Yr
Staelin	John	BOS - Liaison	1/19/2010	12/31/2011
Teetor	Alison	Staff Rep		
<i>Clarke County Planning Commission</i>				4 Yr
Brumback	Clay	White Post / Greenway	6/15/2010	4/30/2014
Caldwell	Anne	Millwood / Chapel; Vice Chair	4/21/2009	4/30/2013
Dunning, Jr.	A.R.	BOS - Appointed Member	1/19/2010	12/31/2011
Kreider	Scott	Buckmarsh / Battletown	3/15/2011	4/30/2012
McFillen	Thomas	Berryville / Berryville	5/1/2010	4/30/2014
McKay	Beverly	White Post / Greenway	3/18/2008	4/30/2012
Nelson	Clifford	Russell / Longmarsh	3/17/2009	4/30/2013
Ohrstrom, II	George	Russell / Longmarsh; Chair	4/19/2011	4/30/2015
Staelin	John	BOS - Alternate	1/19/2010	12/31/2011
Steinmetz, II	William	Berryville / Berryville	4/30/2008	4/30/2012
Thuss	Richard	Buckmarsh / Battletown	4/20/2010	4/30/2014

Thursday, April 28, 2011

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			<i>Appt Date</i>	<i>Exp Date</i>
Wade	Robert	Millwood / Chapel	3/20/2007	4/30/2011
<i>Clarke County Sanitary Authority</i>				4 Yr
Dunning, Jr.	A.R.	BOS - Authority Member	12/15/2009	1/5/2014
Jones	Harry C.	Secretary/Treasurer	6/17/2008	6/30/2012
Mackay-Smith, Jr.	Alexander	Vice Chair	11/16/2004	1/5/2013
Myer	Joe	Town of Boyce	9/15/2009	12/31/2011
Pope	Wilma			
Staelin	John	BOS - Alternate	1/19/2010	12/31/2011
Williams	Ian R.	Chair	11/18/2008	1/5/2013
<i>Conservation Easement Authority</i>				3 Yr
Buckley	Randy	White Post	1/1/2011	12/31/2013
Engel	Peter		12/15/2009	12/31/2012
Mackay-Smith	Wingate E.	Chair	1/1/2011	12/31/2013
Ohrstrom, II	George	Planning Commission Rep	4/20/2010	4/30/2013
Radford	Jane		11/18/2008	12/31/2012
Teetor	Alison	Clerk - Staff Liaison		
Thomas	Walker	Fills unexpired term of Pat McKelvy	1/1/2011	12/31/2012
Weiss	David	BOS - Appointed Member	1/19/2010	12/31/2011
<i>Constitutional Officer</i>				
Arthur	Warren	Commissioner of the Revenue	1/1/2008	12/31/2011
Butts	Helen	Clerk of the Circuit Court	1/1/2008	12/31/2015
Keeler	Sharon	Treasurer	1/1/2008	12/31/2011
Perka	Suzanne	Commonwealth Attorney	1/1/2008	12/31/2011
Roper	Anthony	Sheriff	1/1/2008	12/31/2011
<i>County Administrator</i>				
Ash	David L.	County Administrator	3/19/1991	
<i>County Assessor</i>				
Peake	Donna	County Assessor	7/1/2003	
<i>Economic Development Advisory Committee</i>				4 Yr
Barb	Jim	Real Estate Rep, Business Owner	11/17/2009	12/31/2013
Conrad	Bryan H.	Agriculture, Fire & Rescue	1/1/2011	12/31/2014
Dunkle	Christy	Town of Berryville Rep	7/17/2007	8/31/2011
Dunning, Jr.	A.R.	BOS Rep, SA Rep, Business Owner	1/19/2010	12/31/2011
Hillerson	Jay	IDA Rep, Business Owner	9/15/2009	12/31/2013
Myer	Dr. Eric	Agriculture Rep, Business Owner	1/1/2011	12/31/2014
Pritchard	Elizabeth	Hospitality Industry	8/17/2010	8/31/2012
Staelin	John	BOS - Appointed Member	1/19/2010	12/31/2011

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			<i>Appt Date</i>	<i>Exp Date</i>
<i>Handley Regional Library Board</i>				4 Yr
Myer	Tamara	Town of Boyce	9/15/2009	11/30/2013
<i>Joint Administrative Services Board</i>				Open-End
Ash	David L.	County Administrator	1/18/2011	12/31/2011
Hobert	J. Michael	BOS - Appointed Member	1/19/2010	12/31/2011
Judge	Tom	Staff Representative		
Keeler	Sharon	Treasurer		
Murphy	Michael	School Superintendent		
Rhodes	Emily	JAS Chair; School Board Representative	1/1/2011	12/31/2011
Weiss	David	BOS - Alternate	1/19/2010	12/31/2011
<i>Joint Building Committee of the Joint Government Center</i>				Open-End
Ash	David L.	Building Manager		
Dalton	Keith	Berryville Town Manager		
Kitselman	Allen	Berryville Town Council Representative		
Weiss	David	Board of Supervisors Representative		
<i>Legislative Liaison and High Growth Coalition</i>				1 Yr
Hobert	J. Michael	BOS - Liaison	1/19/2010	12/31/2011
<i>Lord Fairfax Community College Board</i>				4 Yr
Lee	Barbara	Millwood / Pine Grove	3/18/2008	6/30/2012
<i>Lord Fairfax Emergency Medical Services Council</i>				3 Yr
Burns	Jason		5/19/2009	6/30/2012
Coffelt	Lee	Career Representative	11/30/2008	11/30/2011
Wagaman	Julie		6/30/2010	6/30/2013
<i>Northern Shenandoah Valley Regional Commission</i>				1 Yr
Byrd	Barbara J.	BOS - Appointed Member	2/17/2009	12/31/2009
Johnston	Charles	Citizen Representative	1/23/2010	1/23/2013
Staelin	John	BOS - Alternate	1/19/2010	12/31/2011
Weiss	David	BOS - Appointed Member	1/19/2010	12/31/2011
<i>Northwestern Community Services Board</i>				3 Yr
Harris	Lucille		12/21/2010	12/31/2012
Stieg, Jr.	Robert		11/28/2008	12/31/2012
<i>Northwestern Regional Jail Authority</i>				4 Yr
Ash	David L.	County Administrator	1/19/2011	12/31/2011
Byrd	Barbara J.	BOS - Liaison Alternate	1/19/2010	12/31/2011
Roper	Anthony	Sheriff	9/18/2007	12/31/2011

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			<i>Appt Date</i>	<i>Exp Date</i>
Wyatt	James		12/18/2007	12/31/2011
<i>Northwestern Regional Juvenile Detention Center Commission</i>				
Byrd	Barbara J.	BOS - Liaison	1/19/2010	12/31/2011
Wyatt	James		11/18/2008	12/20/2012
<i>Old Dominion Alcohol Safety Action Policy Board & Division of Court Services</i>				
				3 Yr
Johnson	Jerry L.		12/18/2007	12/31/2013
<i>Old Dominion Community Criminal Justice Board</i>				
				3 Yr
Johnson	Jerry L.		12/18/2007	12/31/2013
<i>Our Health</i>				
				3 Yr
Shipe	Diane		3/15/2010	3/15/2013
<i>Parks & Recreation Advisory Board</i>				
				4 Yr
Allison	Janelle	Millwood Rep	1/19/2010	12/31/2013
Heflin	Dennis	White Post Rep	9/16/2008	12/31/2012
Hobert	J. Michael	BOS - Liaison	1/19/2010	12/31/2010
Huff	Ronnie	Town of Berryville Rep	12/31/2007	12/31/2011
Jones	Paul	At-Large	1/1/2011	12/31/2014
Lichliter	Gary	Russell Rep	11/18/2008	12/31/2012
McCall	Michael A.	School Board Rep		12/31/2004
Rhodes	Emily	School Board Representative	1/1/2011	12/31/2011
Sheetz	Daniel A.	Berryville	5/18/2010	12/31/2013
White	Lawrence	Buckmarsh	12/18/2007	2/15/2011
Wisecarver	Steve	Appointed by Town of Boyce	2/2/2010	12/31/2013
<i>People Inc. of Virginia</i>				
				3 Yr
Hillerson	Coleen	Clarke County Rep Board of Directors	8/17/2010	7/31/2013
<i>Regional Airport Authority</i>				
				4 Yr
Ash	David L.	County Administrator	1/29/2010	12/31/2010
Crawford	John		5/20/2008	6/30/2012
Weiss	David	BOS - Liaison	1/19/2010	12/31/2011
<i>Shenandoah Area Agency on Aging, Inc.</i>				
				4 Yr
Hudson	John		8/17/2010	9/30/2014
Roper	Anthony	Sheriff	9/18/2007	9/30/2011
<i>The 150th Committee</i>				
				4 Yr
Al-Khalili	Adeela	Clarke County African-American Cultural Center / Josephine Community Museum	1/18/2011	12/31/2015

Thursday, April 28, 2011

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			<i>Appt Date</i>	<i>Exp Date</i>
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
Johnston	Charles	Staff Representative HPC	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
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		1/18/2011	12/31/2015
Weiss	David	BOS - Appointed Member	2/15/2011	12/31/2011



Board of Supervisors Work Session
May 9, 2011 10:00 Am
Second Floor, Conference Rooms A & B
Berryville/Clarke County Government Center
101 Chalmers Court, Berryville, Virginia 22611

*Item
No.*

Description

1. **Historic Long Branch Rock N River Special Event Permit Application Request for Waiver**

5/9/2011 Summary: The Chairman has asked that this matter be placed before the Board members to seek agreement of the members to review a complete application and act to approve or deny the same at the next Regular Meeting scheduled for May 24, 2011, foregoing the option to call for a public hearing on the matter and to allow continued advertisement of the event in the interim. Normally, a medium event application is reviewed by the Board of Supervisors during a regular meeting at which time the Board may approve, disapprove, or at the Board's discretion, set the matter for public hearing at the next regular Board of Supervisors meeting. As the proposed event is scheduled for June 4, 2011, this application has not been submitted in time to allow the Board of Supervisors to follow the review and approval process. If the Board agrees to modify its process, a complete, consistent, and accurate application from Long Branch, with all required forms, notices, and responses, must be submitted to the County Administrator's office no later than the close of business on Monday May 16, 2011. Staff will review the application and include it on the Board agenda along with notation of any omission, error, concern or question. The Board will then make its decision upon the application and comments submitted. Note: an application for a medium size event for 999 attendees was received May 2, 2011; however just a quick review revealed that the application was incomplete and it was returned to Historic Long Branch. **Following discussion at the Work Session, the Board of Supervisors agreed to place the application on the May 24, 2011 agenda for discussion and potential approval. The Supervisors requested that they be provided with a technical review of the application.**

2. **Double Tollgate Planning Project**

3/7/2011: Chuck Johnston advised the Board that the business client necessary to pursue the CIG grant had withdrawn; and, therefore, there would be no CIG grant request this year. However, work on the planning grant would continue with efforts made to redefine the service area. A copy of the notification letter sent to area property owners was provided for the March regular meeting packet.

4/11/2011: Chuck Johnston reviewed a draft RFP for Double Tollgate Corridor Land Use Analysis. Mr. Johnston was directed to prepare additional information and maps depicting possible limits for a Double Tollgate Highway Corridor Plan and to modify the RFP to address evaluation of an alternative plan for development of corridor using wells and drainfields for presentation at the next work session May 9.

4/19/2011: As instructed, a letter was prepared April 26 and sent to Barbara Seldon in response to her

query about water and sewer access in the Double Tollgate area.

5/09/2011 Summary: Chuck Johnston provided an update. **The Supervisors requested that a revised RFP be included on the May 24, 2011 agenda for continued discussion.**

3. Additional Funds Mosby Project

5/09/2011 Summary: In support of the Mosby project, the Board is being asked to consider preparing a letter of support to aid local VDOT in securing the remaining funds [approximately \$266K] from Richmond. **Supervisor Staelin moved to approve the draft letter and authorize that it be sent immediately on behalf of the Board of Supervisors. The motion carried by the following vote:**

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

4. Request for Technical Adjustment to the boundary line dividing the 10th and 33rd House of Delegate districts in Clarke County to eliminate the split House district in the Millwood voting precinct

5/09/2011 Summary: The Board is being asked to ratify the request letter sent to Governor McDonnell on May 2. **Vice Chairman Weiss moved to ratify the letter mailed to Governor McDonnell on May 2 requesting a technical adjustment to the boundary line dividing the 10th and 33rd House of Delegate districts in Clarke County to eliminate the split House district in the Millwood voting precinct. The motion carried by the following vote:**

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

5. Line of Duty

4/11/2011: The County Administrator shall provide an update on the status of the program and seek direction from the Supervisors on the response.

4/11/2011: David Ash provided an update on status of line of duty coverage mandated by the state. The Board directed the County Administrator to ask the fire companies to review and provide the

information required for active members only as requested by VRS.

5/09/2011 Summary: David Ash is reviewing the proposal from VACo and is still waiting on response from VRS. **The Supervisors directed that the member agreement from VACo Group Self-Insurance Risk Pool providing line of duty coverage and the VRS opt out resolution be placed on the Consent Agenda for the May 24, 2011 meeting.**

6. **Closed Session:**

A. Senior Center Status Update

5/09/2011 Summary: The Board anticipates convening in closed session pursuant to 2.2-3711(A)(7) to consult with staff regarding specific legal matters.

B. Personnel Budget Matters

5/09/2011 Summary: The Board anticipates convening in closed session pursuant to §2.2.3711-(A)(1) to consult with staff regarding specific employees.

Supervisor Byrd moved to convene into Closed Session pursuant to 2.2-3711-(A)(7) for Items A and 2.2-3711-(A)(1) for Item B. The motion carried as follows:

J. Michael Hobert, Chair	- Aye
David S. Weiss, Vice Chair	- Aye
Barbara J. Byrd	- Aye
A.R. Dunning, Jr.	- Aye
John R. Staelin	- 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 Dunning moved to reconvene in open session. The motion carried as follows:**

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

Supervisor Dunning 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:

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

No action was taken on matters discussed in Closed Session.

7. Proposed 2035 VDOT Rural Long Range Transportation Plan.

5/09/2011 Summary: This item was added at the time of the work session and was a follow up to previous Board comments. Chuck Johnston reminded the Board of the public information meeting regarding the 2035 plan on Wednesday, May 11. Mr. Hobert asked Mr. Dunning to attend the meeting with Mr. Johnston and to share their comments. Mr. Hobert asked Mr. Johnston to prepare updated comments on the revised plan for Board action at the regular meeting.

Updates & Reminders on Previous Work Session Items

8. **Fee for Service**

3/07/2011: This item was added at the Work Session. By consensus, the Board authorized and directed staff to seek an analysis of the feasibility of implementation of fee for service in Clarke County.

4/11/2011: Contacted the service provider that works with Winchester and Administration is in the process of providing the information they requested in order to make a recommendation on the feasibility of fee for service in Clarke County. David Ash updated the Board on the status of fee for service noting that upon provision of information regarding details of the number and nature of calls that Premier Accounts Receivable Management, a division of Valley Health, will provide an initial feasibility analysis.

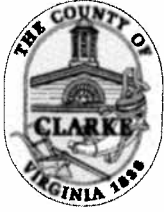
5/09/2011 Summary: Response from billing company under review. **The County**

*Item
No.*

Description

Administrator updated the Supervisors on the results advising that it would be necessary to speak with a representative from Winchester City in order to develop an estimate of the in-house cost of administration.

