

September 17, 2019

Clarke County Board of Supervisors  
Regular Meeting  
Main Meeting Room

1:00 pm

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Berryville Clarke County Government Center, 101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia conducted on Tuesday, September 17, 2019.

#### Board Members

Present Afternoon Session: Barbara J. Byrd – Russell District; Mary L.C. Daniel – Berryville District; David S. Weiss – Buckmarsh / Blue Ridge District; Terri T. Catlett - Millwood / Pine Grove District; Bev B. McKay – White Post District

Absent Afternoon Session: None

#### County Staff Present

David L. Ash, Tom Judge, Cathy Kuehner, Brian Lichty, Brianna Taylor

#### Constitutional / State Offices / Other Agencies

Barbara Bosserman, Scott Alexander, Ed Carter, Nicholas Couch, Tony Roper, Jay Arnold, Keith Dalton, Brian Ferrell

#### Press

Mickey Powell – The Winchester Star

#### Others Present

Robina Rich Bouffault, Jeff Hinson, Bill Houck, Doug Lawrence, Janel Melgaard, Michelle Worthing

#### 1) Call to Order

Chairman Weiss called the afternoon session to order at 1:02 pm.

2) Adoption of Agenda

VDOT: Add Update Route 7 Safety Assessment

Miscellaneous: Add Acceptance Safer Grant additional EMS coverage

Add Town of Berryville Mosby Boulevard Sidewalk Sections – FY2019  
Transportation Alternative Program Application – Letter of Support

Add Special Meeting Announcement

**Supervisor Daniel moved to adopt the agenda as modified. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

3) Citizens Comment Period

Janel Melgaard, Blue Ridge Mountain Road, Bluemont: addressed the Board concerning Route 9 possible detour to Route 7. She put forth the following points:

- Safety is her greatest concern.
- Route 7, such as Route 601, used liked a driveway with vehicles using the crossovers.
- Route 601 has a brewery and additional traffic.
- Raven Rocks side of Route 601 has a winery.
- On the Loudoun side, there are two breweries and a winery that bring in traffic.
- Route 601 also has FEMA with its employees and emergency vehicles.
- Route 643, Retreat Road, is the main fire company road for the mountain.
- The fire company is home to two voting precincts.
- Many vehicles crossing over on Route 7 are too large for the intersections and hang out on both sides causing vehicles to swerve in and out.
- Major weather issues on the mountain in the winter.
- Proposed detour affects Western Loudoun and Clarke counties.

She concluded her statement by asking the Board to protect Clarke and to continue to fight for not closing Route 9.

Barbara J. Byrd, BoS Liaison to the Social Service Board read the following prepared statement on behalf of the Department of Social Services.

CLARKE COUNTY  
DEPARTMENT OF SOCIAL SERVICES  
311 EAST MAIN STREET  
BERRYVILLE, VIRGINIA 22611  
TELEPHONE (540)955-3700 • FAX (540)955-3958

Board of Supervisors

In follow up to our letter dated, February 8, 2019, we request that the Board of Supervisors actively explore the use of the now vacant DG Cooley upper campus building as a new home for the Department of Social Services (DSS), as well as, potentially, for other service-oriented agencies located in the county. Such a move could centralize efforts of organizations which share a common purpose in providing necessary services to the citizens of Clarke County. In particular, DSS is desperately in need of additional space and a better environment for its employees and the clientele it serves.

As the Medicaid Expansion continues to develop, more and more families and individuals will be eligible for services which will entail the hiring of new employees to handle these cases. This will require more office space for these workers; space which is essentially lacking at the present location. Additionally, the current Social Services building, for which the State of Virginia pays the county \$4,000 per month, has many issues in terms of maintenance, which oftentimes make it a less than desirable work space and, in the past, an unhealthy work environment. We urge the Board of Supervisors to engage in a serious discussion about the most efficient use of the D.G. Cooley Upper campus building. To this end, we welcome each of you to come see, first-hand, the numerous concerns facing DSS due to its present location. Please reach out to us, and/or to our Director, as we all are motivated to assist you in any way possible.

Sincerely,

The Board of Directors of the Clarke County Social Services Department

Gerald Dodson; Chairman  
Alan Melusen  
Lynn Gray  
Jim Smith  
Barbara Byrd

Brittany A. Heine  
Director  
Clarke County Social Services

Brian Ferrell, Ellersley Road, Berryville: addressed the Board about the Route 7 / Route 9 project. He put forth the following points:

- Within a few years, Loudoun County is going to build a bypass that goes around this area.
- Route 719, road before entering Hillsboro, takes traffic from Hillsboro to Route 7 in Round Hill.
- Route 719 is a back road in Loudoun County, and there is no reason that traffic cannot be rerouted down this road.
- This is a regional problem. At the moment, with traffic calming, it is a Hillsboro, Loudoun County problem until they build their bypass.

Shane Boswell, Meadowbrook: addressed the Board about the Route 7 / Route 9 project. He put forth the following points:

- Today, one of his three children gets on the school bus on Route 7; and, over the next two years, the other two will start riding the school bus.
- Drives to the Herndon area for work driving the speed limit.
- Route 7 is dangerous and the study concerns him in that residents will see 17,000 additional vehicles with the Route 9 closure.
- Not all of the displaced commuters will come down Route 7 or Route 340 or Route 50.
- Rides his bike on Shepherds Mill Road [Route 612], and he questions how many additional commuters will take that road.
- Shepherds Mill Road [Route 612] is a dangerous intersection on Route 7.
- Route 7 needs basic traffic calming procedures now before adding an extra 7,000 to 8,000 vehicles per day.
- Route 7 Safety Assessment does not identify any fatalities on Route 612.
- Realizing that its hands are tied, he trusts the Board of Supervisors to do all it can.

Chairman Weiss reminded that the Board of Supervisors generally does not interact during public comment periods, which are, generally, just for information. He continued that in the case of the proposed Route 9 detour, it was a high priority for the Board; and, later in the meeting, it would discuss some of the specifics hoping to get some answers. He concluded by stating that the Board was incredibly concerned and agreed with all of the comments regarding this serious problem for the area.

Vice Chair McKay opined that the proposed Route 9 detour is the oddest project he has ever seen. He informed those present that in August he attended a meeting in Hillsboro / Loudoun County with Brian Lichty - Director of Fire, Emergency Medical Services, and Emergency Management, Travis Sumption - Chief Deputy Sheriff, and David Ash - County Administrator.

At that meeting, Clarke representatives were told that this was a data-driven project; however, no data was available. He continued that VDOT's Staunton District office did not know about the detour plans. He opined that this was a well-kept secret, and he had huge concerns about the plan.

Vice Chair McKay stated that he did ask about the bypass referenced by Brian Ferrell; however, it did not appear that Hillsboro or Loudoun representatives wanted to discuss the bypass. He opined that he came away from the meeting finding it very difficult to believe that the consequences for other persons had been concerned.

Supervisor Byrd put forward that she lived on Route 340 close to an intersection. She remembered when her children caught the bus at the bottom of the road, and noted that this would not be possible today.

Chairman Weiss thanked the members of the audience for taking the time to attend the meeting. He stated that the Board would provide information as it became available, and assured there would be future meetings.

#### 4) VDOT

Ed Carter, Residency Administrator, and Scott Alexander, Assistant Residency Administrator, joined the supervisors to provide the monthly update.

