

February 18, 2020

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, 2nd Floor, Berryville, Virginia conducted on Tuesday, February 18, 2020.

Board Members

Present Afternoon Session: Doug Lawrence – 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

Chris Boies, Tom Judge, Cathy Kuehner, Brian Lichty, Lora Walburn

Constitutional / State Offices / Other Agencies

Ed Carter, Matt Smith, Wayne Tapscott, Brian Rosenberry

Press

Mickey Powell – The Winchester Star

Others Present

Robina Rich Bouffault, Jeff Hinson, Nora Kelleher, Michelle Worthing

1) Call to Order

Chairman Weiss called the afternoon session to order at 1:01 pm.

2) Adoption of Agenda

- Closed Session will be conducted pursuant to §2.2-3711-A1 Specific employees or appointees of the Board.

Supervisor Catlett moved to adopt the agenda as presented. The motion carried by the following vote:

Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Absent
David S. Weiss	-	Aye

Chairman Weiss informed those present that Pete Maynard, Planning Commissioner – Russell District, died in an accident on Sunday, February 9. He stated that the Board sent its thoughts and condolences to the Maynard family.

At 1:03 pm, Vice Chair McKay joined the meeting.

3) Citizens Comment Period

Michelle Worthing, Wickliffe Road, Berryville: addressed the Board telling them about an article she read in The Washington Post regarding a bill before the General Assembly that legislators voted to give power to the counties so the counties can now tax. She put forth that if there was a problem with the school budget, or whatever, just raise the taxes. She opined that this was the solution to every problem. She went on to say that the article states the Board can have legislation to tax plastic straws, remove statues from the courthouse; so, it gives you a lot more power. Ms. Worthing noted that it had not finished passing yet, but it has passed the House of Delegates and the Senate. Now, they need to combine their versions; and, the Governor signs them. She concluded by stating that the Board can, now, do whatever it wants.

Nora Kelleher, Gun Barrel Road, White Post: read a petition the following statement:

Intro:

Ladies and gentlemen of the Bd. of Supervisors and Mr. Ed Carter, Virginia Dep't of Transportation Representative, Thank you for allowing me to address you this afternoon.

My name is Nora Kelleher. I reside at 794 Gun Barrel Rd., White Post, Va. in Clarke Co. I am here to express the concerns of many of us who reside on Gun Barrel Rd. I am presenting you with a petition signed by a majority of the residents on Gun Barrel Rd. I am

speaking on behalf of the signatories and also for a couple of concerned residents who felt a conflict of interest precluded their signatures.

I must conclude my statement here today by saying that as of Monday, February 17, at approximately 10:30 a.m.-the dump truck traffic on Gun Barrel Rd., was reduced to almost NONE. For the last 26-27 hours it has been blessedly non-existent.

I do not know if this is a short or long-term hiatus from the traffic patterns of the last 6-8 weeks on our roadway, but it is a welcome relief for us. I have, personally, reached out to my Supervisor, to the Virginia Department of Transportation, and to the Clarke County Sherriff's Department for assistance in addressing our concerns, and I am happy to express my gratitude to all who may have been responsible for the present calm.

We are all hopeful that the new traffic pattern will continue to be a long-term response to the desires of our neighbor to improve his property and that our "country," county road will retain more of its true nature.

Thank you again for listening to me and for allowing me to represent my neighbors, and yours, with this petition.

(I do have a one minute-long slide presentation, if you feel it necessary.)

Our petition reads as follows:

STATEMENT of CONCERN AND PETITION FOR RELIEF

We, the undersigned residents of Gun Barrel Road (Route 644) in Clarke County, Virginia, do hereby request that the Clarke County Board of Supervisors, in coordination with the Virginia Department of Transportation, address our concerns regarding an unusual and unanticipated amount of heavy tonnage, wide bodied, dump truck traffic occurring on Gun Barrel Road.

Fill dirt is being delivered from the Lake Frederick Subdivision (Frederick County, Virginia) to Butler Lane, a private lane, located approximately .1 miles south of Route 50 and .1 miles west of Gun Barrel Road. A Land Disturbance Permit was issued for this project; but none of the signatories below was advised of the project, or of the ramifications of the additional and burdensome heavy-vehicle traffic on Gun Barrel Road.

1. Gun Barrel Road is almost seventeen feet (17') in width. These large, heavy trucks average twelve feet (12') in width. It is often difficult for private passenger vehicles to pass these large vehicles from the opposite direction, and it is impossible for these trucks to meet each other without one driving on the shoulder.

2. The shoulders (which are primarily maintained by residents), the drainage ditches, and the drainage culverts are routinely driven over, and compromised by these large trucks.