Clarke County Board of Supervisors



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

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

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

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

White Post Voting District
A.R. Dunning
(540) 837-1719

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

May 3, 2011

Historic Long Branch
830 Long Branch Lane
P.O. Box 241
Millwood, VA 22646

Attention: Angela Anderson

Re: Notice of Return of Incomplete Special Event Application - Rock N River June 4, 2011

Enclosed please find the above referenced application dated April 28, 2011 addressed to J. Michael Hobert, Chair, Clarke County Board of Supervisors, received on May 2, 2011, in the Clarke County Administrators Office.

Normally, a medium event application is reviewed by the Board of Supervisors during a regular meeting at which time the Board may approve, disapprove, or at the Board's discretion, set the matter for public hearing at the next regular Board of Supervisors meeting. As the proposed event is scheduled for June 4, 2011, this application has not been submitted in time to allow the Board of Supervisors to follow the review and approval process.

However, the Chairman has asked that this matter be placed before the Board members at the next work session to seek agreement of the members to review a complete application and act to approve or deny the same at the next Regular Meeting scheduled for May 24, 2011, foregoing the option to call for a public hearing on the matter and to allow continued advertisement of the event in the interim.

If the Board agrees to modify its process, a complete, consistent, and accurate application, with all required forms, notices, and responses must be submitted to the County Administrator's office no later than the close of business on Monday May 16, 2011. Staff will review the application and include it on the Board agenda along with notation of any omission, error, concern or question. The Board will then make its decision upon the application and comments submitted.

We will notify you following the work session on May 9, 2011, of the Board members decision to modify the approval process for this one event.

In anticipation of a positive response by the board, and to assist you in completing your application so that it will not be denied solely on the basis of error or omission, a quick staff review has determined the current application as submitted to be incomplete. This should not be considered a complete review or staff approval of the application:

101 Chalmers Court, Suite B
Berryville, VA 22611

www.clarkecounty.gov

Telephone: [540] 955-5175
Fax: [540] 955-5180

- 1) Responses/written approvals from agencies not included with submission.
- 2) \$250 Permit Fee not included [Medium Event 500 to 999]
- 3) Certificate of Event Insurance not included
- 4) § 57.4. Application for Permit a) Written application for a Special Event permit shall be made to the Board of Supervisors or its designee. Such application shall contain such information and be on such forms as the Board of Supervisors, or its designee, may from time to time require. No application shall be submitted, or accepted, unless presented on the required forms along with all additional required plans, documents, approvals, fees, and other material required by this ordinance.

Again, if the Board of Supervisors agrees to this revised review process, it is necessary that you submit a complete and accurate application with all notices, approvals and replies no later than the close of business on May 16, 2011. I will be happy to answer any technical questions that you may have about the application process; however, I cannot waive requirements.

Please let me know if this revised process is of interest to you so that I can ensure the matter is placed on the work session agenda for May 9, 2011.

Regards,

David Ash
County Administrator

Clarke County Board of Supervisors



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

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

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

White Post Voting District
A.R. Dunning
(540) 837-1719

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

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

May 9, 2011

Draft

Virginia Department of Transportation
1401 E. Broad Street
Richmond, Virginia 23219

Attention: Programming Director

Re: Route 636 Westwood Road / Mosby Boulevard Funding

On April 19, 2011 the Clarke County Board of Supervisors identified the Route 7 Business (West Main Street)/ Rt. 636 (Westwood Rd) intersection and Rt. T-1035 (Mosby Boulevard) as the number one VDOT construction project as the proposed construction and improvements will be necessary to serve the new county high school now under construction, as well as provide improved access to two existing schools that will be served by the same intersection.

The Clarke County Board of Supervisors is appreciative of the additional \$36,000 allocated to the project from the proceeds of the Fiscal Year 2012 Bond Proceeds but is requesting additional support and funding to overcome the \$266,000 shortfall still identified in the VDOT budget.

This project is vital to the continued operation of our school system and timely completion of the project to coincide with the opening of the new school facilities will be of great benefit to the County.

Please use your best effort to insure that this project is fully funded and completed to provide safe and efficient access to our schools.

Regards,

J. Michael Hobert, Chair

pc: Dr. James Davis
Allen Louderback

Clarke County Board of Supervisors



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

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

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

White Post Voting District
A.R. Dunning
(540) 837-1719

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

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

May 2, 2011

Office of the Governor
Patrick Henry Building 3rd Floor
1111 East Broad Street
Richmond, Virginia 23219

Attention: Governor Robert McDonnell

Clarke County would like to request a Technical Adjustment to the boundary line dividing the 10th and 33rd House of Delegate districts in Clarke County. Our goal is to eliminate the split House district in the Millwood voting precinct.

The Clarke County Board of Supervisors adopted changes in the county voting precincts on April 19. The boundary line dividing the two house districts that was signed by you on April 29 now splits the re-delineated Millwood (301) voting precinct. Adjusting the House district boundary line to follow Springsbury Road to its intersection with Jack Enders Blvd and then along the boundary line between the Berryville (201) and Millwood (301) election districts and the boundary line between the Millwood and Russell (101) precincts (to the west) would eliminate the split. The adjustment would move 286 people from the 33rd district into the 10th district and 18 from the 10th to the 33rd. It would also reduce confusion at the election site along with the chance of error that comes with a split precinct.

Clarke County cannot adjust its local precinct boundaries to match the House boundary lines because doing so would put too many people in the Berryville District. The only solution to our problem is to change the House lines.

Attached is Clarke County's adopted ordinance outlining the reapportionment, currently being reviewed by the Department of Justice. The text provides the boundary line description for the area to be adjusted. Also enclosed are the maps included with our DOJ pre-clearance submission. Maps for the technical adjustment and proposed changes are also attached.

I realize that the House plan has been signed and the DOJ pre-clearance submission is underway; however, implementing the technical adjustment would greatly benefit the voters of Clarke County.

Please contact our office if further details are required.

Sincerely,

Handwritten signature of J. Michael Hobert in blue ink.

J. Michael Hobert, Chair

Attachment

pc: Delegate Joe May
Delegate S. Chris Jones

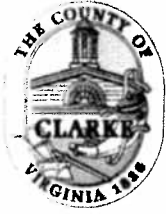
Clarke County Electoral Board
Barbara Bosserman, Voter Registrar

101 Chalmers Court, Suite B
Berryville, VA 22611

www.clarkecounty.gov

Telephone: [540] 955-5175
Fax: [540] 955-5180

Clarke County Board of Supervisors



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ORDINANCE 2011-02ORD

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held at the Town/County Government Center on 2011 April 19, on motion by Supervisor Staelin, the Board of Supervisors adopted an Ordinance (Byrd Aye; Dunning Aye; Hobert Aye; Staelin Aye; Weiss Aye) of proposed amendments to Clarke County Code, Section 40, Election Districts, so as to change the Clarke County Election District boundaries including reference to the attachment and maps.

WHEREAS, the 2010 Census shows the County population to have increased from 12,652 to 14,034 (+11.4%);

WHEREAS, the Code of Virginia, Section 24.2-304.1 requires equal population for Election Districts, which based on the 2010 Census would be 2807;

WHEREAS, Election Districts populations are allowed to vary by plus or minus 5%, which is a range of 2667 to 2947;

WHEREAS, the Code of Virginia, Section 24.2-305, requires Election District Boundaries to be “clearly defined and clearly observable boundaries” to include roads, rivers, and other permanent physical features recognized on official maps; and

WHEREAS, several segments of the Berryville Election District boundaries followed the Town of Berryville corporate limits in 2001 and Town corporate limits have changed since 2001;

NOW THEREFORE BE IT ORDAINED THAT the Clarke County Board of Supervisors approves the following amendments to Clarke County Code, Section 40, Election Districts, so as to change the Clarke County Election District boundaries.

Code of Clarke County, Virginia Chapter 40 Voting Election Districts

§ 40-1. Voting Election districts established and defined; population of districts and supervisor A. **Election Districts of Clarke County**, pursuant to, ~~voting districts, established and as set to~~ **by the** authority contained in the Code of Virginia, § 15.2-1400, § 24.2-304.1-7, and § 15.2-1211 ~~of Clarke County~~ are hereby created and set forth in ~~subsection (c) of this section.~~

(a) The ~~voting~~ **election** districts with populations set forth are as follows; supervisor representation to be as indicated:

101 Chalmers Court, Suite B
Berryville, VA 22611

www.clarkecounty.gov

Telephone: [540] 955-5175
Fax: [540] 955-5180

representation

- Berryville --- 2,631 **2,852**, represented by one supervisor.
- Buckmarsh --- 2,491 **2,854**, represented by one supervisor.
- Millwood --- 2,549 **2,729**, represented by one supervisor.
- Russell --- 2,429 **2,896**, represented by one supervisor.
- White Post --- 2,552 **2,703**, represented by one supervisor.

(b) The boundaries of the respective voting **election** districts are as set forth below, and when reference is made in the following descriptions to a road, **railroad**, or river as a boundary, it shall be construed to mean the center line of such boundary:

*Berryville
Voting
Election
district.*

Berryville voting **election** district shall comprise the area bounded as follows:

- ~~Beginning at the intersection of U.S. Route 340 and Harry Byrd Highway (Virginia Route 7 Bypass),~~
- **Beginning at the intersection of North Buckmarsh Street (U.S. Route 340) and Mosby Boulevard (Virginia Route 1035),**
- ~~thence in a northwesterly direction with Harry Byrd Highway to the western limits of the Town of Berryville,~~
- **thence in a northwesterly direction with Mosby Boulevard to its intersection with Jackson Drive (Virginia Route 1041),**
- **thence in a southwesterly direction with Jackson Drive to its intersection with West Main Street (Virginia Route 7 Business),**
- **thence in a northwesterly direction with West Main Street to corporate limits of the Town of Berryville,**
- thence in southwesterly and southeasterly direction with the town limits to Alexander Street **Drive**,
- ~~thence in an southeasterly direction with Alexander Street and Hermitage Boulevard to the southern limits of the Town of Berryville at U.S. Route 340,~~
- **thence in a southeasterly direction with Alexander Drive to its intersection with Hermitage Boulevard (Virginia Route 1029)**
- **thence in a southeasterly direction with Hermitage Boulevard to its intersection with Dunlap Drive (Virginia Route 1028),**
- **thence in a northeasterly direction with Dunlap Drive to its intersection with Henderson Court (Virginia Route 1027)**
- **thence in a southeasterly direction with Henderson Court to its intersection with Taylor Street (Virginia Route 1006),**
- **thence in a southeasterly direction with Taylor Street to its intersection with South Buckmarsh Street (U.S. Route 340),**

- **thence in a southwesterly direction with South Buckmarsh Street to its intersection with Hermitage Boulevard (Virginia Route 1029),**
- **thence in a southeasterly direction with Hermitage Boulevard to its intersection with South Church Street (Virginia Route 616),**
- **thence in a southwesterly direction with South Church Street to its intersection with South Buckmarsh Street (U.S. Route 340),**
- **thence in a southwesterly direction with South Buckmarsh Street to the corporate limits of the Town of Berryville,**
- thence in a southeasterly direction with the Berryville town limits to **its intersection with the Norfolk Southern Railroad,**
- **thence in a northeasterly direction with the Norfolk Southern Railroad its intersection with Jack Enders Boulevard (Virginia Route 613 700),**
- thence in a northerly direction with Jack Enders Boulevard to its intersection with East Main Street (Virginia Route 7 Business), thence in a westerly direction with East Main Street to its intersection with ~~Boom Road~~ **First Street** (Virginia Route 615),
- thence in a northeasterly direction with ~~Boom Road~~ **First Street** to its intersection with **East** Fairfax Street (**Virginia Route 1026**),
- thence in a westerly direction with **East** Fairfax Street to its intersection with Soldiers Rest Lane (the eastern property line of Tax Map Parcel 142A-((A))-17),
- thence in a northeasterly direction with Soldiers Rest Lane, (the eastern property line of Tax Map Parcels 14A2-((A))-17 and 17A) to its intersection with the northern limits of the Town of Berryville,
- thence in a westerly direction with the Berryville town limits to its intersection with **North Buckmarsh Street** (U. S. Route 340),
- thence in a ~~northerly~~ **southerly** direction with ~~U.S. Route 340~~ **North Buckmarsh Street**, to its intersection with ~~Harry Byrd Highway~~, **Mosby Boulevard (Virginia Route 1035)**, the point of beginning.

*Buckmarsh
Voting
Election
District*

Buckmarsh voting **election** district shall comprise the area bounded as follows:

- Beginning at **the intersection of** Lord Fairfax Highway (U. S. Route 340) with the Jefferson County line,
- thence in a southeasterly direction with the Clarke-Jefferson County line to its intersection with the Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to **Harry Byrd Highway** (Virginia Route 7),
- thence in a westerly direction with Harry Byrd Highway (~~Virginia Route 7~~)

to the ~~its~~ intersection of **with** Pine Grove Road (Virginia Route 679),

- thence **in a westerly direction** with Pine Grove Road to its intersection with Harry Byrd Highway (**Virginia Route 7**),
- thence with **in a westerly direction with** Harry Byrd Highway to the Shenandoah River,
- thence in a southwesterly direction with the Shenandoah River to a point in the center of the Shenandoah River nearest the intersection of Lockes Mill Road (Virginia Route 613) and Briggs Road (Virginia Route 621),
- thence in a westerly direction with Lockes Mill Road and in a northerly direction with Springsbury Road (both Virginia Route 613) to its intersection with **Jack Enders Boulevard (Route 700)**,
- **thence in a northerly direction with Jack Enders Boulevard to its intersection with** East Main Street (Virginia Route 7 Business),
- thence in a westerly direction with East Main Street to its intersection with ~~Boom Road~~ **First Street** (Virginia Route 615),
- thence in a northeasterly direction with ~~Boom Road~~ **First Street** to its intersection with Fairfax Street,
- thence in a westerly direction with Fairfax Street to Soldiers Rest Lane (the eastern property line of Tax Map Parcel 14A2-((A))-17),
- thence in a northeasterly direction with Soldiers Rest Lane (the eastern property line of Tax Map Parcel 14A2-((A))-17 and 17A) to its intersection with the northern ~~corporate town~~ limits of **the Town of Berryville**,
- thence in a westerly direction with the Berryville town limits to its intersection with **Lord Fairfax Highway** (U. S. Route 340),
- thence in a northeasterly direction with ~~U. S. Route 340~~ **Lord Fairfax Highway** to its intersection with the Jefferson County line, the point of beginning.

*Blue Ridge
Precinct of the
Buckmarsh
Voting
Election
District*

The Blue Ridge Precinct of the Buckmarsh Voting **Election** District described above shall comprise the area bounded as follows:

- Beginning at the intersection of the Clarke-Jefferson County line with the Clarke-Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to Harry Byrd Highway (Virginia Route 7),
- thence in a westerly direction with Harry Byrd Highway to the intersection of Pine Grove Road (Virginia Route 679),
- thence with Pine Grove to its intersection with Harry Byrd Highway (**Virginia Route 7**),
- thence with Harry Byrd Highway in a westerly direction to the Shenandoah River,

- thence in a northerly direction with the Shenandoah River to the Clarke-Jefferson County line,
- thence in an easterly direction with the Clarke-Jefferson County line, the point of beginning.

The Buckmarsh Precinct shall comprise the remaining area as set forth in the above description of the Buckmarsh ~~voting~~ **election** District.)