Chairman Weiss commended Ed Carter for his help thus far on the proposed Route 9 detour issue, noting that he was instrumental in helping the Board understand the process.

#### Maintenance:

- Began patching operations on Route 632, Crums Church Road. VDOT will complete this month.
- Completed fence-to-fence mowing on secondary routes. We will begin fence-to-fence mowing on primary's this month.
- Addressed pothole complaints on various route and will continue this month.
- Performed patching on 2020 schedule surface treatment routes and will continue into this month.
- Conducted grading and stone placement operations on various non-hard surfaced routes and will complete grading cycle this month.
- Performed tree trimming on Routes 729 and 255 and cleaned up storm debris on various other routes.
- VDOT plans to start shoulder repairs on primary routes this month.

Rural Rustics:

- Locks Mill: Will complete pipe replacements and begin stone placement this month.

Board Issues:

- Truck restrictions on Route 601: Still going forward. With part of the road physically in Loudoun County, VDOT must finalize the coordination.

- Route 7 Safety Assessment:

- o Mr. Carter stated that he received the assessment yesterday and had not had time to study. He asked to review with the Supervisors at its October Work Session.
- o Assessment email to the Board on Monday, September 16, 2019.
- o Supervisors requested the assessment in January 2019.
- o Assessment takes four to six months to complete.
- o Request made prior to becoming aware of the Route 9 issue; therefore, the potential impact was not included in the assessment.
- o Assessment includes analysis of various intersections and possible mitigation, some of which may require Board application for SMART SCALE funds. VDOT does have some funding available for possible mitigation.
- o Highlights include:
  - Crash rate comparison: crashes are slightly higher, injury is about the same, and fatalities significantly lower. While it is a dangerous road and people speed on it, so far, Clarke has gotten off fairly well.

Table 3, Route 7 Crash Rate Comparison

Crash Rates	Route 7, Clarke, 2016-2018	State, Principal Arterials 2017
All Crashes	80	76
Injury	38	39
Fatal	0.28	1.06

- Scott Alexander responded to Supervisor McKay's question that the numbers were per 100 million miles traveled.
- Possible Corridor Countermeasures
  - Based on the crash review, the most frequent crash type is Fixed Object off-Road. Possible countermeasure should focus keeping motorists on the road, providing recovery area, and encouraging motorists to reduce their speed.
    - 1) The paved shoulders should be widened 2 – 4 feet in areas where the existing shoulder can accommodate. Edge line or shoulder rumble strips should be installed as shoulder widening occurs and with maintenance repaving projects.

- 2) Based on the high operating speeds, install curve warning and chevrons signs on the westbound lanes on the curve at the Route 604 intersection.
- 3) Law Enforcement should conduct targeted speed enforcement on a more frequent basis. There is an existing programed safety project to widen the paved shoulders, install rumble strips, and upgrade existing guardrail in both direction from the Shenandoah Bridge to the Loudoun CL (UPC 112899). Funding for the preliminary engineering will be available in November 2022 with construction

- Estimated Traffic Volumes

Table 1, 2018 Estimated Traffic Volumes

Route 7 (Harry Byrd Highway)		
Location (From/To)	AADT (2018)	AAWDT (2018)
Frederick CL/Rt 7 Bus W	28,000	30,000
Rt 7 Bus W/Rt 340	26,000	28,000
Rt 340/Rt 7 Bus E	23,000	25,000
Rt 7 Bus E/ Rt 606	23,000	26,000
Rt 606/Loudoun CL	25,000	28,000

- Average Speed Results

Table 2, Approximate Average Speed Results

Route 7 (Harry Byrd Highway)		
Location	Approximate Average Eastbound, MPH	Approximate Average Westbound, MPH
0.3 mile E Route 635	63*	61*
Near Route 621	62	60
Near Route 679 W Int.	60	62

\* Estimated from continuous count station

- Appalachian Trail Head Rt. 605 - Still on hold. Waiting on Park Service.
- Appalachian Trail Head Rt. 7 Pedestrian signs – Complete, placed on Route 7.
- Rt. 9 Hillsboro Project:
  - Some misconceptions that need to be cleared up:
    - The original project did not call for the closure of Route 9. That evolved this past July when the bids came back too high.
    - Current project is 100% funded by Loudoun County and the Northern Virginia Transportation Authority. There are no VDOT dollars for this project.
      - Monies appropriated by the Northern Virginia Transportation Authority come from the additional sales tax collected in northern Virginia.
    - Project is totally administered by the Town of Hillsboro.
    - VDOT did not get involved, beyond a high overview of the project to ensure proper process was followed, until the proposal came forward to close Route 9, which is a primary road.
    - The decision to close a primary road can only be made by the Commissioner of the Department of Transportation.
    - It should be noted that since this came to light, the VDOT NOVA team is working nonstop to look at every possible avenue of what the best options are for this

project. Myriad of suggestions being analyzed based on the data that comes in as to what causes the least amount of impact.

- Regardless of impression given by other parties, VDOT has made no decision and a decision will not be made until the rest of the data is in and meetings are held with representatives from VDOT Staunton District, VDOT NOVA District, the Town of Hillsboro, and the Town of Hillsboro's contractor to review the data and analyze the impact from a regional standpoint. After this process, a recommendation will go to the Commissioner of the Department of Transportation. This recommendation will be shared with the Board.
- In response to Supervisor Byrd, Ed Carter advised that utilities relocation costs would be covered by local funds not by VDOT.
  - Scott Alexander added that there was a whole combination of grants to help with utilities and other parts of the project.
- In response to Supervisor Catlett, Ed Carter stated that the target date to have a recommendation is around September 25, 2019.
- In response to Supervisor Byrd, Ed Carter reported that VDOT NOVA is conducting traffic counts at requested intersections specifically, Route 340 / Route 7. Counts will provide real-time data.
- In response to Vice Chair McKay, Ed Carter stated that without question the project will happen, explaining that what had not yet been decided is how traffic is to be handled. He opined Hillsboro's comments might have been premature.
- In response to Vice Chair McKay's query as to whether the state would reimburse Clarke additional expenses incurred resulting from the closure, Ed Carter said that he did not know.
- In response to Supervisor Byrd's comment on safety, Ed Carter assured that VDOT understands and always looks at safety; however, the risk of accident occurs every day and can happen at any time.
- Highlights of Chairman Weiss' comments include:
  - Inferring from the material provided by various officials, things seem to be driven, to a certain extent, on their schedule based on Route 640 and Route 7. Route 9 needs to be finished so it can be utilized as a detour route for that intersection.
  - He does not hold Ed Carter responsible for the Route 9 issue.
  - While the Route 9 project may go through, this project is not designed to make traffic more easily moveable through Hillsboro. It appears to be designed to discourage people from using Route 9 through Hillsboro.
  - In the late 2000's, he attended a meeting in Hillsboro discussing this project. What he said then, he says now, "Why are we a safety valve for Hillsboro?"
  - Based on the letters read and the money behind the project, this project is going to go forward. While not today, what Clarke needs from VDOT is a specific, highly



detailed plan as to what will happen on day one when Route 9 is closed so that Clarke's citizens, as well as commuters from other jurisdictions, can have some semblance of safety.