3. *It is a common occurrence for these vehicles to a.) delay traffic when another dump truck is approaching (by stopping on or driving slowly on the shoulder), and also to b.) "push"/"tailgate" private passenger vehicles which obey the speed limit.*

4. *The volume of dump truck traffic averages between forty (40) and fifty (50) vehicles per hour most days. This includes vehicles delivering to and returning from the fill dirt destination. The turn around time on Butler Lane is only about ten (10) minutes.*

We, the undersigned, having received no notification of this nuisance use of a narrow county road, ask that alternate measures be studied and implemented to at least mitigate the aforementioned conditions which we feel are dangerous to us, and damaging to the roadway.

Stephen Loe, Gun Barrel Road, White Post: Thanked Nora Kelleher for documenting the situation and bringing it to the attention of the Board and organizing the community. He stated that he wished to reinforce some of what Ms. Kelleher said as far as the tremendous volume of heavy truck traffic that residents on that road have been experiencing and enduring for weeks and months. The trucks are making a great deal of noise, drive on shoulders of the road, damaging the roadway, trucks heavier than road designed for, and dangerous with clearances and widths. He told the Board that on one occasion a convoy of six trucks forced him to pull over. He noted that there were some spots on Gun Barrel with significant drop offs that can damage a vehicle or even cause a driver to lose control of the vehicle. Mr. Loe noted that two property owners on Gun Barrel Road were accepting fill dirt from Lake Frederick. He opined that this situation might crop up again on Gun Barrel Road or other parts of the county. He urged the Board to do whatever it could to manage this kind of activity to minimize the negative effects.

4) VDOT

Ed Carter, Residency Administrator, presented the supervisors the monthly update.

Maintenance:

- Completed shoulder repairs on Route 7 in both directions from Route 653, Kimble Road to the Loudoun County Line, including Route 340 off ramps.
- Completed brush trimming operations on Route 680, Smallwood Lane and started on Route 608, Parshall Road and will continue this month and Route 729, Trapp Hill Road.
- Completed boom-axing on Route 622 Swift Shoals Road and Route 625 Kennel Road. VDOT will continue with boom-axing on various other routes this month.
- Conducted grading operations on various non-hard surfaced routes and will continue this month.
- Removed storm debris at several locations this month and repaired potholes.

- Pothole patching will continue as reported.
- Mobilized for several weather events.

Board Issues:

- Hillsboro Project: The Regional Operations Manager for NOVA has volunteered to allow the Incident Management Coordinator for Loudoun County to respond over into Clarke County on Route 7 to assist with incident lane clearance during the detour. VDOT will be meeting with law enforcement next week to discuss procedural logistics.
 - Logistical meeting - Monday, January 24 at 10 am, Berryville-Clarke County Government Center, Second Floor County Wing Conference Room
- Route 601 Truck Restriction: Part of route is in Loudoun County, and Supervisors are expected to act this week.
 - Supervisor Catlett noted the portion of the road in Fauquier County asking if Fauquier County must also approve.
 - Mr Tapscott responded that Loudoun County maintains that section of roadway for Fauquier County.
- Gun Barrel Road:
 - VDOT reached out to the Project Manager at Lake Frederick concerning the complaints about trucks hauling fill from there to locations on Gun Barrel Road. They have agreed to ask their drivers to use Route 340 and Route 50 when hauling to the area closest to Route 50. However, there is nothing legally that VDOT can do to prohibit the use of Gun Barrel Road. If there are speeding or overweight issues, law enforcement will have to address.
 - Vice Chair McKay provided examples from his travels along this roadway in his voting district.
 - Mr. Carter responded that Mr. Tapscott was monitoring the situation.
 - Chairman Weiss expressed support for weighing trucks on the road if VDOT considers it necessary.

Supervisor Daniel:

- Route 9: VDOT is running ahead of schedule on preparation work in Clarke County needed to handle the increased traffic flow when Route 9 shuts down later this year.

Chairman Weiss:

- Emergency Vehicle Cross over Route7 and Route 340: Signed with authorized vehicles only. Mr. Carter opined that law enforcement might be the best deterrent.