Millwood
~~voting~~
Election
District

Millwood ~~voting~~ **election** district shall comprise the area bounded as follows:

- Beginning at the intersection of Senseny Road (Virginia Route 657) and Janeville Road (Virginia Route 652),
- thence in an easterly direction with Senseny Road to ~~the~~ **its** intersection with ~~Lord Fairfax Highway (U.S. Route 340)~~ **Westwood Road (Route 636)**,
- **thence in a northeasterly direction with Westwood Road to its intersection with West Main Street (Virginia Route 7 Business),**
- **thence in a southwesterly direction with West Main Street to corporate limits of the Town of Berryville,**
- **thence in southwesterly and southeasterly direction with the town limits to Alexander Drive,**
- **thence in a southeasterly direction with Alexander Drive to its intersection with Hermitage Boulevard (Virginia Route 1029)**
- **thence in a southeasterly direction with Hermitage Boulevard to its intersection with Dunlap Drive (Virginia Route 1028),**
- **thence in a northeasterly direction with Dunlap Drive to its intersection with Henderson Court (Virginia Route 1027)**
- **thence in a southeasterly direction with Henderson Court to its intersection with Taylor Street (Virginia Route 1006),**
- **thence in a southeasterly direction with Taylor Street to its intersection with South Buckmarsh Street (U.S. Route 340),**
- **thence in a southwesterly direction with South Buckmarsh Street to its intersection with Hermitage Boulevard (Virginia Route 1029),**
- **thence in a southeasterly direction with Hermitage Boulevard to its intersection with South Church Street (Virginia Route 616),**
- **thence in a southwesterly direction with South Church Street to its intersection with South Buckmarsh Street (U.S. Route 340),**
- **thence in a southwesterly direction with South Buckmarsh Street to the corporate limits of the Town of Berryville,**
- thence in a southeasterly direction with the Berryville town limits to **its intersection with the Norfolk Southern Railroad,**

- **thence in a northeasterly direction with the Norfolk Southern Railroad** its intersection with Jack Enders Boulevard (Virginia Route 613 700),
- thence in a northeasterly direction with Jack Enders Boulevard to its intersection with ~~East Main Street (Virginia Route 7 Business),~~
- ~~thence in a northerly direction to a point where Lord Fairfax Highway intersects the southern limits of the Town of Berryville,~~
- ~~thence in an easterly direction with the town limits to Springsbury Road (Virginia Route 613),~~
- thence in a southerly direction with Springsbury Road to its intersection with Lockes Mill Road (Virginia Routes 618 and 613),
- thence in an easterly direction with Lockes Mill Road (Virginia Route 613) to the intersection of Briggs Road (Virginia Route 621),
- thence to a point in the center of the Shenandoah River nearest the intersection of Lockes Mill Road and Briggs Road,
- thence in a northeasterly direction with the Shenandoah River to its intersection with Harry Byrd Highway (Virginia Route 7),
- thence in an easterly direction with Harry Byrd Highway to the *its* intersection with Pine Grove Road (Virginia Route 679),
- thence in an easterly direction with Pine Grove Road to its intersection with Harry Byrd Highway (**Virginia Route 7**),
- thence continuing with Harry Byrd Highway to the Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to its intersection with John Mosby Highway (U. S. Route 50),
- thence in a westerly direction with John Mosby Highway to its intersection with Millwood Road (Virginia Route 723),
- thence continuing in a westerly direction with Millwood Road to a point where Spout Run intersects Millwood Road east of the village of Millwood,
- thence in a northwesterly direction with Spout Run and its tributary Page Brook Run to a point where Page Brook Run intersects Lord Fairfax Highway (U. S. Route 340),
- thence in a northeasterly direction with Lord Fairfax Highway to its intersection with ~~Pyletown Road (Virginia Route 620)~~ **Annefield Road (Virginia Route 633)**,
- thence in a westerly direction with ~~Pyletown Road~~ **Annefield Road** to its intersection with ~~Summerville Road~~ **Janeville Road** (Virginia Route 652),
- thence with ~~Summerville Road~~ **Janeville Road** (both ~~Virginia Route 652~~) in a northerly direction to its intersection with Senseny Road (Virginia Route 657), the point of beginning.

*Pine Grove
Precinct of the
Millwood
Voting
Election
District*

The Pine Grove Precinct of the Millwood ~~Voting~~ **Election** District described above shall comprise the area bounded as follows:

- Beginning **in the center of the Shenandoah River nearest to a point** at the intersection of Lockes Mill Road and Briggs Road (Virginia Route 613 and 621),
- thence in a northeasterly direction with the Shenandoah River to its intersection with Harry Byrd Highway (Virginia Route 7),
- thence in an easterly direction with Harry Byrd Highway to the intersection with Pine Grove Road (Virginia Route 679),
- thence in an easterly direction with Pine Grove Road to its intersection with Harry Byrd Highway (**Virginia Route 7**),
- thence continuing with Harry Byrd Highway to the Clarke-Loudoun County line,
- thence in a southwesterly direction with the Clarke-Loudoun County line to its intersection with Morgans Mill Road (Virginia Route 605),
- thence in a westerly direction with Morgans Mill Road, to its intersection with Frogtown Road (Virginia Route 649),
- thence in a southerly direction to Morgan Mill Stream,
- thence in a westerly direction with Morgan Mill Stream to its intersection with the Shenandoah River,
- thence in a northwesterly direction with the Shenandoah River to a point in the center of the Shenandoah River nearest the intersection of Lockes Mill Road and Briggs Road (Virginia Route 613 and 621), the point of beginning.

(The Millwood Precinct shall comprise the remaining area as set forth in the above description of the Millwood ~~Voting~~ **Election** District.)

*Russell Voting
Election
District*

Russell voting **election** district shall comprise the area bounded as follows:

- Beginning at a corner of Frederick, Clarke, and Jefferson Counties,
- thence in a southeasterly direction with the Clarke-Jefferson County line to its intersection with Lord Fairfax Highway (U. S. Route 340),
- thence in a southwesterly direction with Lord Fairfax Highway to its intersection with Harry Byrd Highway (Virginia Route 7 Bypass), **at which point U.S. Route 340 becomes North Buckmarsh Street** thence in a ~~northwesterly direction with Harry Byrd Highway to the western limits of the Town of Berryville,~~ **southwesterly direction with North Buckmarsh Street to its intersection with Mosby Boulevard, (Virginia Route 1035),**

- *thence in a northwesterly direction with Mosby Boulevard to its intersection with Jackson Drive (Virginia Route 1041),*
- *thence in a southwesterly direction with Jackson Drive to its intersection with West Main Street (Virginia Route 7 Business),*
- *thence in a northwesterly direction with West Main Street to Westwood Road (Virginia Route 636),*
- *thence in a southwesterly direction with Westwood Road to its intersection with Senseny Road (Route 657),*
- ~~thence in southwesterly and southeasterly direction with the town limits to Alexander Street,~~
- ~~thence in an southeasterly direction with Alexander Street and Hermitage Boulevard to the southern limits of the Town of Berryville at Lord Fairfax Highway,~~
- ~~thence in a southwesterly direction to its intersection with Senseny Road (Virginia Route 657),~~
- thence in a westerly direction with Senseny Road to the Frederick County Line,
- thence in a northeasterly direction with the Clarke-Frederick County line to the corner of Frederick, Clarke, and Jefferson Counties, the point of beginning.

*White Post
Voting
Election
District*

White Post voting **election** district shall comprise the area bounded as follows:

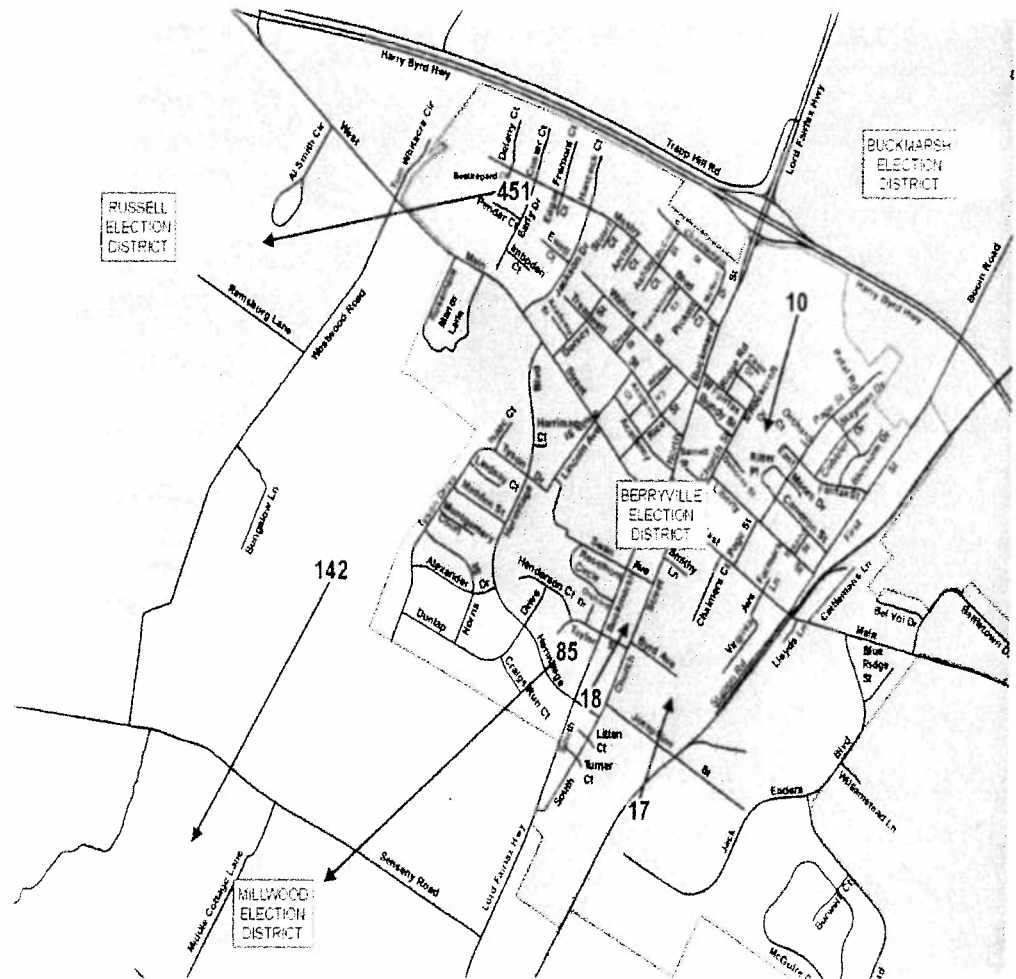
- Beginning at a corner between Frederick, Clarke, and Warren Counties,
- thence in a northerly direction with the Frederick and Clarke County line to Senseny Road (Virginia Route 657),
- thence in an easterly direction with Senseny Road to its intersection with Janeville Road (Virginia Route 652),
- thence with Janeville Road ~~which becomes Summerville Road (both Virginia Route 652)~~ in a southerly direction to its intersection with ~~Pyletown Road (Virginia Route 620)~~ **Annefield Road (Virginia Route 633),**
- thence with ~~Pyletown Road~~ **Annefield Road** in a southeasterly direction to its intersection with Lord Fairfax Highway (U.S. Route 340),
- thence in a southerly direction with Lord Fairfax Highway to its intersection with Page Brook Run,
- thence in a southerly direction with Page Brook until it joins Spout Run,
- thence in a southerly direction with Spout Run to a point east of the village of Millwood where Spout Run intersects Millwood Road (Virginia Route

723),

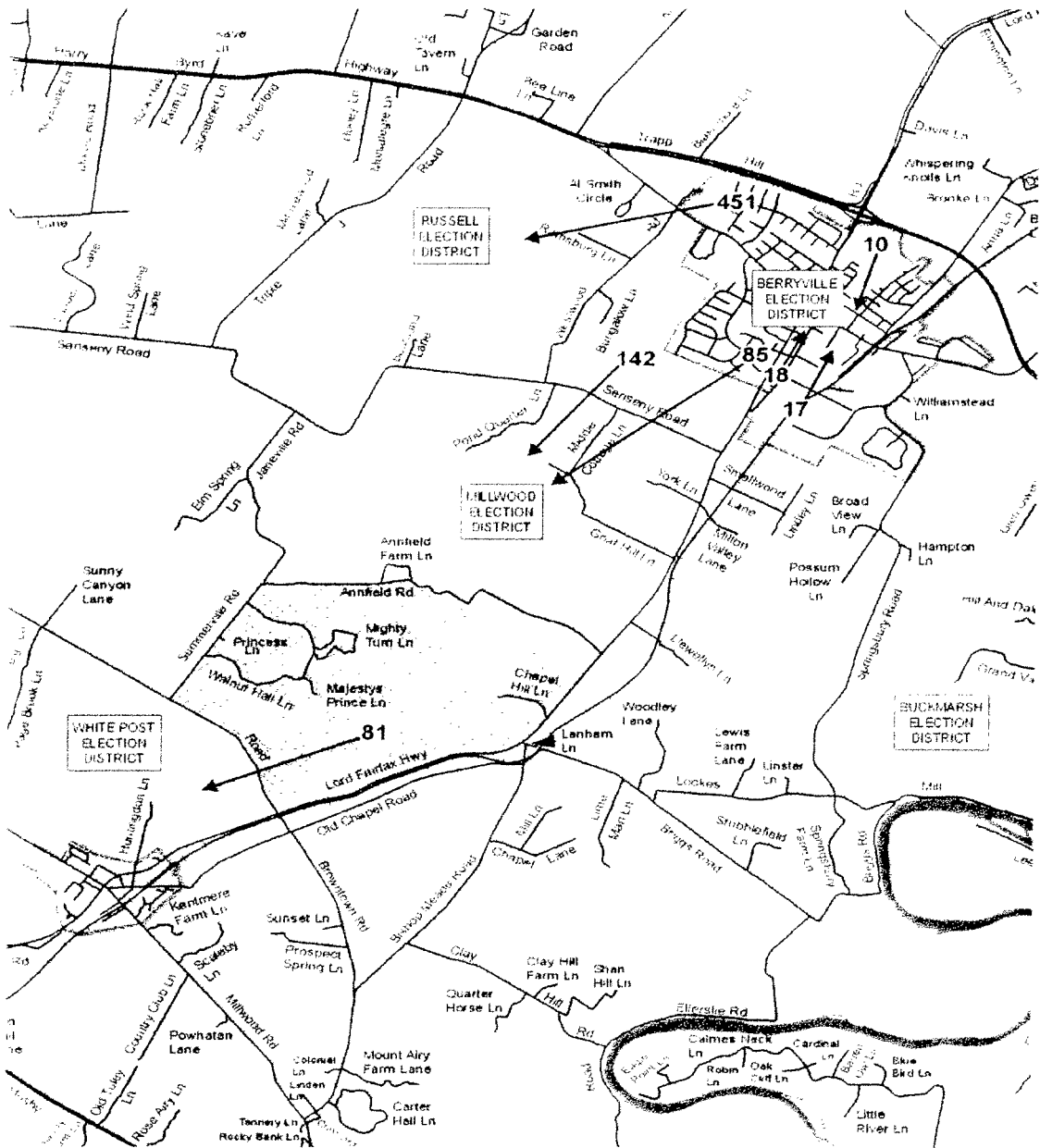
- thence in an easterly direction with Lord Fairfax Highway **Millwood Road** to its intersection with John Mosby Highway (U.S. Route 50),
- thence continuing in an easterly direction with John Mosby Highway to the Loudoun County line,
- thence in a southwesterly direction with the Fauquier County line at its intersection with the Warren County line,
- thence in a westerly direction with the Warren County line to a corner between Frederick, Clarke, and Warren Counties, the point of beginning.