- The volume of traffic coming down Route 7 will be just incredible and will probably change the road forever.
  - Need to convey the level of concern that Clarke has about the additional vehicles, that it is a bad idea, and a bad system.
  - While the Board sympathizes with the citizens of Hillsboro, they can chose where they live.
  - The fact that this kind of money is being spent on a tiny town, and redirecting, literally, thousands, if not ten thousand, vehicles into neighboring counties is a travesty.
  - This is a serious problem, and his constituents will be directly affected in a larger percentage than some of the others.
  - Route 7, at times, is a nightmare now, and it is going to get worse.
  - This will cause problems for Clarke and increase the costs incurred with emergency medical services, Sheriff, and State Police.
  - The Board of Supervisors will be sending a letter to the Virginia Department of Transportation to convey its feelings.
- In response to Supervisor Daniel's question about an environmental impact study, Ed Carter responded that the study was complete. Scott Alexander confirmed noting that it concentrates on the project area.
  - In response to Supervisor Daniel's question whether the environmental impact study would be expanded to include the extended area, Ed Carter stated that it would not be expanded. He explained that it covered the impact of the construction area.
  - Vice Chair McKay stated that it was important to note that even if this isn't a VDOT project that all the safety and traffic planning that VDOT would put into it needs to be done here in Clarke. He opined that it seemed that the project was being shoved through in a roughshod manner without a whole lot of impact studies on traffic, roads, and commuting times, which VDOT would have to do. He continued that it appeared that this project was getting by without it.

Ed Carter explained that this is primarily done by the consultant that shows it to VDOT. VDOT has looked at the user costs for traffic delays, amount of costs for routing traffic over the various miles. He assured that VDOT was looking at everything Vice Chair McKay mentioned. He restated that the VDOT NOVA team is reviewing and keeping the Staunton District in the loop and up to date daily since the request for closure came through.

- Vice Chair McKay remarked that one reason he had no faith in the consultant was that he thought Shepherds Mill Road [Route 612] had no traffic issues. Ed Carter commented that he could not answer.
- Ed Carter informed the Board that Route 612 has 1,200 cars per day. For comparison, he added that some Virginia roads have 300,000 per day.
- Supervisor Byrd contributed the following on Route 340:
  - Two feeder roads from West Virginia, Route 611 Summit Point Road, and Route 641 Lewisville Road, are going to be backed up and waiting to enter Route 340.
  - Route 632 Crums Church Road has a stop light.
  - Route 653 Kimble Road does not have a stop light.
  - Feeder roads will back up way out into the country.

Ed Carter said that even though VDOT advertises the detour route, GPS would take people wherever they want to go, which cannot be controlled by localities or agencies.

- Ed Carter informed the Board that VDOT is looking at hard mitigation to stop additional traffic on Route 612.
- Supervisor Catlett comments:
  - Hopes VDOT looks at the whole region because Route 9 is such an important way to get people through to Route 7.
  - Asked what traffic calming would do.
  - Asked if VDOT would be looking at long-term solutions.
  - Noted that Route 9 in Hillsboro is 24 feet wide, and plans include burying infrastructure with manholes meaning that anytime from that point if infrastructure work is needed commuter traffic will be affected.
  - Asked VDOT if it had looked at other things that needed to be done to facilitate people getting through from Route 9 to Route 7.

Ed Carter assured that VDOT was discussing all the issues raised by Supervisor Catlett; and, as soon as available, VDOT would provide those answers to Clarke.

Chairman Weiss expressed his appreciation stating that it was gratifying to hear that VDOT was discussing the issues Clarke was raising.

Ed Carter added that the VDOT NOVA team was doing the bulk of the review; and, thus far, it had been extremely thorough.

- In response to Vice Chair McKay's question on Route 601, Ed Carter responded that it is one of the four intersections [Route 643, 612, 340, and 7] where VDOT is taking actual traffic counts and working on mitigation options.

- Supervisor Daniel expressed appreciation for the time VDOT was taking to review the matter and for Ed Carter's diplomacy.
- Chairman Weiss also expressed appreciation reminding those present that ultimately the "big picture" was VDOT's responsibility to provide the method to get through the crisis.

Supervisor Byrd:

- Route 632 Triple J Road:
  - Speeding presents a danger to persons crossing the road to retrieve the post from their mailboxes.
  - Speed trailers:
    - Is it possible to locate a speed trailer on Route 632?
    - Purchase cost is \$7,000 to \$8,000 for solar-powered device.
    - County does have some safety funds; and, if the Supervisors want to pursue, VDOT can place once the Board provides direction.
    - Chairman Weiss asked if there was any correspondence between the sign and whether it actually lowers speed limits.
    - VDOT does have a speed trailer that could be located in the area for a short period, such as a week.
    - Ed Carter responded to Supervisor Catlett that VDOT collected data only during monitoring; therefore, while signs may be effective in the short term, there is no data available on the long-term effect.
  - At Supervisor Byrd's request, Ed Carter will check requirements for establishing additional fine areas.
- Route 340: Guardrail at the end of her driveway on Route 340, damaged on or about August 23 or August 24, has not yet been repaired.

Supervisor Daniel:

- Route 7 Crossover at Honey Lane: Persons exiting Honey Lane and turning to left are being perfectly safe and not causing any trouble. Persons on Route 7 using it to turn around. There is no lane to allow that, and it cannot be done safely.

Supervisor Catlett:

- Route 255 Bishop Meade Road: Thanked VDOT for removing the tree limb by Old Chapel and removing branches and trees in the area where the railroad goes over Route 255.

- Route 613 Springsbury Road: Currently mowing on Route 612 Shepherds Mill Road and should get later this week. Plan to finish by the end of September.

Supervisor McKay:

- Route 244 Bishop Meade Road: Thanked VDOT for removing the tree limb by Old Chapel. Ed Carter told the Board that Japanese hornets swarmed the VDOT crew that escaped being stung by seeking shelter in their vehicle.
- Stop for School Bus Sign at Shenandoah River Lane Road and Route 638 Howellsville Road: Will check status and report to Ed Carter or Scott Alexander.

Supervisor Weiss:

- Route 7 / Route 340 Interchange: When eastbound, still persons cutting from the left lane into the right land dramatically. Consider more signage.
- Business 7 after Route 340 Bridge Crossover through Median: Area is dangerous and being used not just by emergency vehicles but regular vehicles as well. Ed Carter advised that review would be part of the Route 7 safety assessment.
- Route 612 Shepherds Mill Bridge: Has received more constituent comments, most are specific to safe passage across the one-lane bridge.
- North Hill Lane: Appreciate tree removal. Some trimming would be of great benefit.

5) Approval of Minutes

Vice Chair McKay noted on meeting packet page 55 a typographical error in the September 9, 2019, Work Session minutes. *Our primary concern is the safety of all people traveling in and through the Clarke County, including our students on our school buses.*

**Vice Chair McKay moved to accept the minutes for August 20, 2019. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

6) Board of Supervisors Personnel Committee Items

- A. Expiration of term for appointments expiring through December 2019.

2019-09-09 Summary: At 9:49 am, Vice Chair McKay called the meeting to order. He advised that David Weiss was on vacation and unable to attend the regularly schedule committee meeting.

At 9:50 am, **Supervisor Byrd moved to cancel the September 9, 2019, Personnel Committee meeting because the primary source is not available for the meeting. The motion carried by the following vote:**

**Barbara J. Byrd – Aye**  
**Beverly B. McKay – Aye**

2019-09 Action: Item not reviewed. No action taken.