5) Consent Agenda

Resolution Establishing Revised Easement Value Criteria to Include Criteria for Purchases from Non-profit Organizations 2020-03R

Resolution Establishing Revised Easement Value Criteria to Include Criteria for Purchases from Non-profit Organizations 2020-03R

WHEREAS, the 2013 Clarke County Comprehensive Plan calls for the preservation of open land in:

Goal 1, which states:

Preserve and protect the agricultural, natural, and open-space character of unincorporated areas; and in Objective 1 which states:

Encourage agricultural operations and productivity and ensure the preservation and availability of agricultural lands for the continued production of crops and livestock through the following policies and the Agricultural Land Plan.

and in Objective 2, which states:

Preserve the natural beauty and protect the ecology of forested areas to ensure that development in those areas is in conformance with their environmental limitations through the following policies and the Mountain Land Plan.

and in Objective 5 Policy 2 which states:

Encourage and expand support for the Conservation Easement Purchase Program, both philosophically and financially, in order to fund easement purchases on land with significant conservation value that are owned by individuals with low to moderate income.

WHEREAS, the Clarke County Board of Supervisors adopted Easement Value Criteria in September 2002 to focus the purchase of easements on properties owned by low- and middle-income households;

WHEREAS, an inflationary adjustment of the Easement Value Criteria is recommended to reflect changes in economic conditions;

WHEREAS, equating income levels of nonprofits with adjusted gross income presents complications not normally associated with private landowners and for-profit entities, causing the Authority to consider developing a different set of criteria for non-profits.

WHEREAS, the Authority has determined that offering a maximum payment of \$25,000 per Dwelling Unit Right (DUR) retired is a reasonable offer for non-profit organization selling DURs as part of an easement;

WHEREAS, at their 16 January 2020 meeting, the Conservation Easement Authority unanimously recommended amending the Easement Value Criteria to include provisions for DUR easement purchases from nonprofit organizations;

NOW THEREFORE, BE IT RESOLVED THAT the Clarke County Board of Supervisors hereby establishes the following revised Easement Value Criteria to include criteria for purchases from non-profit organizations.

Adopted this 18th day of February, 2020

ATTEST 2020-03R

Chris Boies, Clerk to the Board of Supervisors

**CLARKE COUNTY
CONSERVATION EASEMENT AUTHORITY
Determination of Payment of Conservation Easement
May 2006, Amended October 2008, March 2011, April 2016**

Once a property owner confirms in writing their interest in selling an easement, the Authority commissions a professional appraisal of the easement value of a property. The Authority also asks the owner to provide their average annual adjusted gross income in each of the three most recent tax years. The appraised easement value is adjusted based on the income of the owner. Lowest-income owners may be offered up to the full-appraised value of the easement. Middle-income owners may be offered up to a portion of the appraised value and higher income owners are offered a minimal amount (see following chart). All income information is kept confidential and the privacy of the owner respected.

The purpose of adjusting the appraised easement value by income is to focus the available funds toward lower- and middle-income property owners. Higher-income owners who donate easements benefit from a federal charitable tax deduction and a Virginia tax credit. Lower- and middle-income owners benefit less, or not at all, from a tax deduction of a donation because of their lower income, so compensation is indicated. The following chart reflects the relative financial tax benefits of easement donation for owners in the \$55,000 to \$205,000 income range. The higher the owner's income, the more money he or she would receive as a tax benefits by donating an easement. The lower the owner's income, the more money he or she would need to obtain a comparable cash benefit for agreeing to an easement.

The property owner is informed of the adjusted appraised value of the easement. The owner is invited to submit an offer to sell a conservation easement on the subject parcel for the purchase price (not tax deductible). The remainder of the appraised value of the

easement would be eligible for a federal tax deduction (as a charitable donation) (ten-year carryover) and a Virginia tax credit (five-year carryovers). Once a purchase price is agreed on, the Authority then submits the proposed purchase to the Board of Supervisors for approval. The Authority pays all costs associated with the Authority's appraisal and the easement transfer (including legal and surveying fees). These costs are estimated to be in the \$2,500 to \$4,000 range per easement.

The adjusted appraised value of a conservation easement is calculated by multiplying the appraised value by the applicable percentage of appraised value set forth in the table below. The average annual adjusted gross income is based on the aggregate of the annual adjusted gross income of each owner of record and the members of each owner's household for each of the three most recently filed tax returns. In the case of a parcel owned by an entity such as a corporation, partnership, limited liability company, trust or estate, the average annual adjusted gross income of the owner is based on the weighted average of the annual adjusted gross incomes of the shareholders, partners, members, grantor, beneficiaries or decedent, as the case may be.