2011 Redistricting Maps

Map 1: Below is a map of changes to County Board of Supervisors election districts in the Berryville area.



Map 2: This map shows the other area of change in election districts, near Boyce.



The effective date of this ordinance shall be 2011 May 16, or as soon thereafter as the U.S. Department of Justice interposes no objection.

J. Michael Hobert
 J. Michael Hobert, Chair

David L. Ash
 David L. Ash, Clerk

Attest:
 CC-11-03

MEMORANDUM

TO: Board of Supervisors
FR: Thomas Judge, Director of Joint Administrative Services
DT: May 24, 2011
RE: *May Finance Committee Report*

The Finance Committee recommends approval of items 1, 2, 3, and 7 below:

1. Supplemental Appropriations. The following transfers are recommended:

“Be it resolved that Animal Control budgeted expenditures be increased \$3,443, and the same appropriated, for the purpose of purchasing supplies for the care of cats, and be it further resolved that the same amount be transferred from the Animal Care Trust Fund to the General Fund.”

“Be it resolved that the Joint Administrative Services Budget be increased \$5,000, and the same appropriated, for the purpose of covering an annual payout for the resignation of the Payroll and Benefits Coordinator, and be it further resolved that the fund balance designation for government savings be reduced in the same amount” .

- 2. Submission of Federal Form 990 with Annual Budget Submission.** Clarke County government currently requires that outside organizations seeking funding submit their most recent audited financial report. In addition, the Finance Committee recommends that such organizations submit federal form 990 with their budget request if they are required by the federal government to file this form.
- 3. Animal Adoption Fee Increase.** The Humane Foundation recommends that the fee for adoption of animals be increased from \$10 to \$25 dollars per animal. This fee will better reflect the actual costs of preparing an animal for adoption. The Finance Committee recommends adoption of this fee increase.
- 4. School Board Supplemental for One-Time Employee Compensation.** The School Board voted unanimously on May 4 to request a supplemental appropriation of \$246,486, the source for which would be unspent funds from FY 09, to be used to provide a one-time payment to employees, preferably in the current fiscal year, in the following manner:
- a. *Salary less than \$25K: \$425.*
 - b. *Salary greater than or equal to \$25K but less than or equal to \$60K: 1.7% of salary.*
 - c. *Salary greater than \$60K: \$1,020.*

The Finance Committee deferred discussion of this matter to the full Board of Supervisors. Supporting documents are attached showing the options the School Board considered, a survey of other jurisdictions conducted by School staff, and the estimated cost of providing a 1% increase to the Government, Social Services, and JAS.

- 5. Line of Duty Act (LODA).** Costs to fund this program for FY 12 have been requested from the Virginia Retirement System, and from VACorp, based on data submitted to these organizations concerning employees and volunteer fire members. It is hoped that such data will be available

at the meeting. The Board of Supervisors needs to declare to the Virginia Retirement System by June 30 that it is opting out of the VRS LODA plan, or it will be automatically, and irrevocably, enrolled in that plan. It should be noted that the LODA program may require funding of an actuarial study to determine liabilities under the “Other Post Employment Benefit (OPEB)” financial reporting requirement. See the Worksession report for the resolution of this issue.

6. VRS Deferred Compensation Plan versus Nationwide Deferred Compensation Plan (FYI).

The Joint Administrative Services Board discussed the benefits of offering the VRS deferred compensation program instead of the Nationwide program. These include lower fees, coordination with the Virginia Retirement System defined benefit program in terms of customer access, and simpler investment options. There is no exit fee for leaving Nationwide. However, there may be a market adjustment for those with funds in the fixed account (see attached). JAS is considering this change so that the new plan could also be available to school employees. If JAS recommends a change, the following actions would be requested:

- a. Termination of Nationwide Plan by BOS.
- b. Adoption of VRS plan by BOS.
- c. Adoption of VRS plan by SB.

7. Acceptance of April Bills and Claims. The acceptance of this report is proposed.

8. Standing Reports. The following are included: Reconciliation of Appropriations. General Fund Balance. General Fund Expenditure Summary. Capital Projects.

9. Maintenance Purchasing Card Limit. *(Note: this was not discussed by the Committee, due to an oversight, but is being brought to the full board for consideration in hopes of timely action for the summer maintenance workload.)* The current maximum monthly limit on the Maintenance Department credit card is \$1,500. Since inclusion of School Division responsibilities, this amount has proved inadequate. The following is requested:

Be it resolved that the credit limit on the Maintenance Department purchasing card be increased to \$5,000.

Options for One-Time Employee Compensation

5/11/2011

Source: Joint Administrative Services

Available FY 09 Carryover	246,486	
FICA/Medicare Discount	17,517	
Available for one-time payout	228,969	
School Operating FTE	333	As of Feb 2011
School Operating Salary	11,813,913	FY 12 Budgeted

OPTIONS

A	Percent Distribution Only	1.9%	
B	Per FTE Distribution	\$688	
C	Hybrid I	\$231,995	1.4 percent of salary + \$200

D	Hybrid II	FTE		Salary	FTE
		<u>UNDER 25K</u>	<u>>25K and <60K</u>		<u>Over 60K</u>
	Instructional Assistants	51.7		28,597.0	-
	Drivers	30.0		-	-
	School 200 Teachers	1.9		7,029,892.0	-
	School 210 Teachers	-		47,082.0	-
	School 220 Teachers	-		242,436.0	1.0
	School 240 Teachers	-		58,844.0	-
	Food Service	14.8		-	-
	School Support 200	6.7		135,821.0	-
	School Support 220	1.1		296,371.0	4.0
	School Support 240	14.0		674,501.0	-
	School Support 247	-		55,951.0	11.0
	TOTAL	120.2		8,569,495.0	16.0
	RATE	425.0		1.70%	1,020.0
	COST	51,063.8		145,681.4	16,320.0 213,065.2

COST OF 1% Salary Increase, excluding Constitutional Officers
 Source: Joint Administrative Services

5/11/2011

	<u>Salary</u>	Less <u>Constitutional Officers</u>	<u>Adjusted</u>	<u>1% FICA/MED</u>		<u>TOTAL</u>
General Fund	3,274,662	322,438	2,952,224	29,522	2,258	31,781
Social Services	599,434		599,434	5,994	459	6,453
Joint Services	346,491		346,491	3,465	265	3,730
			3,898,149			41,964

Division	FY11 One-time payment?	FY12 One-time payment?	FY12 Salary increase?	Details
Alexandria	yes	no	yes	Half-year step increase in FY11, full step increase in FY12
Arlington	no	no	yes	2.5%- 5% step increase or \$1000 one-time payment if step provides no increase
Falls Church	no	undecided	yes	Full mid-year step increase
Fauquier	yes	no	no	3% or \$1500, whichever is greater
Frederick	yes	yes	no	1% to fulltime, \$50 to part-time in FY11, 2% with \$400 minimum and \$1300 maximum in FY12
Loudoun	no	no	yes	3% cola increase
Manassas	no	no	yes	2.25% step + cola increase
Prince William	no	undecided	undecided	1.35% payment and 1% cola increase proposed for FY12
Roanoke	yes	yes	no	\$1500 to licensed staff, \$800 to support staff, paid across FY11 and FY12
Rockingham	yes	undecided	undecided	3.5% payment in FY11
Shenandoah	no	no	no	
Stafford	no	no	proposed	2.5% increase
Warren	undecided	no	no	3% payment
Winchester	yes	no	no	2% with \$400 minimum and \$1300 maximum in FY11

Notes: Details provided by division HR contacts as of May 3, 2011
(exception- Warren and Roanoke data collected from press reports)
Salaries in CCPS have been frozen since FY09

Date created: May 3, 2011 (rc)

Clarke Co. Reconciliation of Appropriations Year Ending June 30, 2011 04-May-11

Date	General Fund	Soc Svcs Fund	CSA Fund	Sch Oper Fund	Cafeteria Fund	GG Cap Fund	School Cap Fund	GG Debt Fund	School Debt Fund	Joint Fund	Conservation Easements	Unemploy. Fund
05/03/10	36,430,921	8,153,177	1,397,588	1,100,583	18,931,781	759,952	390,491	690,400	364,701	3,636,438	510,810	15,000
Adjustments:												
07/20/10		1,835							86,753			
07/20/10		6,000				40,150						
07/20/10		55,290										
07/20/10		2,118										
09/21/10						12,794						
11/16/10						12,400						
12/21/10												
12/21/10												
01/18/11		3,538					151,447					
01/18/11						25,000						
02/15/11		8,253										
03/07/11		481										
03/07/11		11,000										
04/19/11				94,028								
05/10/11		3,443								5,000		
05/10/11												
	36,948,451	8,243,135	1,397,588	1,100,583	19,025,809	759,952	841,847	364,701	3,723,191	515,810	480,000	15,000
Change to Appropriation	517,530	89,958	0	0	94,028	0	90,344	0	86,753	5,000	0	0
Original Revenue Estimate	14,257,287	2,419,087	989,200	453,945	8,943,033	759,952	154,000	0	218,070	0	320,000	0
Adjustments:												
07/20/10		3,000										
07/20/10						40,150						
11/16/10												
12/21/10						12,794						
02/15/11						12,400						
03/07/11		7,476				25,000						
03/07/11		481										
04/19/11		11,000										
05/10/11		3,443										
	14,553,812	2,444,487	989,200	453,945	9,037,061	759,952	154,000	0	304,823	0	320,000	0
Change to Revenue Estimate	296,525	25,400	0	0	94,028	0	0	0	86,753	0	0	0
Original Local Tax Funding	22,173,634	5,734,090	408,388	646,638	9,988,748	0	538,400	364,701	3,418,368	510,810	160,000	15,000
Revised Local Tax Funding	22,394,639	5,798,648	408,388	646,638	9,988,748	0	687,847	364,701	3,418,368	515,810	160,000	15,000
Change to Local Tax Funding	221,005	64,558	0	0	0	0	151,447	0	0	5,000	0	0

Italics = Proposed actions

05/04/11

Title: General Fund Balance
Source: Clarke County Joint Administrative Services

	<u>Previous</u>	<u>Current</u>	<u>Notes</u>
General Fund Balance Year End FY 2009	14,001,757	14,001,757	
Expenditure FY 10	(24,433,541)	(24,433,541)	
Revenue FY 10	24,586,665	24,586,665	
General Fund Balance (year end FY 10)	14,154,881	14,154,881	

Adjustments and Designations

Designations

Liquidity Designation @ 12% of FY 11 Budgeted Operating Revenue	(\$2,949,252)	(\$2,949,252)	
Stabilization Designation @ 3% of FY 11 Budgeted Operating Revenue	(737,313)	(737,313)	
Continuing Local GF Appropriations for Capital Projects	(4,955,633)	(4,955,633)	
School Capital/Debt	(1,500,000)	(1,500,000)	
Government Construction/Debt	(1,000,000)	(1,000,000)	
Property Acquisition	(265,000)	(265,000)	
Conservation Easements from Government Savings	(153,462)	(153,462)	
Community Facilities	(\$325,000)	(\$325,000)	
Comprehensive Services Act Shortfall	(262,868)	(262,868)	
Senior Center and Park Office	(400,000)	(400,000)	
Parks Master Plan	(100,000)	(100,000)	
School Operating Carryover	(493,718)	(493,718)	
Government Carryover Requests from Government Savings	(396,462)	(391,462)	Less Joint Services Leave Payout
Energy Efficiency	(200,000)	(200,000)	
Landfill costs	(50,000)	(50,000)	
FY 11 Original Budget Surplus (Deficit)	354,405	354,405	
TOTAL Designations	(13,434,303)	(13,429,303)	

FY 11 Expenditure Budget Adjustments	(415,059)	(517,530)	
FY 11 Revenue Budget Adjustments	199,054	296,525	

Undesignated Fund Balance Projected June 30

504,574

504,574

Government Capital Projects
As of April 30, 2011

May 11	Description	FY 10 Carryover	FY 11 Original Budget/ Revenue Estimate	FY11 Supplemental Budget	Cumulative Budget With Adjusts	Outstanding Encumbrance	Year-to Date Expenditure/ Revenue	Available Balance	Notes
	General Government Capital Expenditure								
	Administrative Building	332,000			354,019	15,008	193,803	145,208	This available balance needs to be adjusted to approx 45,000. Brenda is currently working on to bring available balance to actual
	Sheriff's Equipment (fingerprinting, etc.)	38,902		12,400	51,302	688	15,504	35,110	
	Auto Replacement	33,929			33,929			33,929	
	Pool Repairs			12,794	12,794		11,627	1,167	Dressing room renovation, purchase and install swim blocks
	Sheriff's Vehicles	37,256	24,098		61,354		45,793	15,561	
	Park Expansion	30,000			30,000			30,000	
	Groundwater Study		37,544		37,545	9,387	28,158	-	
	Circuit Courthouse Renovation (and GD Cells)	457,217			466,692	80,586	386,106	-	includes all approved Hammerhead CO's to date
	Social Services Building	50,093			50,093			50,093	
	Economic Development	347,050		(12,100)	334,950			334,950	\$12,100 was transferred to the Double Tollgate Project
	Technology Improvements	60,573	55,363		115,936	28,365	75,345	12,226	
	Park to Town Utility Upgrades		210,000		209,999	7,400	13,143	189,456	
	Sheriff's Building Renovation	265,695			228,995	21,100		207,895	
	Roofing	196,190			196,190			196,190	
	Plan Updates	11,786			11,786			11,786	
	Greenway Court Preservation	79,514			79,514		20,702	5,024	
	Carpeting (Includes GD Courthouse Seating)	53,745			53,745	53,788		5,024	
	Landscaping	15,375			15,375			15,375	courthouse area, etc.
	Parks Westside Sitework/Parking	63,728			63,728			63,728	
	Recreation Center Additions/Wall Crack	111,102			124,588			124,588	
	Systems Integration		13,486		13,486				
	Mobile Data Terminals		50,000		50,000	22,600	1,500	25,900	
	VDEM Emergency Operations Center	96,385			96,385	5,585	55,300	35,500	
	Double Tollgate Commercial Area			40,150	40,150		35,778	4,372	
				37,100	37,100				The suppl includes \$25,000 plus \$12,100 transfr from Economic Dev
	Total Expenditure	2,280,540	390,491	90,344	2,756,169	244,506	882,761	1,628,903	
	Revenue			480,835					
	Mobile Data Terminals Grant	96,385			96,385		49,988	46,397	
	VA Historic Resources (Greenway Court)	47,500			47,500			47,500	
	Easement Authority Donation (Greenway Court)	10,000			10,000		5,000	5,000	
	Debt Proceeds	965,736			965,736		389,935	575,801	
	VDEM Emergency Operations Center Grant			40,150	40,150		35,778	4,372	
	Commonwealth of Virginia-Double Tollgate Area			25,000	25,000		25,000	-	
	Total Revenue	1,119,621		65,150	1,184,771		505,701	679,070	
	Capital Projects Fund Balance			65,150					
	Economic Development	347,050			347,050			347,050	
	Total Revenue and Fund Balance	1,466,671			1,531,821			1,026,120	
	Total Expenditures less Revenue and Fund Balance	813,869			1,224,348			602,783	

MEMORANDUM

TO: Board of Supervisors, David Ash
FROM: Alison Teetor
DATE: April 12, 2011
SUBJECT: Contract with Planet Footprint – Sole Source

As part of our energy management activities, I have been tracking utility use for 12 of the County buildings. This tracking involves data entry and energy use analysis. In addition, Ruby Miller is also entering the utility bill data for cost analysis purposes.