7) Board of Supervisors Work Session Items

Board of Supervisors Work Session Agenda  
Berryville/Clarke County Government Center, 2<sup>nd</sup> Floor  
101 Chalmers Court, Berryville, Virginia 22611

September 9, 2019, 10:00 AM, Meeting Room AB

Supervisors Present: Barbara J. Byrd, Terri T. Catlett, Mary L.C. Daniel, Bev McKay

Supervisors Absent: David S. Weiss

Staff Present: Tom Judge, Cathy Kuehner, Lora B. Walburn

Also Present: Delegate Wendy Gooditis, Virginia House District 10; Delegate Dave LaRock, Virginia House District 33; Daniel Davies, Legislative Assistant to Delegate LaRock;

Ed Carter, VDOT Staunton District Edinburg Residency Administrator; Scott Alexander, VDOT Staunton District Edinburg Residency Assistant Administrator;

Chris Hammond, Deputy Chief Mount Weather Police; Nicholas Couch, Mount Weather Readiness;

Anthony "Tony" Roper, Clarke County Sheriff; Randy Trenary, Director of Operations - Clarke County Public Schools; Jim Klenkar, Clarke County Attorney;

Keith Dalton, Town Manager - Town of Berryville;

Mike Ruddy, Frederick County Planning;

Doug Lawrence, William Houck, Robina Rich Bouffault

Press Present: Mickey Powell – Winchester Star; Bria Lloyd – WDVM

Vice Chair McKay called the Work Session to order at 10:11 am.

A. Route 9 Detour Impact Discussion

Vice Chair Beverly McKay, White Post District, read from the following prepared statement:

*On behalf of the Clarke County Board of Supervisors, I'd like welcome all of you to our work session. Chair David Weiss is out of the country today. I'm Vice Chair Bev McKay.*

*Ordinarily, our work sessions are informal discussions about issues the Board plans to discuss at upcoming business meetings. Today's work session is a different. We've invited a number of officials who represent Clarke, Frederick, and Winchester to hear our concerns about a proposed road closing in Loudoun County that will have an effect on Clarke County roads, the residents who live along those roads, and the people who drive these roads.*

*Yes, we know Hillsboro has its concerns about the traffic on Route 9 that travels through town. We also know that Hillsboro has discussed this issue for years.*

*What we didn't know until August 28 is that Hillsboro expects its yearlong Route 9 construction project to begin in February 2020. We learned this on August 28 that the town's engineering firm proposes detours directing thousands of cars and trucks each day onto U.S. 340, Virginia 7, and Route 612 in Clarke County.*

*At the August meeting in Hillsboro, Mayor Roger Vance, Loudoun County Supervisors Chair Phyllis Randall, and Commonwealth Transportation Board member Scott Kasproicz repeatedly said the project will move ahead, it will get done, and the only question is whether construction will take one year or three years.*

*Clarke County has major concerns.*

*Our primary concern is the safety of all people traveling in and through Clarke County, including our students on our school buses.*

*We are concerned that increased traffic will increase accidents. We are concerned about the impact increased traffic will have on law enforcement, fire and rescue squads, and road repairs.*

*We wonder why Loudoun County and Hillsboro did not inform neighboring localities of the detours since their proposed plan directly affects Clarke, Frederick County, and Jefferson County in West Virginia.*

*We all need more traffic and safety data before Route 9 is closed in Hillsboro.*

*You have received a packet of information we've gathered over the past 10 days.*

*Today, we want to hear your questions and comments about the Route 9 project; and, we're asking for your guidance.*

*Our County Administrator David Ash is prepared to answer questions and provide more background if anyone would like to have their questions answered.*

*We don't have many answers. We are here to hear your concerns and your questions. For those of you in the audience, today's meeting is not a public hearing. If you have a comment, we would like to hear from you at our regular meeting on Tuesday, September 17, 2019, at 1 pm during the Citizen Comment Period at the beginning of the meeting. But, those of you, such as the gentlemen from FEMA that we have invited, that have concerns about how to get traffic in and out of their facilities we would like to hear from you or talk to David Ash afterwards.*

*Supervisor Barbara Byrd, Russell District, distributed and read her prepared statement opining that the detour would have the greatest impact in her district.*

*Concerns Route 9 9/9/19*

- 1. Law enforcement*
- 2. Emergency services*
- 3. Need for more length in entrance and exit lanes*
- 4. Feeder roads on to 340 north, Trapp Hill, Summit Point, Lewisville, and Clifton*
- 5. Route 7 feeder roads: from Winchester and Frederick Co., Triple J, Senseny, and Westwood*
- 6. Route 7 feeder roads from northern Frederick Co. and West Virginia, Pierce Road, Russell Road, Crum's Church Road, Kimble Road, Trapp Hill Road, Wickliffe Road, and Shepherds Mill Road*
- 7. Lack of stop lights on most of these feeder roads to allow entrance or exit onto Route 7 and Route 340.*
- 8. Commuter traffic coming from south on Route 340 going north*
- 9. Many house and farm entrances and a dangerous business entrance on Route 340 north*
- 10. School bus traffic*
- 11. Road maintenance*
- 12. Trash pick up*
- 13. A habit formed by a year of travel on a four-lane highway that may become a new commuter pathway on our counties roads*

*Supervisor Terri Catlett, Millwood / Pine Grove District provided the following comments:*

- Earlier in year, the Board has heard a lot of concerns from our residents about issues on Route 7:
  - o Appalachian Trail crossing – pedestrian crossing safety concerns
  - o Deceleration lanes going back to Ebenezer Road [Route 604]
  - o Shepherds Mill Road [Route 612]
    - VDOT advised that it does not meet the warrants for a traffic light.
    - Adding traffic lights on roads with higher volume and speeds increases the risk of rear-end accidents.
    - Discussed these issues in spring 2019.
- Waiting on Route 7 safety audit performed by VDOT.
- Questions:
  - o When will Clarke get the Route 7 safety audit information?
  - o Will it be separate from the proposed Hillsboro detour blocking Route 9?
  - o How will it work with the addition of the new data?

Supervisor Mary L.C. Daniel, Berryville District, provided the following comments:

- While aware that Hillsboro and Loudoun County were planning a road project, she was alarmed when hearing just before Labor Day 2019 that the plan was to reroute the traffic through Clarke County.
- Clarke County already has safety issues.
- Shepherds Mill Road, has had many accidents. Sheriff Roper noted that there were no recent fatalities on Route 612. Shepherds Mill Road is in Supervisor David Weiss' Buckmarsh / Blue Ridge District.
- Important for her to know that Clarke is not allowing Loudoun County and Virginia to put a price on the lives that could be lost.
- Many of her constituents are commuters using these highways and will be affected by the increased traffic.
- There is no alternate route to Route 7.
- Questions:
  - o Is the proposed detour the best way?
  - o How can this proposed detour be managed?
  - o What is the data basis from the professionals that have permitted it, VDOT, and those who are going to have to deal with the fall out, Sheriff and Fire and Rescue?

Supervisor Byrd informed those present of the one-lane bridge on Shepherds Mill Road.