Average Annual Adjusted Gross Income'	Percentage of Easement Appraised Value
\$ 0 - \$55,000	100%
\$55,001 - \$65,000	94%
\$65,001 - \$75,000	88%
\$75,001 - \$85,000	82%
\$85,001 - \$95,000	76%
\$95,001 - \$105,000	70%
\$105,001 - \$115,000	64%
\$115,001 - \$125,000	58%
\$125,001 - \$135,000	52%
\$135,001 - \$145,000	46%
\$145,001 - \$155,000	40%
\$155,001 - \$165,000	34%
\$165,001 - \$175,000	28%
\$175,001 - \$185,000	22%
\$185,001 - \$195,000	16%
\$195,001 - \$205,000	10%
\$205,001 or more	4%

Appraised Value Purchases from Nonprofits – The Authority may offer payment of up to 25% of the appraised value of the easement.

DUR Purchases from Non-profits – The Authority may offer payment of up to \$25,000 per DUR retired

Vice Chair McKay moved to adopt the item on the Consent Agenda. The motion carried by the following vote:

- Terri T. Catlett - Aye
- Mary L.C. Daniel - Aye
- Doug M. Lawrence - Aye
- Beverly B. McKay - Aye
- David S. Weiss - Aye

6) Board of Supervisors Personnel Committee Items

A. Expiration of Term for appointments expiring through April 2020.

2020-02-10 Summary: The Personnel Committee recommends:

- Appoint Cathy Seal as alternate to the Shenandoah Valley Chief Local Elected officials Consortium to a term expiring December 31, 2023. Ms. Seal replaces David Ash.
- Reappoint Doug Kruhm to the Historic Preservation Commission to a four-year term expiring December 31, 2023.
- Reappoint Christy Dunkle, Town of Berryville representative, to the Economic Development Advisory Committee to a term expiring December 31, 2023.
- Appoint Lori Mackintosh to the Economic Development Advisory Committee to serve the remainder of the unexpired term of Jim Barb. Appointment expires December 31, 2021.
- Reappoint Ronnie Huff, Town of Berryville representative, to the Parks and Recreation Advisory Board to a term expiring December 31, 2023.
- Reappoint Joe Myer, Town of Boyce resident, to the Clarke County Sanitary Authority to a term expiring ~~December 31, 2023~~ January 5, 2024.
- Reappoint Joe Blatz to the Board to the Board Septic and Well Appeals to a term expiring February 15, 2024.
- Recommend to the Clarke County Circuit Court reappointment of Anne Caldwell to the Board of Zoning Appeals to a five-year term expiring February 15, 2025.

2020-02-18 Action: Chris Boies reviewed the Personnel Committee’s recommendation. He brought to the Board’s attention a correction in the expiration date of the reappoint

of Joe Myer to the Clarke County Sanitary Authority from expiring December 31, 2023 to expiring January 5, 2024.

Vice Chair McKay moved to accept the appointments. The motion carried by the following vote:

Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

B. 2020 Conflict of Interest Filing Update

2020-02-10 Summary: Chris Boies advised the Supervisors that all 2020 filings had been received and were on file in County Administration. He thanked the Supervisors for submitting their Statements of Economic Interest on or before the February 3 deadline.

7) Board of Supervisors Work Session Items

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

February 10, 2020, 10:00 AM, Main Meeting Room

Board Members Present: Terri T. Catlett, Mary L.C. Daniel, Doug M. Lawrence, Beverly B. McKay, David S. Weiss

Officers / Staff Present: Chris Boies, Tom Judge, Cathy Kuehner, Brian Lichty, Lora B. Walburn

Others Present: Robina Rich Bouffault, John Staelin

Press Present: Mickey Powell – The Winchester Star

Item No.	Description
	02-10-2020 Summary: At 10:00 am, Chairman Weiss called the meeting to order.

Chairman Weiss requested the addition of a brief closed session pursuant to §2.2-3711-A1 Specific employees or appointees.

Vice Chair McKay moved to adopt the agenda as modified. The motion carried by the following vote:

Terri T. Catlett - Aye
Mary L.C. Daniel - Aye
Doug M. Lawrence - Aye
Bev B. McKay - Aye
David S. Weiss - Aye

Chairman Weiss informed those present that the Board of Supervisors had sent a letter of support for Senate Budget Amendment Item C-53.5 #1s, offered by Chief Patron Senator Jill Vogel, and House Budget Amendment Item 385 #6, offered by Chief Patron Delegate David LaRock. The amendment provides critical funding to replace the Animal and Education Facility at Clermont Farm in Clarke County that burned down a year ago. Clermont Farm is an important 360-acre historic and educational site in Clarke County owned by the Virginia Department of Historic Resources.

A. FY2021 Budget Discussion

Chairman Weiss invited Tom Judge and John Staelin to join the Board at the table.