Energy use analysis is not my area of expertise and though I have learned a lot in analyzing the past three years of data, it is time consuming and I am not certain I am effectively interpreting all the information that could be used to reduce the County's energy use and expense.

After researching utility tracking options, I have located a contractor that will complete all of the data entry for all of the County utility meters, data that can be used by both Ruby and myself, in addition to analyzing and reporting energy use.

Planet Footprint was the only contractor I could locate that meets our needs in terms of data entry and analysis/reporting. Many contractors such as Energy Watchdog provide tools for energy use analysis and reporting but lack the data entry component.

Our increased ability to measure and monitor utility use will greatly enhance efficiency efforts and our ability to assess progress toward Energy Management Plan goals, while reducing the time spent by both Ruby and myself doing data entry.

The contact price for one year is \$1,500. This will include all data entry for the coming year, the past year, and the incorporation of the data previously entered into the energy star portfolio manager.

Recommendation

Approve contract for 1 year at \$1,500 with Planet Footprint. The expense will be paid out of the energy management budget.

Clarke County Board of Supervisors

Government Projects Update

Clarke County Board of Supervisors

Miscellaneous Items

Board of Supervisors
Summary of Required Actions Status Report

Meeting/Letter Date	Item	Description	Responsibility	Status	Date Complete	Review Date
4/19/2011	1299	Process approved minutes.	Lora B. Walburn	Complete	4/22/2011	
4/19/2011	1300	Execute and forward Agreement Between Clarke County and Shenandoah Farms Sanitary District.	David Ash	Complete	4/20/2011	
4/19/2011	1301	Execute and forward Resolution Of The Board Of Supervisors Of Clarke County Virginia, Consenting To The Issuance Of Revenue Obligations By The Northwestern Regional Jail Authority Pursuant To The Second Amended And Restated Regional Jail Agreement And Other Matters In Connection Therewith 2011-08R.	David Ash	Complete	4/20/2011	
4/19/2011	1302	Provide letter of denial to Historic Long Branch for Rock N River.	David Ash	Complete	4/21/2011	
4/19/2011	1303	Process appointments.	Lora B. Walburn	M. Hobert out 4/29 thru 5/6	5/9/2011	
4/19/2011	1304	Prepare resolution of appreciation of service rendered by Lawrence White.	David Ash	Per Lisa Cooke will have for June agenda		
4/19/2011	1305	Select dates and coordinate training for FOIA.	David Ash	Maria Everett provided 9/14 notice out 5/11	5/6/2011	
4/19/2011	1306	Add Recommendation to Require Annual Audit or 990 filing to May Finance Committee.	David Ash	Complete	5/4/2011	
4/19/2011	1307	Draft a letter to Barbara Seldon in response to her query about water and sewer access in the Double Tollgate area.	Chuck Johnston	Complete	4/27/2011	
4/19/2011	1308	Add review of Finance Committee recommendations for the Software Integration Study to the next Joint Administrative Services meeting.	Tom Judge	Complete	4/21/2011	
4/19/2011	1309	Refer to the Building Committee consideration and development of proposal of potential for the Commonwealth Attorney's building, along with the old Library building. Further, to bring back to the Board of Supervisors the proposal for decision.	David Ash			
4/19/2011	1310	Update code CC-11-03.	Lora B. Walburn			
4/19/2011	1311	Coordinate filing of CC-11-03 2011-02ORD with the Department of Justice.	Barbara Bosserman	Complete	4/27/2011	
4/19/2011	1312	Prepare and forward 2011-10R Virginia Department of Transportation Secondary Six-Year Plan 2011 - 2017 and Construction Budget 2011-2012	Lora B. Walburn	Complete	4/26/2011	
4/19/2011	1313	Modify and forward to VDOT FY2012-2017 Six-Year Improvement Program priority letter.	Lora B. Walburn	Complete	4/20/2011	
4/19/2011	1314	Modify Resolution Opposing Designation Of A Northern Virginia North-South Corridor Of Statewide Significance By The Commonwealth Transportation Board 2011-09R	J. Michael Hobert	Complete	4/20/2011	
4/19/2011	1315	Process and forward Resolution Opposing Designation Of A Northern Virginia North-South Corridor Of Statewide Significance By The Commonwealth Transportation Board 2011-09R	Lora B. Walburn	Complete	4/20/2011	
4/19/2011	1316	Local Government Certification Eviction Defense Representation in the Shenandoah Valley request a presentation from BRLS on services provided to County residents.	David Ash			

Clarke County Board of Supervisors

Closed Session *[as necessary]*

Clarke County Board of Supervisors

Board Member Committee Status Reports

Clarke County Board of Supervisors

Adjournment

Clarke County Board of Supervisors

Monthly Reports:

1. Building Department
2. Commissioner of the Revenue
3. Cooperative Extension – 4-H
4. Virginia Regional Transport

**COUNTY OF CLARKE
BUILDING PERMIT REPORT
FOR THE MONTH ENDING 4-30-2011**

NEW RESIDENTIAL

SINGLE FAMILY STRUCTURES

<u>Owner/Contractor Location</u>	<u>Description</u>	<u>Est Cost</u>
HEAVNER, LEON O JR & SAMANT/SELF CONTRACTOR 129 GILLIONS LANE 20135	1sty FOREMOST DWELLING + ELEC	184,000
	SUBTOTAL:	1 184,000
	TOTAL:	1 184,000

RESIDENTIAL RENOVATIONS

<u>Owner/Contractor Location</u>	<u>Description</u>	<u>Est Cost</u>
DANIELS, CHARLES R & ANNETT/SELF CONTRACTOR 222 SPRING HOUSE LANE 22611	REM 2ND FL OF DET GAR INTO LVG	41,000
KERBY, RICHARD A & JULIE R/SELF CONTRACTOR 3916 OLD CHARLES TOWN ROAD 2	FINISH BASEMENT + ELECTRIC	47,000
GREGORY, STEPHEN L & PATTI/SELF CONTRACTOR 240 MEADOWBROOK LANE 22611	FINISH BASEMENT + ELECTRIC + P	53,000
BARKER, RICHARD W & HELEN M/COMPLETE RESTORATION SERVICE 3204 KIMBLE ROAD 22611	REPAIR ROOF & TRUSS SYSTEM DUE	0
SCALISE, JOHN & KRISTINA/SELF CONTRACTOR 425 MADDEN STREET 22611	FINISH BASEMENT + ELECTRIC + P	49,000
MT PROSPECT, LLC/WEBB & SONS CONSTRUCTION, IN 233 MOUNT PROSPECT LANE 226	1sty FULL BATH ADDITION TO SMO	9,000
GRANT, ALICE L & GEORGE E J/VIRGINIA DECK WORKS, LLC 75 VISTA LANE 22663	FINISH BASEMENT AREA	100,000
LASSITER, ERIC M & MARGO K/SELF CONTRACTOR 6 VIRGINIA AVENUE 22611	ADD DORMER ON 2ND FL FOR BATHR	4,000
	TOTAL:	8 303,000

COMMERCIAL RENOVATIONS

<u>Owner/Contractor Location</u>	<u>Description</u>	<u>Est Cost</u>
--------------------------------------	--------------------	-----------------

**COUNTY OF CLARKE
BUILDING PERMIT REPORT
FOR THE MONTH ENDING 4-30-2011**

Page: 2

COMMERCIAL RENOVATIONS

Owner/Contractor Location	Description	Est Cost
BOWERS, JOHN E/SELF CONTRACTOR 6967 LORD FAIRFAX HIGHWAY	REMODEL + USE CHANGE + C/O FOR	4,000
TOTAL:		1 4,000

MISC BUILDING PERMITS

Owner/Contractor	Description	Est Cost
UNDERWOOD, ROBERT A & SARAH/B W HOMES	REPLACE DECK W/ SCREEN PORCH (5,000
HUNTINGDON GATE HOUSE, LLC/JAMIE'S CHIMNEY SERVICE	RE-LINE CHIMNEY	0
WHITE, COURTNEY E/SELF CONTRACTOR	RENEWAL PERMIT-DWELLING+ELEC+M	0
GOOD, DAVID L & GAIL R/SELF CONTRACTOR	REPLACE FRONT STOOPS W/ DECK (3,000
HAMILTON, RANDALL R & MARGA/SPECIALIZED MOBILITY AND CON	HANDICAP RAMP (101')	2,000
MARCHISANO, MARK D & CHERYL/SELF CONTRACTOR	RENEWAL PERMIT-REMODEL 1ST FL+	0
VANDERLINDEN, MICHAEL & LOR/SELF CONTRACTOR	EXTEND PORCH (6'2" x 10'10")	2,000
HOWELLS, CHRISTOPHER P & AN/SELF CONTRACTOR	DEMO & REBUILD REAR DECK (26'	6,000
ZIMMERMAN, JOSEPH R & CANDA/SELF CONTRACTOR	REAR DECK (40' x 16')	10,000
LEHR, DAVID S & PAMELA B/SELF CONTRACTOR	FRONT PORCH (52'x6') + RE-SIDI	10,000
LONGHOFER, KRISTIN ANN/HARVEY EXTERIOR RENOVATIONS,	SCREEN-IN EXST FRONT PORCH (23	3,000
BREEDEN, SAMUEL M/SELF CONTRACTOR	REAR DECK (24' x 16')	6,000
BROWN, G RONALD & HENRIETTA/SELF CONTRACTOR	STEPS W/ 2 LANDINGS ON DET GAR	1,000
LARRICK, TOMMY D/SELF CONTRACTOR	METAL POLE BLDG/RUN-IN SHED (2	24,000
TOTAL:		14 72,000

Total # of Building Permits Issued: 24
Total Estimated Cost: 563,000
Total Revenue Collected: 6,261.17

The following permits are not included in the total # of permits and estimated costs.

Electrical: 17
 Mechanical: 10
 Plumbing: 9
 Fire Prot.: 9

COUNTY OF CLARKE

RECAP BY PROJECT TYPE FOR THE MONTH ENDING: 4-30-2011

Page: 1

<u>Project Description</u>	<u>#</u>	<u>VALUE</u>
ACCESSORY BLDG RESIDENTIAL	1	24,000
ADDITION/REMODEL SINGLE FAMILY	5	258,000
ADD/REM RESIDENCE SINGLE GARA	1	41,000
DECK/PORCH	8	45,000
ELECTRIC PERMITS	17	0
FIRE PROTECTION PERMIT	1	0
MECHANICAL PERMITS	10	0
NEW RESIDENCE SINGLE FAMILY	1	184,000
PLUMBING PERMITS	9	0
HANDICAP RAMP	1	2,000
RENEWAL PERMIT	2	0
REMODEL-MINIMUM FEE (COMM)	1	4,000
REMODEL-MINIMUM FEE (RES)	2	4,000
STEPS/STAIRS	1	1,000
UNDEFINED ACTIVITY	1	0
=====		
TOTALS:	61	563,000
=====		

RECAP BY DISTRICT FOR THE MONTH ENDING: 4-30-2011

<u>Name</u>	<u>#</u>	<u>VALUE</u>
GREENWAY DISTRICT	15	333,000
CHAPEL DISTRICT	7	14,000
BATTLETOWN DISTRICT	12	105,000
LONGMARSH DISTRICT	11	53,000
BERRYVILLE DISTRICT	14	58,000
BOYCE DISTRICT	2	0
=====		
TOTALS:	61	563,000
=====		

INSPECTIONS REPORT FOR THE MONTH ENDING: 4-30-2011

<u>Inspection Type</u>	<u>#</u>
Building:	69
Electrical:	47
Mechanical:	27
Plumbing:	17
Fire Protection:	2
=====	
TOTALS:	162
=====	

DAY	DATE	HOURS IN FIELD	HOURS IN OFFICE	TOTAL HOURS	BLDG INSP	ELEC INSP	GAS INSP	MECH INSP	PLBG INSP	MISC INSP	TOTAL INSP	START MILEAGE	END MILEAGE	TOTAL MILES DRIVEN	FUEL	COMMENTS
Friday	4/1/2011	4	4	8	2						2			0		
Saturday	4/2/2011															
Sunday	4/3/2011			0							0			0		
Monday	4/4/2011	4	4	8	1	1			3	2	7	93581	93618	37		
Tuesday	4/5/2011	4	4	8	2	2					2	93618	93648	30	15.5	
Wednesday	4/6/2011	4	4	8	1	1			1	2	5	93648	93683	35		
Thursday	4/7/2011	4	4	8	3	4			3	2	12	93683	93745	62		
Friday	4/8/2011	4	4	8	6	1			2		9	93745	93782	37		
Saturday	4/9/2011			0							0			0		
Sunday	4/10/2011			0							0			0		
Monday	4/11/2011	4	4	8	5	3				2	10	93782	93838	56		
Tuesday	4/12/2011	4	4	8	2	4					6			0		
Wednesday	4/13/2011	4	4	8	2	3					5	93838	93896	58		
Thursday	4/14/2011	4	4	8	7	4			1	1	13	93896	93977	81	16.5	
Friday	4/15/2011	4	4	8	2	2				1	5	93972	94039	67		
Saturday	4/16/2011			0							0			0		
Sunday	4/17/2011			0							0			0		
Monday	4/18/2011	4	4	8	4	4			1	1	12	94039	94082	43		
Tuesday	4/19/2011	4	4	8	2	2			1		3	94082	94118	36		
Wednesday	4/20/2011	5	3	8	2	10			3	2	17	94118	94190	72		
Thursday	4/21/2011			0							0			0		
Friday	4/22/2011			0							0			0		
Saturday	4/23/2011			0							0			0		
Sunday	4/24/2011			0							0			0		
Monday	4/25/2011	4	4	8	8				2		3	94295	94349	54		
Tuesday	4/26/2011	4	4	8	1	1					1	94349	94353	4		
Wednesday	4/27/2011	4	4	8	5	5			1	1	7	94353	94428	75		
Thursday	4/28/2011	4	4	8	1	4			2	1	8	94428	94458	30		
Friday	4/29/2011	4	4	8	4	3			3	1	12	94458	94524	66	16	
Saturday	4/30/2011			0							0			0		
TOTALS		77	75	152	50	46	9	18	16	0	139			843	48	

DAY	DATE	HOURS IN FIELD	HOURS IN OFFICE	TOTAL HOURS	BLDG INSP	ELEC INSP	GAS INSP	MECH INSP	PLBG INSP	MISC INSP	TOTAL INSP	START MILEAGE	END MILEAGE	TOTAL MILES DRIVEN	FUEL	COMMENTS
Friday	4/1/2011			0							0				0	
Saturday	4/2/2011			0							0				0	
Sunday	4/3/2011			0							0				0	
Monday	4/4/2011			0							0				0	
Tuesday	4/5/2011			0							0				0	
Wednesday	4/6/2011			0							0				0	
Thursday	4/7/2011			0							0				0	
Friday	4/8/2011			0							0				0	
Saturday	4/9/2011			0							0				0	
Sunday	4/10/2011			0							0				0	
Monday	4/11/2011			0							0				0	
Tuesday	4/12/2011			0							0				0	
Wednesday	4/13/2011			0							0				0	
Thursday	4/14/2011			0							0				0	
Friday	4/15/2011			0							0				0	
Saturday	4/16/2011			0							0				0	
Sunday	4/17/2011			0							0				0	
Monday	4/18/2011			0							0				0	
Tuesday	4/19/2011			0							0				0	
Wednesday	4/20/2011			0							0				0	
Thursday	4/21/2011	4	4	8	8	5	3	0	0	0	8	94190	94245	55		
Friday	4/22/2011	4	4	8	8	3	1	1	0	2	8	94245	94295	50		
Saturday	4/23/2011			0							0				0	
Sunday	4/24/2011			0							0				0	
Monday	4/25/2011			0							0				0	
Tuesday	4/26/2011			0							0				0	
Wednesday	4/27/2011			0							0				0	
Thursday	4/28/2011			0							0				0	
Friday	4/29/2011			0							0				0	
Saturday	4/30/2011			0							0				0	
TOTALS		8	8	16	8	8	4	1	0	2	16			105	0	