*Vice Chair McKay added that residents along Shepherds Mill Road were opposed to changing this historic bridge.*

*Ed Carter, VDOT Edinburg Residency Administrator, provided the following comments:*

- Route 7 safety audit:*
  - Will be available before the Supervisors Tuesday, September 17, regular meeting.*
  - Audit did not take into consideration any additional traffic from detours.*
  - Study results will be provided as part of the informational data in the decision making process for what is the best way to handle Route 9.*
  - No decision has been made on how much to allow Route 9 to close, if any.*
  - Still an ongoing process.*
  - NOVA portion of VDOT and its traffic engineers are looking at every possible option of the best way to get the project constructed at the most economical price and with the least amount of impact on surrounding counties.*
  - Edinburg Residency has been in the loop since it came about.*
  - Regardless of what option is decided, there will be impact.*
  - VDOT is trying to mitigate impact.*
  - The Commissioner has made it very clear that this decision will be made at the execute level and will be based on data.*
  - Will review options that have been proposed before final decision is made.*

*Supervisor Catlett, noting that previous communications asserted that Hillsboro had considered a lot of data; asked Mr. Carter what data sources VDOT was using in its review.*

*Ed Carter responded that VDOT was looking at many things including:*

- Contractors plans*
- Comparisons to like work that this project entails*
- History, in terms of time to perform some of this work that is similar*
- Stakeholders in the project, such as utilities, town maintenance, and functions that have to be performed and how they can be safely performed in the shortest amount of time and still create the least amount of impact.*
  - Utilities:*
    - Placing entire duct system through the streets to handle utilities.*
    - Street in Hillsboro is 25 feet wide*
    - Sanitary sewer, power, and telephone will be included in the trench.*

- *Work will require sizeable equipment in roadway making it physically impossible to perform without some road closure.*
- *Must decide whether to close at night, close weekends, or close for an undetermined amount of time.*
- *Have not looked at all the options to make a recommendation.*

*Supervisor Daniel asked Mr. Carter what data VDOT was reviewing.*

*Ed Carter responded:*

- *VDOT has all the data the consultant, Volkert, was looking at. He noted that VDOT has previously worked with Volkert on other projects.*
- *Actual movement counts at peak hours at intersections VDOT is particularly concerned about mitigating.*
- *VDOT 2018 traffic data*
- *VDOT reviewing to compare the proposed schedule.*

*Scott Alexander added that VDOT was reviewing the data this week.*

*Supervisor Byrd added:*

- *If road is closed on Sundays, vineyard owners will complain.*
- *Route 340 becoming more congested.*
- *At the Supervisors' last meeting, she requested a traffic study of Route 340 because it is becoming a major commuter road.*
- *The two-lane area of Route 340 in West Virginia helps deter commuter traffic.*

*Ed Carter advised that the four-lane project was under design now to tie into the short piece in Virginia.*

*Supervisor Byrd noted the presence of public safety vehicles on Route 340 opining that there were a lot of blue lights and law enforcement in this area.*

*Ed Carter provided the following comments:*

- *VDOT could conduct a study on Route 340, but has not yet implemented.*
- *VDOT has no control over the drivers on the road.*
- *VDOT can only make the road so safe and the people driving must take some responsibility for how they drive.*
- *The speed limit is 55 MPH on Route 7 and Route 340.*
- *Recent speed study on Route 7 showed over 7,500 vehicles exceeding 65 MPH, with one vehicle clocked at 91 MPH going over the mountain.*

- *The Sheriff and the State Police have the limited resources to monitor speeds.*

*Sheriff Roper provided the following comments:*

- *Reiterated Mr. Carter's comments.*
- *Has not proposed additional enforcement because he is waiting on data.*
- *Very interested in the data and the potential traffic increase and will take action based on data.*

*Supervisor Catlett put forward for consideration safety implications for Blue Ridge Volunteer Fire and Rescue Volunteer Station.*

*Ed Carter responded that beginning last year VDOT has started staging wreckers on top of the mountain for snows specifically for the vehicles that start up and can't make it to the top. He confirmed that the wreckers would not help with access out onto Route 7.*

*Supervisor Daniel added that the problem was not just public safety equipment getting out, but also volunteers ability to access the station.*

*Ed Carter commented that he had not seen the report, but he was sure there would be recommendations for extended turn lanes. If that is the case, funding will be an issue; and, VDOT will probably be encouraging the County to make smart scale application to accommodate those extended turn lanes.*

*David Ash remarked that the timing remains an issue.*

*Ed Carter concurred noting that even if approved it would be six or seven years to get the funds.*

*David Ash provided the following comments:*

- *Has discussed this project at length since first hearing about it on August 27.*
- *While "data driven" has been used extensively, there was no data presented at the August 28 meeting that could address any of the questions asked at the meeting.*
- *Several questions at the meeting were answered with, "we didn't look at that."*
- *Subsequent to the meeting, there has been a denial of some of the proposals made.*
- *At the August 28 meeting in Hillsboro, Clarke County representatives were told that this is a data-driven process, the data was there, the decision was made, and the project would go forward.*
- *With no data given at the meeting, it gave rise to the Board's concerns as to who is producing the data, its accuracy, and whether it is designed to support a preconceived idea.*

*Ed Carter responded as follows:*

- NOVA VDOT's engineers are examining and testing data for accuracy as it is being generated.*
- NOVA VDOT has assigned a dedicated team to this project since the August 28 meeting.*

*David Ash added the following:*

- VDOT's response since the August 28 meeting has been spot on.*
- VDOT is keeping him informed.*
- The Board was concerned having been told there was no plan for any mitigation of anything and leaving it to the locality to deal with as it occurred has caused concern; and, because of the process wherein the decision was made without the knowledge or participation of the negative implications that would simply be lifted from one area and put on another.*

*Supervisor Byrd commented that following the August 28 meeting VDOT representatives had assured the Board a decision had not yet been made, that it would be a data-driven decision, and would be expedited because of the situation. She opined that Clarke was given wrong information at the August 28 meeting.*

*Supervisor Daniel noted the data being heard about did not seem to be dealing with western Loudoun County to the state line. She asked if the data deals with anything in West Virginia or Clarke County:*

*Ed Carter responded:*

- Deals with what is in Clarke County.*
- West Virginia and Maryland both stand to be impacted.*
- Of the 17,000 vehicles on Route 9 daily, 16,000 originate from West Virginia.*
- VDOT does not wish to discourage this, for West Virginia workers are a big economic driver for Virginia.*
- Virginia's traffic engineers are working in concert with West Virginia's engineers.*
- Engineers are making determinations based on historic models of what they consider will be the amount of those cars that come south.*

*Supervisor Byrd mentioned a construction project on Route 340 along the river between Harpers Ferry, West Virginia and Brunswick, Maryland.*

*Ed Carter put forth that while it may not be close to our area we could be impacted noting that Northern Virginia, West Virginia, and Maryland are considered a transportation region; and, all three work together on these issues.*

*Delegate Wendy Gooditis, provided the following comments:*

- *This morning she spoke with Randy Kiser, VDOT Staunton District Engineer.*
- *Since August 28, the Staunton District is now very much involved in project review.*

*Ed Carter confirmed the following:*

- *VDOT Staunton District was not aware of the proposed complete closure until one week before Clarke County was made aware.*
- *Hillsboro is in the NOVA District.*
- *While the project does impact VDOT, it is not a VDOT project.*
- *Project is being administered by the locality, Hillsboro.*
- *Project was designed and estimated by the Hillsboro's consultant, Volkert.*
- *Now, Staunton is aware, and NOVA has become heavily involved in the data gathering process, analyzation, and with exploring all the options.*