Highlights of review by Tom Judge, Director – Joint Administrative Services, include:

- Proposed FY2021 budget in the packet includes the School Superintendent's budget request for a 5% salary increase. The proposed 5% health insurance increase will be adjusted for it has now been communicated that health insurance will not increase in FY2021.
- Budget reviewed February 10 does not include salary increase for general government employees nor funding for any personnel requests.
- FY2021 Budget Finance Committee has not yet reviewed revenues.
 - Monday, February 10, it will hear budget presentations from six agencies.
 - Thursday, February 13, it will hear budget presentations from eight agencies.
- Major and minor capital projects, subject to review and recommendation by the FY2021 Budget Finance Committee, are not included in this version of the preliminary budget document.

- Deficient in budget reviewed February 10 is (\$688,759) with adjustment from pay-as-you go of \$192,192 for a net deficit of (\$496,567).
- Appreciable shifts in FY2021 budget:
 - Sheriff's Office: \$100,513 increase.
 - Fire and Rescue:
 - Services: \$30,682 increase
 - Volunteer fire companies: \$50,218 increase
 - Fire and EMS Commission will review and, possibly, finalize the FY2021 budget at its February 13 meeting.
 - SAFER Grant, \$252,221, will offset cost for five new positions added to the Fire and EMS Department.
 - Tax relief for the elderly and disabled: \$50,000 increase.
 - Handley Regional Library: \$38,088 increase.
- Equalized tax rate: \$0.615. Tom Judge explained that following a re-assessment revenue cannot increase greater than 1% without being advertised as such.
- General Government Personnel requests highlights:
 - Fire and EMS request:
 - LEOS, a retirement benefit for public safety personnel, which is advantageous for recruitment.
 - Two additional supervisory positions – supplement for existing positions.
 - Funds for advance life support [ALS] training.
 - Animal Shelter requests a part-time employee.
 - Parks and Recreation requests a wage increase for its part-time employees.
 - General District, Juvenile and Domestic Courts request salary supplements from the locality.
 - Sheriff's Office requests two additional deputy positions.
- Minor Capital requests highlights:
 - FY2021 Budget Finance Committee will review to determine if FY2020 funds are available to accomplish these projects.
 - Courts are requesting the County to cover the cost of judicial

robes, a request previously turned down by the Supervisors.

- Major Capital requests highlights:
 - Sheriff's Office requests:
 - Four new vehicles
 - Portable speed trailer
 - Camera system
 - Sheriff's Office and Fire and EMS request handsets / repeaters; grant funds may offset cost.
 - One vehicle for either Maintenance, Animal Shelter, or Information Technology.

Chairman Weiss asked Board members for comments.

Vice Chair McKay put forth that the FY2021 budget was still a work in progress and expressed concern about some of the requests, specifically vehicles.

Supervisor Daniel asked for electronic access to budget documents, while Vice Chair McKay expressed his desire to have hard copies due to the erratic performance of his internet. Supervisor Catlett told members that last budget season she accessed budget documents via a laptop in County Administration. Tom Judge stated that he would bring hard copies to meetings, and Chris Boies offered to work with Tom Judge to digitize.

Chairman Weiss concluded the discussion assuring that the Board would take a conservative approach as it worked through the budget process.

2020-02-18 Action: Chris Boies briefly reviewed.

B. Closed Session Pursuant to §2.2-3711-A1

2020-02-10 Summary: At 10:32 am, **Vice Chair McKay moved to convene into Closed Session pursuant to §2.2-3711-A1. The motion carried as follows:**

Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

At 11:11 am, 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 Catlett moved to reconvene in open session. The motion carried as follows:**

Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

Supervisor Catlett 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:

Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

No action was taken following Closed Session.

8) Board of Supervisors Finance Committee Items

- A. Personal Property Tax Collection. **The Committee reviewed options and recommends the following: "Be it resolved that:**
- a. **The Information Technology Department purchase a customized Personal Property Tax Bill form;**
 - b. **That a budget request for \$29,000 to fund part-time assistance for the Commissioner of Revenue be added to the FY 21 Budget discussion, and;**
 - c. **That \$10,000 be transferred from the personnel contingency to the Commissioner of the Revenue department for funding of a part-time position for the remainder of FY 20."**

2020-02-18 Action: Tom Judge reviewed the Finance Committee's recommendation.

Chairman Weiss explained that while the Finance Committee talked about the Commissioner of the Revenue, specifically, it also should be utilized by the Treasurer's Office to a certain degree.

Chris Boies responded that the hope was that the person hired could help in the offices of the Commissioner of the Revenue and Treasurer. He put forth that these offices have talked about splitting a position for years, and splitting would be an ideal situation. It would be helpful to have flexibility in the position. The position could report to County Administration. Mr. Boies concluded that he had spoken with both constitutional officers, and they agreed that it would be okay with them.