COUNTY OF CLARKE, VA
NEW SINGLE FAMILY DWELLINGS
2011

	Battletown	Berryville	Boyce	Chapel	Greenway	Longmarsh	TOTAL	COMMENTS
January	0	0	0	1	1	0	2	Hse in GW replaces demolished dwelling.
February	0	0	0	0	0	0	0	
March	1	0	0	1	2	0	4	Hse in GW replaces dwelling that burned. Hse in CH built on existing foundation.
April	0	0	0	0	1	0	1	
May							0	
June							0	
July							0	
August							0	
September							0	
October							0	
November							0	
December							0	
TOTAL	1	0	0	2	4	0	7	

COUNTY OF CLARKE CIRCUIT COURT
 MONTH END DEEDS OF PARTITION AND CONVEYANCE
 LOCAL TAXATION DEPARTMENT
 COUNTY

FOR APRIL, 2011

RECORDED	INSTRUMENT	GRANTOR	(X) GRANTEE/ADDRESS	(X) CONSIDERATION	TYPE	PERCENT
04/01/11	11-603	KEITH JENKINS GDN ESTATE OF KY	N GERALD WAYNE JONES, JR. 633 SHENANDOAH RIVER LANE	N .00	DG	100%
		RECORDED TIME: 01:00				
		DESCRIPTION 1: 5.9 ACRES - GREENWAY DISTRICT				
		DATE OF DEED : 03/30/11 BOOK: 533 PAGE: 132 MAP: 37A1-3-26				
		NUMBER PAGES : 0				
04/01/11	11-604	GERALD WAYNE JONES, JR.	N CHRISTOPHER P & ANDRE F HOWELS 633 SHENANDOAH RIVER LANE	N 195,000.00	DBS	100%
		RECORDED TIME: 01:02				
		DESCRIPTION 1: 5.9 ACRES - GREENWAY DISTRICT				
		DATE OF DEED : 00/00/00 BOOK: 533 PAGE: 135 MAP: 37A1-3-26				
		NUMBER PAGES : 0				
						374,900 w/impv.
04/01/11	11-597	CAROLYN ELIZABETH MASLANEY	N CAROLYN ELIZABETH MASLANEY XX	.00	DODS	100%
		RECORDED TIME: 10:20				
		DESCRIPTION 1: LONGMARSH DISTRICT, CONT. 130.5 ACRES				
		DATE OF DEED : 03/28/11 BOOK: 533 PAGE: 72 MAP: 8-A-19				
		NUMBER PAGES : 0				
						310,500
04/01/11	11-599	JBM PROPERTIES LLC	Y PIEDMONT ENVIRONMENTAL COUNCIL 45 HORNER ST	N 103,500.00	ESMT	100%
		RECORDED TIME: 10:55				
		DESCRIPTION 1: LAND ON RT 624 - GREENWAY DIST				
		DATE OF DEED : 00/00/00 BOOK: 533 PAGE: 76 MAP: 29-A-28D,28E,28F				
		NUMBER PAGES : 22				
						sale 4 DURS 200,000.00 DURS
04/01/11	11-600	JBM LLC	N HAZELWOOD CORPORATION N/A	.00	OPM	100%
		RECORDED TIME: 11:00				
		DESCRIPTION 1: GREENWAY DIST				
		DATE OF DEED : 00/00/00 BOOK: 10 PAGE: 18 MAP: 29-A-28C,28D				
		NUMBER PAGES : 0				
04/01/11	11-601	JBM LLC	N HAZELWOOD CORPORATION N/A	.00	OPM	100%
		RECORDED TIME: 11:01				
		DESCRIPTION 1: GREENWAY DIST				
		DATE OF DEED : 00/00/00 BOOK: 10 PAGE: 19 MAP: 29-A-28E,28F				
		NUMBER PAGES : 0				
04/01/11	11-602	WILLIAM WINSTON SIPE, ET AL	N CLARKE CO CONSERVATION ESMT AU BERRY VILLE	N .00	DE	100%
		RECORDED TIME: 12:33				
		DESCRIPTION 1: D/B 533 PAGE 1				
		DATE OF DEED : 00/00/00 BOOK: 533 PAGE: 98 MAP: 30-A-88				
		NUMBER PAGES : 34				
04/04/11	3751	EMILY C LONG CONEY, DECEASED	N/A	.00	AFI	00%
		RECORDED TIME: 02:00				
		DESCRIPTION 1: LOT 1 - 16 ACRES - WEIMER LAND - LONGMARSH DISTRICT				
		DATE OF DEED : 04/04/11 BOOK: 88 PAGE: 641 MAP: 7-8-1				
		NUMBER PAGES : 0				
						D/B 249 PAGE 184 PIN:

COUNTY OF CLARKE CIRCUIT COURT
 MONTH END DEEDS OF PARTITION AND CONVEYANCE
 LOCAL TAXATION DEPARTMENT
 COUNTY
 FOR APRIL, 2011

RECORDED	INSTRUMENT	GRANTOR	(X) GRANTEE/ADDRESS	(X) CONSIDERATION	TYPE	PERCENT
04/05/11	11-625	RECONTRUST COMPANY NA	N BANK OF NEW YORK MELLON 475 CROSSPOINT PARKWAY TOWN OF BERRYVILLE	N 213,750.00 GETZVILLE NY 14608	DLF	100%
		RECORDED TIME: 01:20				
		DESCRIPTION 1: LOT 35, SECTION 1, APPLE GLEN				
		DATE OF DEED : 03/21/11 BOOK: 533 PAGE: 297 MAP: 14-A2-13-35		PIN: (F)		328.00 w/m
		NUMBER PAGES : 0				
04/05/11	11-626	DAVID L SULLIVAN	N THE MOY FAMILY TRUST 17107 THATCHER COURT	N 690,000.00 OLNEY, MD 20832	DBS	100%
		RECORDED TIME: 03:30				
		DESCRIPTION 1: CHAPEL DISTRICT, 23.3351 ACRES, SKYWOOD SUBD LOT 2 AND 6				
		DATE OF DEED : 04/05/11 BOOK: 533 PAGE: 300 MAP: 40B-1-6		PIN:		884,300 w/m
		NUMBER PAGES : 0				
04/05/11	11-622	RICHARD DAVID IWERSEN, SR & CIN	Y RICHARD D IWERSEN, SR 992 RETREAT RD	Y .00 BLUEMONT VA 20135	DBSHW	100%
		RECORDED TIME: 11:16				
		DESCRIPTION 1: LOT 2-B - 7.1904 ACRES				
		DATE OF DEED : 02/09/11 BOOK: 533 PAGE: 276 MAP: 17-A-11		PIN:		
		NUMBER PAGES : 0				
04/05/11	11-624	DAVID L PAYNE	N WARREN L GLASCOCK, JR 111 THORNTON RD	N 451,774.95 BOYCE VA 22620	DLF	100%
		RECORDED TIME: 11:40				
		DESCRIPTION 1: 2 ACRES IN GREENWAY DIST				
		DATE OF DEED : 03/30/11 BOOK: 533 PAGE: 295 MAP: 30-3-1		PIN:		26 w/m
		NUMBER PAGES : 0				
04/06/11	11-629	TOWN OF BERRYVILLE, VA	N RAPPAHANNOCK ELECTRIC CO-PER N/A	N .00	DE	100%
		RECORDED TIME: 10:05				
		DESCRIPTION 1: BATTLETOWN DISTRICT				
		DATE OF DEED : 00/00/00 BOOK: 533 PAGE: 333 MAP: 14A5-A-65		PIN:		
		NUMBER PAGES : 0				
04/06/11	11-630	JOSEPH A & JUDY L PASCALE	N RAPPAHANNOCK ELECTRIC CO-OP N/A	N .00	DE	100%
		RECORDED TIME: 10:07				
		DESCRIPTION 1: LONGMARSH DISTRICT				
		DATE OF DEED : 00/00/00 BOOK: 533 PAGE: 337 MAP: 13-A-16A		PIN:		
		NUMBER PAGES : 0				
04/06/11	11-631	HARRY F & FAYE J EDMONDS, TR.	N FRANKLIN & FAYE J EDMONDS, TR 305 EDAR COURT	N .00 BERRYVILLE, VA 22611	DG	100%
		RECORDED TIME: 10:30				
		DESCRIPTION 1: TOWN OF BERRYVILLE, LOT 195, CONT. 13,856 SQ. FT.				
		DATE OF DEED : 04/04/11 BOOK: 533 PAGE: 340 MAP: 14A7-9-197		PIN:		
		NUMBER PAGES : 0				
04/06/11	3752	GEORGE G SARDELIS, DECEASED	N/A N/A	.00	PROBATE	00%
		RECORDED TIME: 11:50				
		DESCRIPTION 1: PARCEL AT 116 N BUCKMARSH ST - BERRYVILLE WR/S D/B267 PAGE 35				
		DATE OF DEED : 04/06/11 BOOK: 88 PAGE: 647 MAP: 14-A2-A-39		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
04/08/11	11-637	STEVEN P DESJARDINS RECORDED TIME: 01:03 DESCRIPTION 1: TOWN OF BERRYVILLE DATE OF DEED : 03/14/11 BOOK: 533 NUMBER PAGES : 0	N SAMUEL I WHITE P C 5040 CORP WOODS DR STE 120 PAGE: 358 MAP: 14-A2-17-E-15	Y 71,389.00 VIRGINIA BEACH, VA 23462	DTF	100%
04/11/11	11-641	JAMES RAY & JANICE MERCER RECORDED TIME: 11:32 DESCRIPTION 1: CHAPEL DISTRICT, BK 385, PG 375 DATE OF DEED : 04/08/11 BOOK: 533 NUMBER PAGES : 0	N LEON O & SAMANTHA D HEAVNER 501 RIVER PARK LANE PAGE: 390 MAP: 32-A-6	N .00 BLUEMONT, VA 20135	DG	100%
04/13/11	11-653	FANNIE MAE A/K/A FEDERAL NATIO RECORDED TIME: 11:55 DESCRIPTION 1: 6.4359 ACRES - CHAPEL DIST DATE OF DEED : 04/08/11 BOOK: 533 NUMBER PAGES : 0	Y JAMES & SARAH HEINTZMAN 1527 CALMES NECK LN PAGE: 426 MAP: 31-6-D	N 295,000.00 BOYCE VA 22620	DLF	100%
04/14/11	11-663	BARBARA B ORNDOFF TR. RECORDED TIME: 02:55 DESCRIPTION 1: CHAPEL DISTRICT, DK 302, PG 164 DATE OF DEED : 04/07/11 BOOK: 533 NUMBER PAGES : 0	N DEUTSCHE BANK TRUST COMPANY 1100 VIRGINIA DRIVE PAGE: 510 MAP: 39-A-51A	N 404,900.00 FORT WASHINGTON, PA 19034	DTF	100%
04/15/11	11-679	BANK OF CLARKE COUNTY RECORDED TIME: 04:16 DESCRIPTION 1: GREENWAY DISTRICT DATE OF DEED : 04/15/11 BOOK: 533 NUMBER PAGES : 0	N LAURIE L VOLK TRUST 163 GREENFIELD LANE PAGE: 559 MAP: 28-8-3	N 551,000.00 WHITE POST, VA 22663	DBS	100%
04/15/11	11-681	MICHAEL & KATHLEEN KILGANNON RECORDED TIME: 04:26 DESCRIPTION 1: LONGMARSH DISTRICT DATE OF DEED : 04/15/11 BOOK: 533 NUMBER PAGES : 0	N CHRISTEN M TURNER 918 WADESVILLE ROAD PAGE: 568 MAP: 3-A-32	N 113,500.00 BERRYVILLE, VA 22611	DBS	100%
04/15/11	11-665	LEIGHTON & YVONNE SMITH RECORDED TIME: 09:25 DESCRIPTION 1: BATTLETOWN DISTRICT, LOT 4, BLOCK 2M DATE OF DEED : 04/08/11 BOOK: 533 NUMBER PAGES : 0	N YVONNE A SMITH 36 BALSAM LANE PAGE: 526 MAP: 17A4-29-2M-4	N .00 BLUEMONT, VA 20135	DBSHW	100%
04/15/11	11-666	LEIGHTON W & YVONNE A SMITH RECORDED TIME: 09:26 DESCRIPTION 1: BATTLETOWN DISTRICT, SHEN RET, LOT 5, BLOCK 2M DATE OF DEED : 04/08/11 BOOK: 533 NUMBER PAGES : 0	N LEIGHTON W SMITH 36 BALSAM LANE PAGE: 528 MAP: 17A4-29-2M-5	N .00 BLUEMONT, VA 20135	DBSHW	100%

COUNTY OF CLARKE CIRCUIT COURT
 MONTH END DEEDS OF PARTITION AND CONVEYANCE
 LOCAL TAXATION DEPARTMENT
 COUNTY
 FOR APRIL, 2011