*Delegate Gooditis asked Mr. Carter who had the final say on how this project is done.*

*Ed Carter responded that by Code the Commissioner has the final authority to approve a road closure.*

*Delegate Gooditis reaffirmed that road closure could not be done without VDOT approval.*

*Mr. Carter responded in the affirmative.*

*Chris Hammond, Mount Weather Police, provided the following comments:*

- *Concerns are the same as others expressed throughout the meeting - what will it do with all the vehicles and fire trucks trying to get in and out and cut across.*
- *Mount Weather is, basically, a small community with a large number of persons coming and going.*
- *Its police help Clarke's Sheriff's Office.*
- *It has Memorandums of Understanding [MOU] with fire and rescue departments to provide assistance.*
- *It has MOU with VDOT to keep Route 7 and Route 601 side open working closely with VDOT and others to keep it open.*
- *Proposed closure would be quite problematic in the event of a state of emergency.*
- *First received notice of proposed detour, when provided the email from David Ash last Thursday, September 5, 2019.*

*Mike Ruddy, Planning Director - Frederick County, Virginia, thanked the Board for inviting Frederick to the meeting advising that he was attending on behalf of County Administrator Kris Tierney and extended any support Frederick might provide.*

*Randy Trenary, Director of Operations – Clarke County Public Schools, stated that the Schools were concerned and trying to gather information.*

*Keith Dalton, Town Manager – Town of Berryville, stated that he attended the meeting on behalf of Town Council to listen and advise Council.*

*Ed Carter asked to clarify complete closure.*

- It came about after Hillsboro bid the project.*
- Closure was not part of the original project.*
- The bids came in significantly over the estimate.*
- Hillsboro's contractor told them that one of the major costs was maintenance of traffic for the original plan was to do under flagging operations.*
- The proposal to close and reduce the amount of time came after the bid process sometime in July 2019.*

*Supervisor Catlett asked for clarification that the public hearings held on this project would not have contained closure language.*

*Ed Carter responded in the affirmative.*

*Vice Chair McKay opined that he came away from the August 28 meeting, which was not very informational, believing that closure was already decided and traffic would be shifted to other localities. He expressed his appreciation to VDOT for attending the Work Session.*

*Delegate Gooditis further commented:*

- She was glad to hear that VDOT NOVA was now heavily involved.*
- VDOT has the final approval of road closures.*
- While this has been a thorny issue for Hillsboro for decades, it is difficult to see that closing a commuter road down completely does a lot of good for residents outside of Hillsboro.*
- Closure will create problems for commuters on the western end and for all the support workers coming in from West Virginia be they teachers, law enforcement, health care workers, etc., as well as their employers.*

*Delegate Dave LaRock provided the following comments:*

- Represents Hillsboro, western Loudoun, Clarke County, City of Winchester, Frederick County.*

- *Wants to participate in the information gathering and to be part of the process.*
- *Does not wish to do anything in haste and sees his role as a mediator.*
- *The information gathered could lead different people to different conclusions.*
- *Clarke does not face the same exodus of commuters through town for a couple of hours every day. Without a Route 7 bypass, Berryville would be like this.*
- *All want to be good neighbors; but, as elected officials, you have the responsibility of anticipating and managing the interests of the persons that have elected you to be their leaders necessitating what is clearly underway here, which is this data-driven approach.*
- *Data driven approach is best to weigh into process.*
- *This is a big project that has been in the planning process since at least 2012.*
- *Management of Traffic is typically the last phase of the project.*
- *There may be some misconception that this had been concealed or there has been a conspiracy to fast track something, which is not the case.*
- *Hillsboro's Mayor Roger Vance and Amy, last name unknown, are acting as the general contractors on this project.*
  - o *Doing a good job.*
  - o *May be weak in the area of communication and diplomacy that needs to take place at the right time and presented accurately.*
- *His office has been in contact with VDOT drawing attention to the most obvious impact - the merge of Route 340 and Route 7.*
  - o *Ed Carter confirmed that this intersection is currently being studied.*
- *Conversation has been ongoing but not with the emphasis on closure.*
- *Sent a letter to VDOT asking if it can be done; can full closure be considered a legitimate option without excessive stress on the transportation system to the point it becomes dysfunctional.*
- *Nothing he has heard indicates that a decision has been made.*
- *Logical, sensible approach would be to look at full closure.*
- *Keeping an open mind.*
- *The project has already been approved for a partial closure.*
- *May want to consider if want to endure what could be considerable inconvenience for thirty to thirty-six months or do you take it on the chin, close for nine to eleven months and, if VDOT finds it manageable, get it over with.*
- *Full closure may be better for Clarke County than thought at first glance.*
- *Alternate MOT's will take into consideration all these concerns and VDOT will determine what will work best.*

- *Could change timing of lights.*
- *Could erect local traffic only signs on Shepherds Mill Road.*
- *The uphill merge on Route 9 bogs down traffic so removing that might make it better.*
- *Need to let experts that can thoroughly analyze come back with a plan*

*Vice Chair McKay asserted that Clarke was not opposed to Hillsboro; but, he is concerned about finding out the night before the August 28 meeting that Hillsboro is planning to put 17,000 cars per day from Route 9 on to Route 7 and Route 340 claiming that it is data driven but providing no data.*

*Supervisor Catlett remarked that the lack of notification is water under the bridge, and the Board must now look at the data for the safety of the flood of cars that might be headed our way. She did concur with Delegate LaRock that when we look at common ground with Hillsboro we have all these hard-working individuals that commute through our area and contribute to the local economy, and we must consider their safety.*

*Vice Chair McKay commented that the Board was concerned for the safety of its citizens and the commuters passing through the county. He opined that he understands that Hillsboro, an old town, has concerns; however, it may not have thought about the concerns of other affected localities.*

*Delegate Gooditis asked a final question whether Route 9 over the mountain was safer than Route 7 in icy, foggy conditions.*

*Ed Carter responded that he did not have that information.*

*Delegate Gooditis noted from her own experience the "skiing event" on Route 7 in icy, foggy conditions.*

*Ed Carter clarified that VDOT was confident that not all commuters will come in this direction and will use other routes.*

*Supervisor Byrd concluded that safety was her primary concern.*

*Delegate LaRock put forth that upon realizing that partial closure may not be attractive from Hillsboro's perspective for it commissioned a revised traffic study to evaluate full closure, which could not be too far along in the process.*

*Scott Alexander responded that Hillsboro's engineer and a whole team assembled in the VDOT NOVA District are pouring through the work that needs to be done, alternatives, possible sequence of construction in order to determine the best way to tackle this project. He speculated that this process could take two weeks.*



*Vice Chair McKay thanked everyone for attending the meeting, particularly Delegates Gooditis and LaRock, and invited them to attend any future regular meeting. He thanked the Town of Berryville, Frederick County, Mount Weather, and Clarke Public Schools.*

*At 11:07 am, Vice Chair McKay adjourned the meeting.*

2019-09-17 Action: David Ash reviewed noting that discussion was continued earlier in the meeting.

Chairman Weiss thanked the Board and staff for the in-depth discussion, consideration, and thought.

B. Distribution and Initial Comments 2020 Legislative Priorities

2019-09-09 Summary: Document distributed. No comments.