Vice Chair McKay stated that he had no objection to whom the position reports. He also wondered if there was any way Munis could be made to work better and function, as it should, which seems to be the base line problem.

Chris Boies responded that Gordon Russell, IT Director, has assured that the customized form will help with some of that; however, as to what Tom Judge alluded, it takes a customized form. It is our hope that with this customized form we might see a better product for the citizens.

Tom Judge opined that in the discussions in which he has been involved customization was what was put forward as the solution to the primary issue with Munis. He opined that there were other changes that persons wished, which is often the case when you get a new program. He noted that Tyler is always updating the program. Some users seem to be relatively pleased with the Munis as a solution. He opined that it might take some additional time to get used to the program noting that it has been about a year since it was implemented. He said that in most of the other

modules the County implemented it took two to three years to get users comfortable with the program.

Chairman Weiss added that it is impossible to get the form out that taxpayers are accustomed to seeing that breaks down by vehicle. He stated that in the interim the County would try to hire a person to get it fixed. Further, at the end of the year, if we are still having the issues, and the Board should know by October, the Board would have sufficient lead-time to address changes, such as the number of times per year the County bills, which is an ordinance change.

Supervisor Catlett added that one of the things she’s heard is that part of what makes it hard is when they enter they have to go through this process from screen to screen. When they are doing that and there are distractions, it makes it hard to get back on track. It is hoped that by getting someone, who is more dedicated to starting it and finishing it, they will be more proficient at it; and we can learn a lot. She opined that it would get better the more they used the tool and not getting distracted in the middle of going from screen to screen.

Chairman Weiss stated that it was the Board’s wish to place the position under County Administration.

Tom Judge put forth the modification required to the resolution including adding under b. add “and Treasurer, under the direction of County Administration; and c. change from Commissioner of the Revenue to County Administration.

Supervisor Catlett moved to adopt the resolution as modified reading:

Be it resolved that:

- a. The Information Technology Department purchase a customized Personal Property Tax Bill form;**
- b. That a budget request for \$29,000 to fund part-time assistance for the Commissioner of Revenue and Treasurer, under the direction of County Administration, be added to the FY 21 Budget discussion, and;**
- c. That \$10,000 be transferred from the personnel contingency to the budget of County Administration for funding of a part-time position for the remainder of FY 20."**

The motion carried by the following vote:

Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

B. FY2021 Real Estate Tax Calculation and Revenue Review.

2020-02-10 Summary: Information only. The Committee reviewed and adjusted FY2021 revenue estimates.

2020-02-18 Action: Tom Judge reviewed the information.

David Weiss asked the Supervisors for any direction for Tom Judge. None was given.

Tax Neutral Rate 2/1/2020			
	CY 19	CY 20	% Change
Assessed Value (CY 19 Includes Supplements)	2,608,783,000	2,933,350,200	12.44%
Less Taxable Value of Supplements during CY 19	17,317,098		-100.00%
Less Nontaxable	186,642,100	189,919,100	1.76%
Less Conservation Easement differential			
Less Land Use Deferral	320,772,651	320,772,651	0.00%
Less Tax Relief for the Elderly differential	29,722,872	29,722,872	0.00%
Less Historic Rehabilitated Properties differential			
<i>Net Taxable for Equalized Rate Calculation</i>	<u>2,054,328,279</u>	<u>2,392,935,577</u>	16.48%
Tax Rate	0.0071	0.0061	-14.08%
Net Tax Revenue	<u>14,585,731</u>	<u>14,596,907</u>	
Percent change over prior year			0.08%
CY 19 Net Tax Revenue/CY 20 Net Taxable Value		0.0060953295	
<i>NOTE: Could go to 61.5 and still be under 1%.</i>			
Last reassessment year was Calendar Year 2020			
Conservation Easement (was never in CY 19 number)	107,238,140.00		

C. Bills and Claims.

2020-02-10 Summary: The Finance Committee recommends acceptance.

2020-02-18 Action: Following review, **Supervisor Catlett moved to accept the January 2020 Invoice History Report. The motion carried by the following vote:**

Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

D. Standing Reports. FYI: Reconciliation of Appropriation, Expenditure Summary

2020-02-10 Action: Information only.

9) Joint Administrative Services Board Update

Tom Judge provided an update. Highlights include:

- Reviewed budget.
- Health Insurance:
 - Discussed health insurance. Continued discussion at next regularly scheduled meeting on Monday, February 24.
 - No rate increase for FY2021.
 - School Board is discussing changing some of the plans, but is waiting until next fiscal year to make proposals.
- Conducted a closed session – no action taken.