RECORDED	INSTRUMENT	GRANTOR	(X) GRANTEE/ADDRESS	(X) CONSIDERATION	TYPE	PERCENT
04/15/11	11-667	LEIGHTON & YVONNE SMITH	N LEIGHTON SMITH 36 BALSAM LANE BLOCK 2M	N .00 BLUEMONT, VA 20135	DBSHW	100%
		RECORDED TIME: 09:27				
		DESCRIPTION 1: BATTLETOWN DISTRICT, SHEN RET, LOT 6				
		DATE OF DEED : 04/08/11 BOOK: 533 PAGE: 530 MAP: 17A4-29-2M-6				
		NUMBER PAGES : 0				
04/15/11	11-668	LEIGHTON & YVONNE SMITH	N LEIGHTON W SMITH 36 BALSAM LANE	N .00 BLUEMONT, VA 20135	DBSHW	100%
		RECORDED TIME: 09:28				
		DESCRIPTION 1: BATTLETOWN DISTRICT, SHEN RET, LOTS 7-9				
		DATE OF DEED : 04/08/11 BOOK: 533 PAGE: 532 MAP: 17A4-29-2M-7,8,9				
		NUMBER PAGES : 0				
04/18/11	11-700	PRISCILLA S HOFFMAN	N BECKHAM DICKERSON & ALBERT HEI N 316 EDWARDS FERRY RD, NE LEESBURG, A	.00 20175	DBS	100%
		RECORDED TIME: 02:48				
		DESCRIPTION 1: BATTLETOWN DISTRICT, TO SHOW CHAIN OF TITLE ORIG RECORDED IN LOUDOUN				
		DATE OF DEED : 06/27/88 BOOK: 533 PAGE: 605 MAP:				
		NUMBER PAGES : 0				
04/18/11	3753	ALH HAMBERG, JR	N/A N/A	.00	PROBATE	00%
		RECORDED TIME: 15:22				
		DESCRIPTION 1: LOT 21A, RIVER SECT				
		DATE OF DEED : 04/18/11 BOOK: 88 PAGE: 654 MAP: 37-A1-3-21A				
		NUMBER PAGES : 0				
04/19/11	11-695	JULIE W STONECIPHER	N CLINTON JED FOSTER 200 ACADEMY ST	N 165,000.00 BERRYVILLE VA	DBS	100%
		RECORDED TIME: 01:20				
		DESCRIPTION 1: PARCEL A - TOWN OF BERRYVILLE				
		DATE OF DEED : 04/18/11 BOOK: 533 PAGE: 652 MAP: 14A1-10A				
		NUMBER PAGES : 0				
04/20/11	11-702	OLD VIRGINIA LAND LLC	N OLD VIRGINIA LAND LLC N/A	N .00	PM	100%
		RECORDED TIME: 02:00				
		DESCRIPTION 1: LOT CONSOLIDATION, BATTLETOWN DISTRICT SHEN RET, LOTS 1-5, BLOCK 6, UNIT 1				
		DATE OF DEED : 00/00/00 BOOK: 533 PAGE: 687 MAP: 17A2-16-6-1				
		NUMBER PAGES : 0				
04/21/11	11-708	STEVE I SCHNEIDER, ET AL	N MARY ANN LUC, ET VIR 17970 RAVEN ROCKS ROAD	N 468,400.00 BLUEMONT, VA 20135	DBS	100%
		RECORDED TIME: 03:25				
		DESCRIPTION 1: BATTLETOWN DISTRICT, 5.8441 ACRES				
		DATE OF DEED : 04/20/11 BOOK: 533 PAGE: 703 MAP: 26-A-63				
		NUMBER PAGES : 0				
04/21/11	11-706	ALDEN M CLAY & STANLEY E CLAY	N ROSETTA B CLAY 108 JOSEPHINE STREET	N .00 BERRYVILLE, VA 22611	DG	100%
		RECORDED TIME: 11:40				
		DESCRIPTION 1: BATTLETOWN DISTRICT BK 518, PG 433				
		DATE OF DEED : 04/15/11 BOOK: 533 PAGE: 692 MAP:				
		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
04/22/11	3753	GERALD MORTON STEINBERG, DECEAS	N/A	N/A	N	.00	QUAL	00%
		RECORDED TIME: 15:23						
		DESCRIPTION 1: QUAL ON ESTATE						
		DATE OF DEED : 04/22/11	88	PAGE: 674	MAP: 40A-1-33		PIN:	
		NUMBER PAGES : 0						
04/25/11	11-734	HSBC BANK USA NATIONAL ASSN	N	DONALD E WALKER, SR 15 EVERGREEN LN	N	93,450.00	DBS	100%
		RECORDED TIME: 01:05					BLUEMONT VA 20135	
		DESCRIPTION 1: LOT 7A, BLK 6, UNIT 1			BATTLETOWN DIST			
		DATE OF DEED : 03/16/11	533	PAGE: 850	MAP: 17-A2-16-7		PIN: (F)	173,200 w/impv
		NUMBER PAGES : 0						
04/25/11	11-739	PLAY GARDEN PROPERTIES LLC	N	PLAY GARDEN PROPERTIES LLC	N	.00	OPM	100%
		RECORDED TIME: 02:00						
		DESCRIPTION 1: CHAPEL DISTRICT, BOUNDARY LINE ADJ						
		DATE OF DEED : 00/00/00	10	PAGE: 20	MAP: 30-A-90 & 91		PIN:	
		NUMBER PAGES : 0						
04/25/11	11-741	STEPHEN E & AUDRA J WALLACE	N	MISTI WILLIS 327 MAPLE LANE	N	189,150.00	DBS	100%
		RECORDED TIME: 02:20					BLUEMONT VA 20135	
		DESCRIPTION 1: LOTS 19--22, BLK 2D, UNIT 1			BATTLETOWN DIST			
		DATE OF DEED : 04/22/11	533	PAGE: 894	MAP: 17A2-20-19		PIN:	275,200 w/impv
		NUMBER PAGES : 0						
04/25/11	11-726	EDWARD A WHETZEL, ET ALS	N	DONNA K FARMER 831 WRIGHTS MILL RD	N	.00	DQC	100%
		RECORDED TIME: 11:15					BERRYVILLE VA 22611	
		DESCRIPTION 1: PARCEL ON RT 645 - LONGMARSH DIST						
		DATE OF DEED : 04/15/11	533	PAGE: 801	MAP: 6-A-15		PIN:	
		NUMBER PAGES : 0						
04/25/11	11-730	WITTSTADT TITLE & ESCROW COMPA	N	INDEPENDENCE REALTY LLC 10307 PIPER LANE	N	70,400.00	DLF	100%
		RECORDED TIME: 11:30					MANASSAS VA 20136	
		DESCRIPTION 1: PARCEL ON RT 632 - LONGMARSH DIST						
		DATE OF DEED : 04/04/11	533	PAGE: 818	MAP: 13-A-21		PIN: (F)	15,300 w/impv
		NUMBER PAGES : 0						
04/25/11	11-732	HELEN L MCDONALD ESTATE	N	CHAD R WHIRLEY 16 JACK ENDERS BLVD	N	167,500.00	DBS	100%
		RECORDED TIME: 12:10					BERRYVILLE, VA 22611	
		DESCRIPTION 1: TOWN OF BERRYVILLE, LOT 27						
		DATE OF DEED : 04/22/11	533	PAGE: 838	MAP: 14A6-4-27		PIN:	W/impv 201,900
		NUMBER PAGES : 0						
04/26/11	11-747	PAMELA JOY DAILEY & LAWRENCE G	N	BRIONY ROBERTS 120 STONECREST LANE	N	465,000.00	DBS	100%
		RECORDED TIME: 01:04					BLUEMONT VA 20135	
		DESCRIPTION 1: LOT 3 - 5 ACRES			BATTLETOWN DIST			
		DATE OF DEED : 04/22/11	533	PAGE: 916	MAP: 33-8-3		PIN:	564 w/impv
		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
04/26/11	11-744	SILVER LAKE PROPERTIES INC	N CAPITAL BUILDERS LLC 209 TYSON DRIVE DESCRIPTION 1: TOWN OF BERRYVILLE, LOT 167 HERMITAGE PHASE 4 B DATE OF DEED : 04/26/11 BOOK: 533 PAGE: 911 MAP: 14A8-4-167 NUMBER PAGES : 0	N 76,500.00	DBS	100% <i>76.5</i> <i>Vac</i>
04/27/11	11-753	FEDERAL HOME LOAN MORTGAGE COR	Y DONALD RIESGRAF & BRENDA D BAD 508 E MAIN ST DESCRIPTION 1: TOWN OF BERRYVILLE - E MAIN ST DATE OF DEED : 04/19/11 BOOK: 533 PAGE: 933 MAP: 14A3-A-21 NUMBER PAGES : 0	N 57,000.00	DBS	100% <i>131,900</i> <i>W/imp</i>
04/27/11	11-754	RALPH A & ROSEMARY HOFER	N WILLIAM J MUSSER 425 PAGE ST DESCRIPTION 1: LOT 42, SECT. 2, APPLE GLEN TOWN OF BERRYVILLE DATE OF DEED : 04/21/11 BOOK: 533 PAGE: 935 MAP: 14-A2-13-42 NUMBER PAGES : 0	N 254,000.00	DBS	100% <i>W/imp 337,000</i>
04/27/11	3755	LOUIS A TRAVERS, DECEASED	N/A N/A DESCRIPTION 1: 77 ACRES ON RT 646 IN GREENWAY DIST DATE OF DEED : 04/27/11 BOOK: 88 PAGE: MAP: 27-A-4	.00	QUAL	00%
04/28/11	11-762	LISA A HAWTHORNE	N LAURA D WHITLOCK 20 GOOD SHEPHERD RD DESCRIPTION 1: 1.9901 ACRES-BATTLETOWN DIST DATE OF DEED : 04/27/11 BOOK: 533 PAGE: 979 MAP: 26-A-76 NUMBER PAGES : 0	N 220,000.00	DBS	100% <i>239,300</i> <i>W/imp</i>
04/29/11	11-770	WARFIELD HOMES INC	N ANDREW P & NATALIE S SHIELDS D 3160 REXWOOD DR DESCRIPTION 1: LOT 3 - 3.1664 ACRES LONGMARSH DIST DATE OF DEED : 04/29/11 BOOK: 534 PAGE: 19 MAP: 9-12-3 NUMBER PAGES : 0	N 175,000.00	DBS	100% <i>157,500</i> <i>Vac</i>
04/29/11	11-766	CHARLES F MCINTOSH & SARA M ST	N DAVIOT PROPERTIES LLC P.O. BOX 243 DESCRIPTION 1: GREENWAY DISTRICT, PARCEL 1 5 ACRES MORE OR LESS, PARCEL 2, 0.943 DATE OF DEED : 04/27/11 BOOK: 534 PAGE: 13 MAP: 30-A-50,51 NUMBER PAGES : 0	N .00	DBS	100%

TOTAL COUNTY DEEDS OF PARTITION AND CONVEYANCE: 42
TOTAL NUMBER OF COUNTY DEEDS OF CORRECTION : 0
TOTAL NUMBER OF COUNTY WILL/FIDUCIARY : 5

**Monthly Activity Report of
Jacob L. Grove
Extension Agent, Animal Science
April 1-30, 2011**

Farm Visits

- Prince William County Farm - Inspect Cattle for the Elite Sale at Winchester
- Churchville Farm - Goat and Lamb production and health and vaccination program, nutritional issues
- Culpepper Farm - Chicken litter and farm crops
- Warren Farm – Farmers’ Market inspection, Pasture Management, grass-fed beef

Events and Programs

- Held a meeting at the Boyce Fire Hall to discuss the results of their water test samples.
- Attended the Elite Cattle Sale in Winchester, VA
- Assisted in holding the spring Blue Ridge Cattleman’s Association spring meeting in Middleburg; topics covered included using blood test to confirm pregnancy in cattle and marketing natural cattle
- Attended the Career Technical Advisory Committee for the Clarke County school system
- Attended the Beef Expo in Harrisonburg, VA
- Assisted with the Clarke County Hay Auction; collected sales data for the VDACS auction report.
- Prepared a presentation for a Youth Quality Assurance Training for Multiple Species of Livestock, and developing a Small Ruminant Quality Assurance Program to go along with existing Pork and Beef programs.
- Held a planning meeting to set final details for the Mid Atlantic Carcass Contest and Live Animal Evaluation program to be held in April
- Organized the pick-up for the scramble pig and livestock bowl animals for the Clarke County Fair
- Secured the Swine Judge for the Clarke County Fair
- Secured the Ultrasound Technician for the Clarke and Warren County Fair Carcass Contest
- Held the Mid Atlantic Carcass Contest and Live Animal Evaluation Contest at Front Royal, Virginia Livestock LLC. Collected 32 fed cattle and hosted youth from Page, Warren, Clarke and Fredrick Counties in the Youth Cattle Grading Contest
- Attended the Clarke County Fair Committee meeting to provide update on the activities and changes made by the other fair committees.
- Assisted with the Northern District 4-H Contest at Taylor Middle School in Warrenton

Contacts**66 Phone Contacts**

Forage and Feeds – 20	Hay Auction - 6
Beef Management and Marketing - 16	Pest Management - 8
4-H Issues – 8	Pasture Management – 8

65 Personal Contacts

Livestock Management – 24
Hay Auction – 24

4-H and Fair events – 16
Pesticide Recertification - 1

12 Emails and Letters

Livestock Production – 8

4-H Program - 4

**Monthly Activity Report
Susanne Vaughan
4-H Support Technician
April 1-30, 2011**

4-H:

- Mail delivered daily to office
- Removed Managing Your Money Series Cancelled Class notice off entrance doors
- Reminder notice emailed to Agent regarding my assistance if needed
- No work assigned through Virginia Cooperative Extension for the month of April

**Vacation week of April 18-22 for Spring Break

Monthly Activity Report
Marsha Wright, Unit Administrative Assistant
February 1-28, 2011

4-H Work in addition to UAA, Agriculture, Family and Consumer Science (FCS), and FAIR Assignments:

Emails Sent:

To 4-H Horse Organizational Leaders (5) to share with members, leaders, and parents

- Information on registering on-line and with the office by May 1 for those planning to show their horse at the State Fair
- Horse Camp information
- State Fair Drill Team Show information
- Northern District 4-H Horse Qualifying Clinic information
- Fairfax County 4-H Fair Horse Show information
- SE District Dressage Qualifying Show information
- Natural Bridge Summer Riding Camp information
- State Horse Judging Team announcement

To Organizational Leaders and Assistants (22) to share with members, leaders, and/or parents

- VA Beef Queen scholarship information to organizational leaders to share with eligible 4-Hers
- Information on Presidential Active Lifestyle Award Challenge
- Asked organizational leaders to remind their senior 4-H members that their Congress registrations were due by Friday, April 22
- Requested Organizational leaders and Vo. Ag. Instructors to remind their beef project members that the registration deadline for Clarke-Frederick are due April 29 (24)
- Goat Camp Information
- Informed organizational leaders and Vo. Ag. Instructors when the scramble pigs and livestock bowl pigs would be distributed (24)

To Warren County 4-H Program Technician

- Scanned 2 handouts on homesickness; sent to Warren Co. 4-H Program Technician as requested
- Provided camp totals as requested
- Sent Goat Camp information and invited their 4-Hers to attend
- Confirmed camp registration numbers for Warren Co. 4-H Program Technician

Miscellaneous Emails

- Submitted name of our District Contest Room Chair
- Sent Equi-Smartz information to Vo.Ag. Instructors (2)
- Inquiry to Poultry Judging Coach whether they would be interested in participating in a State Contest
- Informed agent that our poultry judging team would probably participate in a state contest if developed
- Sent Camp Scholarship Application to parent of camper as requested
- Sent notice to Outdoor Adventure Leader that we had received a check for them from NRA
- Sent information on District 4-H Contest to parent
- Responded to question about horse clubs in other counties and how they dealt with riding at the home of their leaders
- SW 4-H Hippology Contest information to Vo. Ag. Instructors (2)
- Sent information on the All Star ceremony to be held June 21 to parent as requested
- Contacted Shenandoah County 4-H Agent about our All Star not having received her confirmation letter; Agent responded that letters haven't gone out yet and will be looking into the holdup; emailed parent (3)
- Informed Outdoor Adventure Leader that Target had turned them down on their request
- Requested MAJAC Show results from 4-Her who participated to include in the newsletter
- Contacted Clarke Co. FFA, Livestock Club, and Farm Bureau to see if they were going to sponsor the Clarke-Frederick Beef Show (3)