2019-09-17 Action: Highlights of review include:

- Economic Development Advisory Committee recommended Board consideration of including a request to increase transient occupancy tax in its 2020 legislative priorities.
- Supervisor Catlett put forth that if the Board did wish to meet with its state legislators earlier in the year it should review now.
- Supervisor Daniel concurred suggesting that it should be reviewed in the next six weeks.
- Vice Chair McKay suggested finalizing at the Board's October 7 Work Session.
- Supervisor Daniel commented that she hoped to receive VACo priorities within the next week.
- Following discussion, the Board established the following:
  - o Luncheon at 12 noon on Wednesday, October 9, or Thursday, October 17.
  - o Luncheon at the Lone Oak Tavern, 12696 Lord Fairfax Highway, Boyce.
  - o Staff to notify the School Board Chair and Berryville and Boyce mayors.
  - o Review legislative priorities at the October 7 Work Session.
  - o Supervisors to review and submit changes to David Ash.

a. Economic Development Advisory Committee Recommendation Re Transient Occupancy Tax

2019-09-09 Summary: Recommendation distributed.

209-09-17 Action: No action taken.

C. Closed Session Pursuant to §2.2-3711-A1 Specific employees or appointees – as necessary

2019-09-09 Summary: No closed session conducted.

2019-09-17 Action: No closed session held.

8) Finance Board of Supervisors Finance Committee Items for September 9, 2019

A. FY2020 Transfer

2019-09-09 Summary: The Commonwealth's Juvenile and Domestic Relations Court Clerk requested a contribution of \$350 toward the purchase of a robe for the new Judge. The Finance Committee declined to contribute at this time.

2019-09-17 Action: Tom Judge reviewed. No action taken.

B. FY2020 Supplemental Appropriations

a) *FYI: CCSA Membrane Tank replacement.*

2019-09-09 Summary: The sewer system in Boyce required a \$58,955 repair that was unexpected. It is anticipated that availability fees over and above the FY2020 estimate may be able to cover this expense.

2019-09-17 Action: Tom Judge reviewed. No action taken.

b) *FYI: Sheriff E-ticket expenses*

2019-09-09 Summary: The budget for ticket expenses was overlooked during the development of the FY2020 budget. There are expenditures of \$15K to date. The

department intends to manage its budget without a supplemental appropriation at this time.

2019-09-17 Action: Tom Judge reviewed. No action taken.

c) *FYI: Commonwealth's Attorney Murder Trials*

2019-09-09 Summary: Two murder trials are expected to occur in FY2020. Murder trials can require unanticipated expenses for witness travel, evidence gathering, depositions, record keeping, etc. as well as additional staff time. These expenses will depend on the course of the legal process, and the Commonwealth's Attorney will keep the Finance Committee apprised as the trials proceed as to what, if any, supplemental appropriation may be required.

2019-09-17 Action: Tom Judge reviewed. No action taken.

d) *Broadband Grant*

2019-09-09 Summary: The Committee recommends the following: Be it resolved that public hearing be set for October 15 on the following matter: **"Be it resolved that the FY2020 General Government Capital Projects Fund expenditure and appropriations be increased \$209,513, and that revenue from the Commonwealth's Virginia Telecommunications Initiative (VATI) be increased in the same amount, all for the purpose of providing high speed internet to White Post."**

2019-09-17 Action: Following review, **Supervisor Daniel moved to set public hearing for 6:30 pm or as soon thereafter as the matter may be heard on Tuesday, October 15, 2019, in the Berryville-Clarke County Government Center, Main Meeting Room. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

e) *Sheriff Liability Insurance Claims.*

2019-09-09 Summary: Typically VaCorp pays the repair shop directly. In this case, VaCorp is paying Clarke, and Clarke is paying the repair shop. A supplemental appropriation is therefore recommended for the repair of a Sheriff's vehicle on two occasions: **"Be it resolved that Sheriff's FY2020 expenditure and appropriation be increased \$6,725, and that revenue from VaC017; be recognized in the amount of \$6,476 for the purpose of repairing a Sheriff's vehicle on two occasions"**.

2019-09-17 Action: Following review, **Supervisor Catlett moved, "Be it resolved that Sheriff's FY2020 expenditure and appropriation be increased \$6,725, and that revenue from VaC017; be recognized in the amount of \$6,476 for the purpose of repairing a Sheriff's vehicle on two occasions"**. The motion carried by the following vote:

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

f) *Bills and Claims.*

2019-09-09 Summary: The Finance Committee recommends approval of the August 2019 Invoice History Report.

2019-09-17 Action: Following review, **Supervisor Byrd moved to accept the August 2019 Invoice History Report. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

g) *Standing Reports. FYI: Reconciliation of Appropriation, Capital Projects, Fund Balance. Action: Information only.*

2019-09-17 Action: Information only.

9) Joint Administrative Services Board Update

Highlights of review include:

- Met August 26.
- Health Insurance:
  - Chuck Bishop and Tom Judge met with Ed White, insurance consultant, to discuss Clarke's policy.
  - Ed White's general impression was that it was a rich policy that was not necessarily overpriced, but did understand that the policies continue to rise each year.
  - The key issue seem to be the cost of the family health insurance to the employee.
  - Makes Clarke uncompetitive with other localities.
  - Some part-time employees do not earn enough to pay the employee share of the premium.
  - Joint Board did not decide to rebid the insurance this time. It did not feel it would be worth the trouble, but will continue to look for ways to decrease costs.
  - Insurance issue will continue to come up for it varies widely annually. It has an impact on hourly employees.
  - Discussed increasing deductible by eliminating the KA250 plan.
  - Some localities tried wellness programs, but did not seem to get much traction.
  - Could explore changes in dental program.
- Cyber Security
  - Issue was also discussed in July.
  - There have been a number of hacking attempts.
  - Reviewed VACorp coverage for those type of events.
  - Discussed training by an outside vendor to help educate employees to be security conscience. Vendor has been contracted.
  - Discussed doing separate communication to employee to teach cyber security hazards, but decided it was too much information.

## 10) Government Projects Update

David Ash provided the monthly project update.

- Courthouse HVAC: Hope to have information from engineers by month's end.
- Boundary Line Warren County
  - On August 29, conducted a public information meeting with Warren County Administration.

- Some minor changes resulted from the use of more nearly accurate equipment than that used in 1836.
- Plats of convenience purported to create lots and developments in Clarke, but line was left off the plat and recorded in Warren County. Affected persons are paying Warren County taxes and the children attending Warren County schools.
- General agreement to keep people where they thought they were when it would result in a simple adjustments of a few acres.
- Both sides will need to have public hearings to change boundary line. Discussed the possibility of a joint public hearing, but not certain if that is possible.
- No appreciable change in values resulting from the adjustments.
- While the counties are going with the new survey, the 1836 survey was only off 5 inches from the top of the mountain to the river.
- The island in the river, with only a small portion in Clarke, will be transferred in whole to Warren.

#### 11) Miscellaneous Items

##### FEMA Award Staffing for Adequate Fire and Emergency Response [SAFER] Grant

David Ash informed the Board that Brian Lichy, Director Fire, Emergency Medical Services, and Emergency Management, was successful in his application for a SAFER Grant to provide \$622,145.75 over the next three years to assist in the hiring of five additional EMS employees to service Clarke. While Mr. Lichy is ready to send the acceptance letter, Mr. Ash wished to remind the Supervisors that there was a commitment. He explained that over the next three years these additional employees would shift completely into the County's budget. He requested an action for the record accepting the terms and conditions of the grant.