10) Government Projects Update

Chris Boies provided the monthly project update:

- Board of Equalization:
 - The Board of Equalization is working on having their initial meeting next week.
 - To date, they have 29 citizens, who have requested an appointment with the Board.
 - Mr. Joe Blatz has done a great job of getting things set up.
- VATI: We had a good conversation with Comcast last week and hope to receive their final paperwork to close out the grant later this week, fingers crossed.
- Boundary Line Warren County: We also heard from the surveyor last week that the final property in the Warren County boundary line adjustment should be corrected this week.
- Community Support: I would like to thank Director Brian Lichty and Enders volunteer Michael Oak, who both spoke to Rappahannock County recently on some of the successes we had here in Clarke County with integrating paid staff into the volunteer system. Director Lichty will also be visiting officials in Warren County soon on another matter. This is just another example of the great employees we have in Clarke County and how their advice is sought after from surrounding localities.

- Website Project: Gordon Russell, Matt Rabbitt, and Cathy Kuehner have done a great job with the website launch. The first couple of days were a little hectic but things have gone very smoothly because of their hard work and dedication.
- Extended Leave: I want to thank Lora for her work in keeping everything running in our office while Brianna is out. Brianna brought the baby by last week and they are both doing really well.
- Birthdays: And finally, we would like to recognize a couple Board member birthdays in February, David Weiss had a birthday on February 9th, and Terri Catlett yesterday, February 17th.

11) Miscellaneous Items

None added to the February 18 meeting.

12) Summary of Required Action

<u>Item</u>	<u>Description</u>	<u>Responsibility</u>
1.	Execute Resolution 2020-03R	David Weiss
2.	Process Resolution 2020-03R	Lora B. Walburn
3.	Execute notice of appointment.	David Weiss
4.	Process appointments and update database.	Lora B. Walburn
5.	Provide condolences to Maynard family.	Chris Boies
6.	Set up meetings with EDAC and IDA.to review position description and discuss hiring process	Chris Boies

13) Board Member Committee Status Reports

Supervisor Terri T. Catlett

- CPMT: Attended for the first time. Discussed individuals to whom services are provided and better ways to partner with the community.
- Parks and Recreation Advisory Board: Did not meet.
- Humane Foundation: Meets in March.
- Conservation Easement Authority: Meets tomorrow.
- Historic Preservation Committee: No update.

- School Board
 - Arrived late due to overlap of FY2021 Budget Finance Committee.
 - Initially, Chuck Bishop proposed a 5% pay increase. The School Board asked him to review further, and they are proposing a 7% teacher increase.
- VACo Board:
 - Attended meeting in Richmond.
 - Board met in the morning and heard from VACo staff and different localities addressing how legislative priorities were reflected in bills.
 - Governor addressed the attendees.
 - Went to the Capitol to watch legislators in both chambers.
 - Spoke to a couple of Clarke’s representatives.
- Career and Technical Education Committee: No update
- Village of Millwood: Nothing new.

Supervisor Mary L.C. Daniel

- Planning Commission:
 - Animal Shelter:
 - Moved to March meeting.
 - Addition includes a picnic pavilion and receiving area entrance.
 - Plan to increase the number of runs from 26 to 32.
 - Planning is considering allowing apartments under 600 square feet in single family AOC / FOC.
- Legislative Liaison: Clarke’s request to increase transient occupancy tax to 5% was struck in committee. Delegate Gooditis is working with others on another measure that would grant counties the same taxing authority as towns and cities.
- Broadband Implementation Committee: Did not meet.
- Sheriff’s Department:
 - Investigations unit advised that there has been a spate of break and enters on and around Gun Barrel Road apparently after tools.

- Murder trials have gone well and are over for now. Two defendants found guilty and three others have plea agreements. One defendant remains a fugitive; and, when apprehended, they will be prosecuted.
- During the trials, staff worked 15 hours a day; and, in addition to their regular duties, they cleaned, emptied trash, and brought in lunches. Staffing challenges should be better now.
- Security cameras need.
- Library:
 - John Huddy is bringing in a new program that will double the books available to the library through an online system.
 - Performed a salary study.
- Josephine School Museum: Did not meet.
- Coalition of High Growth Communities: No update.
- Board of Well and Septic Appeals: Did not meet.