- Notified scramble and livestock pig winners that the time had been changed for pickup; also sent to organizational leaders (32)
- Informed Livestock Bowl swine winners that they would be able to pick their pig before the scramble winners; however, the winner must do the selection not a parent (2)
- Informed scramble pig parent there was no charge for the pig; Only if the pig isn't taken care of properly and doesn't sell would they owe the Ruritans \$100.
- Informed parent that there would not be extra pigs available at the pick-up
- Emails pertaining to Clarke-Frederick Beef Show sponsorship (CC FFA, CC Farm Bureau, CC Livestock Club Frederick Co.[2] Secretary) (5)
- Answered additional questions about scramble pig pick-up
- Sent reminders to beef exhibitors that Clarke-Frederick Beef Show entries are due (14)
- All Star acceptance letter and enclosures to Kiersten Cochran
- Noticed in the All Star acceptance letter there was no mention of the dinner to be held before the All Star ceremony; sent email to Shenandoah County 4-H Agent, who works with the All Star organization, to see if this was left out or if new delegates were not to attend
- Informed 4-H email list that we had white pine seedlings if anyone would like to plant some (115)
- Making arrangements for number of trees wanted & pick-up (7)
- Sent Vo. Ag. Instructors form used for Potential Buyers and the list of Fair Winners list that they requested (2)
- Informed parent of our "out-of-county" camper policy and encouraged him to send his daughter's form in so she would be at the top of our waiting list
- Sent 2010 Fair Dairy Showmanship information to Vo. Ag. Instructor as requested
- Quality Assurance Training information (116)
- Gave dates requested by club leader who was getting ready for their monthly meeting

Mailings/Faxes:

- District Contest information to Room Chair
- Sent Goat Camp bank dormancy notice to the treasurer and to the chair (2)
- Resent camp check to parent due to returned mail
- Prepared letter to scramble pig and livestock pig winners that their pigs will be distributed to them on Tuesday, April 26; also sent Scramble Agreement form to them (11)
- Forward mail to the Leaders' Association president
- Prepared follow-up letter to 4-Hers who participated in District Contests; mailed score sheets (10)
- Edited letter to the Clarke-Frederick Beef Show judge; copied/mailed
- Camp brochure as requested
- Faxed CC Young Farmers' letter about sponsoring the Clarke-Frederick Beef Show
- Updated Goat Camp information as directed by camp chair; copied/mailed (33)
- Copied/mailed Congress registrations to Virginia Tech
- Reviewed 4-H bank statements; copied; mailed to club representatives (22)
- Mailed camp scholarship application
- Wrote thank you's to District Contest judges and room chair for agent's approval/signature; mailed (4)

Phone Calls:

- Informed Glenwood Show Beef Representative that we had one of the Glenwood Show trophies in our office
- Verified time that 4-Hers needed to arrive at District Contest (2)
- Contacted CFC Farm & Home Center salesman to see if they would want to continue their free feed program to our scramble pig/livestock bowl winners
- CFC Farm & Home Center Salesman called to give me the price for feed this year
- Confirmed Congress registration deadline for adult volunteers
- Called Senior 4-H members who are eligible to participate in the State 4-H Contests, held during 4-H Congress, to make them aware of this opportunity so they can decide whether to go or not (4)
- Provided contact information for poultry club's leader
- Called Clarke Co. Young Farmers contact to see if they were going to sponsor the Clarke-Frederick Beef Show (had Fax machine on)
- Received request to notify scramble and livestock pig winners that the time had been changed for pickup

- Reported time change for pickup to parent and that he could pickup without his daughter, as she has a ballgame
- Talked with Frederick County Secretary about Clarke-Frederick Beef Show sponsor reminders; I called sponsors; Since I only heard from one sponsor, secretary sent me the reminder letter to send to our sponsors
- Notified scramble pig winners that the time had been changed for pickup (2)
- Asked to send the Goat Camp information to Warren County and invite their 4-Hers to the event
- Called 4-Her to see if he was still planning to attend State Extemporaneous Speech Contest since he had not brought in his forms
- Copied requested health forms; let Poultry Judging Team Coach know they were available for pickup
- Answered questions about camp and scholarships
- Gave parent our website for her to get a camp registration form

Other Tasks:

- Received camp registration; wrote receipt (10)
- Gave Lamb & Goat Show Chair donation and invoice
- Gave Glenwood trophy to Glenwood Show Beef Representative
- Helped 4-Her complete her State 4-H Congress registration packet
- Gave 4-H club information to adult
- Received Clarke-Frederick Beef Show entries (3)
- Received Congress registration
- Gave out tree seedlings (2)
- Gave Poultry Team Coach health forms to take to the contest
- Received Goat Camp registration and gave requested tree seedlings
- Prepared list of participants, chairs, judges from Clarke for the District Contest; schedule of events; and items to bring for Agent
- Reorganized 4-H project book files
- Processed camp registrations received in the mail: wrote receipts, verified age and if a first time camper; Assigned campers to Packs; entered into database
- Ordered 4-H Project books, we did not have, from National Supply
- Updated fair qualifier participation file
- Updated camp database with new CIT's and counselors; adjusted number of campers we can take due to these additions.
- Began National 4-H Curriculum list to go with the member enrollment form
- Began writing the 4-H newsletter
- Printed Block and Bridle Contest Results highlighting Clarke County's scores so agent could write a news article for me
- Registered Congress delegates & volunteer on-line
- Processed Lamb & Goat Show registration received in the mail; posted to Show worksheet
- Processed Clarke-Frederick Beef Show registration; posted to Show worksheet
- Bundled tree seedlings as requested for pickup

Contacts

34 Phone Contacts:

4-H	22
Agriculture	7
Administrative	2
FCS	3

26 Personal Contacts:

4-H	21
Agriculture	4
FCS	1

655 Email Contacts:

4-H	501
Agriculture	126
Administrative	26
FCS	2

212 Letters Sent:

4-H	90
Agriculture	115
Administrative	7

Quarterly Area Family and Consumer Sciences Programming Report

Karen Lynn Poff
Senior Extension Agent, Family and Consumer Sciences
Financial Management, Housing, and Consumer Education
Unit Coordinator, Shenandoah County
(540) 459-6140; kpoff@vt.edu

January to March 2011

Public Speaking/Presentations (Up to 2 ½ Hours)

- Save Energy, Save Money (two programs) – Shenandoah and Frederick Counties

Extended Learning Programs (Three Hours or Multiple Sessions)

- Managing Your Money Series (ten sessions) – Clarke, Frederick, Page, Shenandoah, and Warren* Counties

Exhibits/Displays/Community Events

- Shenandoah County Extension Showcase – Shenandoah County

Additional Accomplishments

- WSVN Radio FCS Report – Take Action During Radon Action Month – All Counties
- Living Well Blog (Northern Virginia Daily) – Take Action During Radon Action Month – All Counties
- “County Conversations” Cable TV Program – Radon Action Month/FCS Video Project – Shenandoah County
- WSVN Radio News Interview – Managing Your Money Series – All Counties
- Living Well Blog (Northern Virginia Daily) – Videotape Project: Tell Your Extension Story – All Counties
- WSVN Radio FCS Report – Managing Your Money Series – All Counties
- WFTR The Valley Today Radio Program – Managing Your Money – All Counties
- Living Well Blog (Northern Virginia Daily) – Of Love and Money – All Counties
- Winchester Star – Managing Your Money Series Article – Clarke and Frederick Counties
- Page News and Courier – Managing Your Money Series Article – Page County
- Living Well Blog (Northern Virginia Daily) – Personal Finance Foundations – All Counties
- WSVN Radio FCS Report – Saving Money on Insurance – All Counties
- “County Conversations” Cable TV Program – Saving Money on Insurance – Shenandoah County
- Living Well Blog (Northern Virginia Daily) – Use Credit Wisely, Instead of Not at All – All Counties
- Statewide LifeSmarts Competition – Assisted as a Room Referee
- Winchester Cable Channel 3 News Story – Save Energy, Save Money
- WSVN Radio FCS Report – Using Credit Wisely – All Counties

Professional Development

- Organize Your Financial Records Webinar
- Money Tips for the “New Normal” Webinar
- How to Get Yourself Heard Online Workshop
- Food Preservation Training (Two Days), Blacksburg
- Home Energy Coop Webinar on Sealing Air Leaks
- Why Am I a 678? CredAbility Webinar

* Program cancelled due to lack of participants.

Quarterly Area Family and Consumer Sciences Programming Report

Karen A. Ridings, M.S., R.D.
Extension Agent, Family Consumer Sciences
Unit Coordinator, Frederick County
(540) 665-5699

January to March 2011

January

- Northern Virginia Daily Blog Posting: Managing a Healthy Weight After 50: Part I – Plates and Portions
- Published Article in Virginia Farm Bureau News – Breakfast May Not Boost Metabolism but Helps Control Weight
- 2 -4 hour Food Safety Presentations to Community Organizations
- Nutrition Presentation to Seniors at Local Senior Center
- WIC – Frederick County Health Dept. – Presentation to Breast Feeding Support Group
- 4-H Center Camp Menu Project – Planning Meeting
- Supervise Sherando Students in Service Learning Government Project (Local Foods in Public Schools)
- Plan for Local Foods Expo Project with Community Partners
- Unit Coordinator duties including district and committee meetings

February

- 2 Northern Virginia Daily Blog Postings: Managing a Healthy Weight after 50: Part 2 – Water, What Can It Do For You; Is Your Well Water Safe?
- Presentation on “Physical Activity and Health” to Local Senior Center
- 4-H Center Camp Menu Project – Planning Meeting
- ServSafe- Presented 16 hour Food Safety Class
- WIC – Frederick County Health Department: Assisted with Breast Feeding Support Group
- 2 Hour Presentation to Local Early Childhood Professionals in PD7 (LFAEYC) – Movement with Literature
- Supervise Sherando Students in Service Learning Government Project (Local Foods in Public Schools)
- Unit Coordinator duties including district and committee meetings

March

- 3 -2 ½ hour Presentation to Local Child Care Center, Wee Angels (Berryville), “Movement with Children’s Literature”. The classes assist teachers in learning how to incorporate more movement in the classroom.
- 4 Extension Wise Programs – Coordinated program. Presented one of classes on canning.
- Northern Virginia Daily Blog Posting: Theme Gardens and Container Gardening
- Food Safety Presentation to Students at Northwest Workshop
- Fit Extension – Coordinated Fit Extension Teams for PD7. Program promotes exercise and good eating habits.
- Supervise Sherando Students in Service Learning Government Project (Local Foods in Public Schools)
- Presented 2 Well Water Clinics (Frederick and Clarke Co.). Clinics gave residents opportunity to test well water.
- 4-H Center Camp Menu Project – Planning Meeting
- ELC Meeting
- Interview on “The River” Radio Station – Discussed Extension Programs.
- Unit Coordinator duties including budget preparation and Unit reports for VT

Quarterly Agriculture Program Report

Robert A. Clark
Extension Agent, Agriculture
Shenandoah County
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January - March 2011

Activities Related to All Counties:

- Large Animal Mortality Disposal:
 - o Wrote a Conservation Innovation Grant to get resources to continue addressing large animal mortality disposal issues.
 - o Organized a webinar (a meeting over the internet) to provide agency people information about the environmental effect of large animal mortality composting and burial. The meeting was attended (electronically) by about 20 people and more have watched the recording of the meeting.
 - o Assisted a vendor of a large animal mortality system with plans to construct his system on two farms in the Shenandoah Valley.
 - o Participated in a Catastrophic Large Animal Mortality Disposal Planning session that was organized by the Virginia Department of Agriculture.
- Educating Farmers About No-Till:
 - o Presented information on slug management at the Pro Crop Advisor meeting in Harrisonburg, VA.
 - o Finished collecting data for Dr. Wade Thomason on several cover crop plots.
 - o Assisted with organizing the Virginia No-Till Alliance Annual Conference in Harrisonburg, VA. During the meeting I focused on recording all of the presentations. These are available on line at the following web site:
 - http://offices.ext.vt.edu/shenandoah/programs/anr/Presentations_at_2011_VA_No_Till_Alliance_Mtg.html
 - o Met with Extension Advisors in January to refine plans for the Slug Scouting and Cost Share program for 2011.
 - o Hired a field scout to run both the Slug Scouting and Soil/Stalk Nitrate program for 2011.
 - o I have been organizing for the 2011 slug scouting season.
 - o Assisted Matt Yancey with organizing two meetings titled "Weed Control in No-Till Systems". One meeting was in Page County and the other meeting was in Augusta County.
- Improving Farm Profitability Through Alternative Energy Production
- Nutrient Management Technologies:
 - o Presented information on the Cornstalk Nitrate Testing Program at the Pro Crop Advisor meeting in Harrisonburg.
 - o Attended a Soil and Stalk Nitrate Meeting in Weyers Cave, VA.
 - o Met with DCR staff two times to organize plans for the 2011 season.
- Improving Persistence and Vigor of Orchardgrass:
 - o Wrote an SARE Grant in an attempt to get funds to conduct an Orchardgrass Workshop this coming summer or fall.
 - o Transitioned chair of the Mid-Atlantic Orchardgrass Task Force to Dr. Ben Tracey.
- Developing Poultry Litter to Energy Technologies:
 - o Attended a Farm Pilot Project meeting in Maryland.
- Worked with farmers who are feeding a food processing by-product from Bowman Apple Products to fine tune their feeding systems to get the most value from the product. I also have been working with additional farmers to use all of the by-product produced.
- Assisted with maintaining the wheat variety test plots.
- Organized a Commercial Pesticide Applicator Recertification Training Course. 230 people received full recertification credit by attending this course.
- Assisted the Shenandoah County Farm Bureau with organizing a risk management meeting that was held at the Shenandoah County Farm Bureau office.

- Attended a Community Decisions workshop in New Market. This was the final meeting of a two-three year process to develop a computer system designed to provide information on the water quality benefits of using different best management practices in specific watersheds. The model is extensively more detailed than other computer models.
- Provided four small farmers information on how to sell eggs.
- Assisted MidAtlantic Farm Credit with organizing a tour of Osage Bioenergy. There were about 30 people in attendance.
- Attended three training sessions for new Master Gardeners to present information on the following topics:
 - o Introduction Meeting
 - o Basic Soils and Fertilizers
 - o How to use the Pest Management Guide
- Radio Programs in Warren = 1

Activities Related to Specific Counties:

Clarke County

- Farm Visits/Client Contacts: 10/40

Frederick County

- Farm Visits/Client Contacts: 5/50

Page County

- Farm Visits/Client Contacts: 25/100
- Attended a Page County Farmers Association Annual Meeting in Luray.

Shenandoah County

- Farm Visits/Client Contacts: 100/250
- Worked with Jake Grove to fine tune supplement feed on several cattle farms.
- Assisted the Extension Leadership Council with organizing the ELC Showcase.
- Met with the Shenandoah County Farm Advisory Committee three times. I have been actively working with this group to develop recommendations to the county board of supervisors. To date our focus has been on the farmland.

Warren County

- Farm Visits/Client Contacts: 5/30

Requests for Information

Topic

**Estimated Number
of Requests**

Crop Production	50
Forage Production	35
Livestock and Poultry Production	10
Animal Waste Management	20
Municipal/Industrial Waste Management	10
Composting	30
Pond Management	1
Water Quality	10
Pesticides	70
Wildlife	5
National Animal Identification Program	0
Home/Yard/Garden	Master Gardeners handle
Alternative Agriculture	25
Other	40

Clarke

lwalburn@clarkecounty.gov

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April Report--- Passenger Count

From : Jill Mathson <jill@vatransit.org>

Subject : April Report--- Passenger Count

To : dash@clarkecounty.gov, lwalburn@clarkecounty.gov

Cc : Mike Socha <mike@vatransit.org>

Wed, May 04, 2011 02:53 PM

MONTHLY PASSENGERS

April-11

Location	Region	Route	TOTAL
CLRK	NW	Demand Response Clark County	90

Jill Matheson
Operations Administrative Assistant
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