Chairman Weiss added that the total figure is near to one million dollars; and, while he applauds the effort and success for a clearly demonstrated need for better coverage of the Clarke's citizens, let there be no doubt that this type of expenditure is a significant amount of money in the County's budget.

Supervisor Byrd asked how Mr. Lichy would use the grant.

Chairman Weiss invited Brian Lichy to describe the grant.

Brian Lichy provided the following:

- The grant covers five new full-time positions, not current positions.
- First two years covered at 75% of the base salary and benefits of an employee without overtime or employee equipment.

- Third year covered at 25% to 35%.
- Fourth year is 100% on the county.
- Employees must be hired within the next 180 days if the grant is accepted.
- The grant allows testing all the way to background investigation.
- Given written exams and conducted one ability test, with another ability test scheduled at the end of September.
- Thanks to the help of Brianna Taylor, Employee Support Coordinator, he believes he will have five viable candidates at the end of the testing period.
- Working on staffing details as to how and where the new hires will be assigned.

Chairman Weiss commented that with Clarke hiring more full-time people it is hoped that the volunteers can fill in the holes in staffing to best utilize the full-time people. Further, the Commission and the station chiefs have come to the realization that holes need to be filled with permanent people.

**Vice Chair McKay moved to accept the SAFER grant from FEMA. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

Chairman Weiss thanked Mr. Lichty for his expertise and efforts in securing the grant.

Town of Berryville Mosby Boulevard Sidewalk Sections – FY2019 Transportation Alternative Program Application – Letter of Support

David Ash reviewed the Town of Berryville's request for a letter of support for its FY2019 Transportation Alternative Program Application.

**Supervisor Daniel moved to authorize the Chair to sign on behalf of Board. The motion carried by the following vote:**

Barbara J. Byrd	-	Aye
Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

September 17, 2019

Town of Berryville  
101 Chalmers Court, Suite A  
Berryville, VA 22611

Attention: Christy Dunkle, Assistant Town Manager/Planning Director

Re: Town of Berryville Mosby Boulevard Sidewalk Sections – FY2019 Transportation  
Alternative Program Application – Letter of Support

At its September 17, 2019, the Clarke County Board of Supervisors reviewed and unanimously approved the Town of Berryville’s request to provide a letter of support for its FY 2019 Transportation Alternatives Program Application for new sidewalk construction along Mosby Boulevard.

It is the opinion of the Board that this project, in closing gaps between existing sidewalk segments to create continuous pedestrian links between residences, schools, and neighborhood commercial uses, would be an effective use of public funds toward meeting the goals of the regional transportation plan, the bicycle and pedestrian plan, and the TA Program.

Regards,  
David S. Weiss, Chair, Clarke County Board of Supervisors

Special Meeting Announcement

Chairman Weiss read the following: “Pursuant to Virginia Code Sections 2.2-3711(A)(1) and 2.2-3712(B), with notice given during regular session on Tuesday, September 17, 2019, the Clarke County Board of Supervisors will conduct interviews of candidates for the position of County Administrator in a closed meeting, at an undisclosed location, within the next 15 days.”

12) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Process, archive, and post approved minutes.	Lora B. Walburn
2.	Review and provide comment to David Ash on 2020 Legislative Priorities.	Supervisors
3.	Coordinate scheduling of the 2019 Legislative Luncheon at	Lora B. Walburn



<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
	Lone Oak Tavern on October 9 or October 17.	
4.	Send letter of support Town of Berryville Mosby Boulevard Sidewalk Sections – FY2019 Transportation Alternative Program Application.	Lora B. Walburn
5.	Publish special meeting notice.	Lora B. Walburn
6.	Draft and process public hearing notice for October 15.	Lora B. Walburn

### 13) Board Member Committee Status Reports

#### Supervisor Barbara J. Byrd

- Board of Social Services Board: Meets next week.
- Clarke County Humane Foundation: Adding six more runs on at the animal shelter.
- Community Policy and Management Team: Met yesterday - no quorum.
- Conservation Easement Authority: Meets next week but cannot attend.
- Work Session: Vice Chair did an excellent job leading the meeting with VDOT and state legislators.
- Northwest Regional Adult Drug Treatment Court Advisory Committee: No update given.
- Northwestern Regional Jail Authority: Meets next month on October 16.
- Northwestern Regional Juvenile Detention Center Commission: No update given.
- Town of Berryville:
  - o Long meeting
  - o Conducted three public hearings
  - o Desi Moreland recognized for 43 years of service to the Town.
  - o Looking at ways to provide better lighting downtown to improve safety.

#### Supervisor Terri T. Catlett

- Career and Technical Education Committee: No update.
- Historic Preservation Commission: No update.
- Parks and Recreation Advisory Committee: No update.
- School Board:
  - o Raised \$25,000 for the American Heart Association.

- Discussed greenhouse at Johnson Williams Middles School.
- All schools now have secured vestibules.
- Discussed cell phone usage at high school: students provided comment; no decisions made.
- Curriculum for family planning approved last year, and this year reviewing books to use.
- Discussed schools, and superintendent goals.
- Discussed increasing community engagement.
- Discussed connecting with Josephine School.
- Education Foundation gala September 21.
- Village of Millwood: Did not meet.
- VACo: No update.

Supervisor Mary L.C. Daniel

- Planning Commission: Request for a special use permit to build a monopole in Millwood District. Replaces a monopole that is no longer useful. Public hearing carried over to October.
- Broadband Implementation Committee: Did not meet. Staff working to keep clarkeconnect website current.
- Sheriff's Department: Assessment conducted every four years and accreditation will continue. Less than 25% of all law enforcement agencies are accredited.
- Library: No update given.
- Josephine School Museum: No update given.
- Coalition of High Growth Communities: Nothing to report.

Vice Chair Bev B. McKay

- Board of Well and Septic Appeals: Did not meet.
- Broadband Implementation Committee: Did not meet.
- Economic Development Advisory Committee: Mets tomorrow.
- Joint Building Committee: Reviewed building security.
- Sanitary Authority: Postponed to September 24.
- Town of Boyce: No update given.
- White Post: No update given.

- Northern Shenandoah Valley Regional Commission: No update given.

Chairman David S. Weiss

- Fire & EMS Commission: Did not attend.
- Industrial Development Authority: Meets October 24.
- Joint Administrative Services Board: Meets September 23.
- MOU Committee: Need to confirm an October meeting date with Jay Arnold and Keith Dalton.
- Miscellaneous:
  - Need to set up meeting with School Superintendent and School Board Chair.
  - Invited members to the Farm Bureau annual dinner at Audley Farm.
  - Clarke County Education Foundation 22<sup>nd</sup> Annual Gala September 21.
  - Follow up to Work Session: Drafting a letter regarding Route 9.

14) Closed Session

None conducted.

15) Adjournment

At 3:09 pm, Chairman Weiss adjourned the meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, October 15, 2019, at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: September 17, 2019

\_\_\_\_\_  
David S. Weiss, Chair

\_\_\_\_\_  
David L. Ash, County Administrator

\_\_\_\_\_  
Recorded and transcribed by Lora B. Walburn, Deputy Clerk to the Board of Supervisors