Supervisor Doug M. Lawrence

- Board of Social Services:
 - Meets tomorrow.
 - Discussed salary comparison at the last meeting and confirmed that this is something they wanted to perform.
 - Will be working with Mike Legge on an RFP.
 - Director Heine's presentation to the FY2021 BoS Budget Finance Committee provided a good summary.
- Career and Technical Committee:
 - Attended for Supervisor Catlett while she attended the VACo Board meeting in Richmond.
 - Group used many unfamiliar acronyms.
 - Made a few contacts and hope to follow up with them to school-aged children involved at the fire hall.
- Conservation Easement Authority: No update.
- Drug Court:

- Discussed a million dollar three-year grant award for a newly formed law enforcement overdose-prevention program.
- Program will provide intervention well before drug court;
- Aetna foundation, that purchased CVS, provided the grant.
- City of Winchester has entered a joint lawsuit and is suing the drug companies.
- Within parameters of grant, would allow cost recovery for EMS transport.
- One Clarke resident in the drug court program and one resident in the new over-dose prevention program.
- Fire and EMS Commission:
 - Attended the Fire and EMS Commission for Chairman Weiss, because of a FY2021 BoS Budget Finance Committee meeting scheduled at the same time.
 - Scheduled another meeting to discuss the budget for the afternoon on Thursday, February 20.
 - Budget is still a work in progress.
- Northwestern Regional Jail Authority
 - Our share of cost between the jurisdictions has gone down; but, still, the cost has gone up.
 - Looking at a \$6,000 increase for FY2021.

Vice Chair Bev B. McKay

- Building and Grounds: No update.
- Community Workforce Development: Attended meeting
- Clarke County Sanitary Authority:
 - Nitrogen and phosphorous lower because of the new membranes.
 - Changed to different polymer; the new polymer also costs less.
- Economic Development Advisory Committee:
 - Held organizational meeting January 29.
 - Adopted an every-other month meeting schedule.
- NSVRC: Meets this Thursday.
- Other: Attended session in Richmond of the House of Delegates Agriculture Committee. Delegate LaRock's bill on the nutrient bank was voted down, while Delegate Goodities' bill was move to next year.

- Town of Berryville: No update.
- Town of Boyce: No update.
- Village of White Post: No update.

Chairman David S. Weiss

- Fire & EMS Commission: Covered by Supervisor Lawrence.
- Industrial Development Authority: Organizational meeting January 23.
- MOU Committee / Town of Berryville Clarke County Economic Development and Tourism Joint Committee:
 - Productive meeting on February 12.
 - Council member Kara Rodriguez asked to join the Committee.
 - Doug Lawrence asked to join the Committee.
 - Next meeting is set for Friday, March 20.
 - Asked Keith Dalton and Chris Boies, along with IDA, EDAC, to create a job description for Economic Development and Tourism Director and to update the MOU.
 - MOU will including a breakdown of financial contributions from the Town and County.
 - Committee feels full-time position is best.
 - Committee wants job description to be specific and oversight defined.
 - Positive meeting with both Town and County committed.
 - Chris Boies is seeking an interim replacement.
 - Berryville's contribution will be included in the FY2021 budget and will dictate the amount of activity for the Town.
- FY2021 Budget BoS Finance Committee:
 - Met with the School Board and received an in-depth review of its budget.
 - \$154,000 savings from combining positions;
 - The School Board is proposing a 7% increase.
 - Unprecedented raise outside of requirement by state to raise 5% for VRS and the County included an additional 2%.
 - CCPS believes this increase will make it more competitive with Winchester and Frederick County.
 - Governor's budget has no salary increase.

- The general government funds school resource officer positions assigned to the schools.
- Chris Boies informed the Supervisors that the House Appropriations Committee proposed a 2% teacher raise, and the Senate Finance and Appropriations Committee; proposed a 3% bonus for teachers in the first year and a 4% in the second year. These proposals are still at the committee level and are being followed.
- Supervisor Daniel expressed appreciation for being able to review budget requests in digital format.

14) Closed Session

At 2:32 pm, **Supervisor Daniel moved to enter closed session pursuant to §2.2-3711-A1 Specific employees or appointees of the Board. The motion carried by the following vote:**

Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

At 2:58 pm, **the members of the Board of Supervisors being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, Supervisor Daniel moved to reconvene in open session. The motion carried as follows:**

Terri T. Catlett	-	Aye
Mary L.C. Daniel	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

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

CERTIFICATION OF CLOSED SESSION

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

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

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

Terri T. Catlett - Aye
Mary L.C. Daniel - Aye
Doug M. Lawrence - Aye
Beverly B. McKay - Aye
David S. Weiss - Aye

15) Adjournment

At 3:00 pm, Chairman Weiss adjourned the meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, March 17, 2020, at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: February 18, 2020

David S. Weiss, Chair

Chris Boies, County Administrator

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